

# Cumberland Joint Housing Protocol for 16- and 17-Year Olds who are Homeless or at risk of Homelessness

## 15<sup>th</sup> February 2025

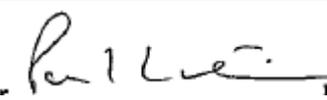
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## 1.0 Aims of the Protocol and Introduction

- 1.1 This Protocol has been developed to set out and confirm the joint commitment and approach across Cumberland Council (Children's Services and Housing Services) to work together effectively in response to young people aged 16- & 17-years, who present as homeless or who are threatened with homelessness within Cumberland.
- 1.2 The protocol outlines the agreed approach, practice and roles and responsibilities of partners across the Council and within the multi-agency framework of services for young people.
- 1.3 Relevant legislation and guidance underpinning this protocol includes:
- The Children Act 1989 (Section 17 and Section 20).
  - The Housing Act 1996 (Part 7).
  - Children G v LB Southwark 2009.
  - The Homelessness Reduction Act 2017.
  - MHCLG Prevention of homelessness and provision of accommodation for 16- and 17-year-old young people who may be homeless and/or require accommodation guidance 2018.
  - Working Together to Safeguard Children 2023.
  - Cumberland Council's Homelessness Prevention and Rough Sleeping Strategy 2025-2030.
  - Ofsted, supporting children aged 16 and 17 who need help when they are homeless 2025.
- 1.4 Joint guidance for Children's Services and Housing Services relating to homeless 16- and 17-year-olds was first published in April 2010 following a number of judgements handed down by the House of Lords that addressed the interrelationship between the duty under Section 17 and Section 20 of the Children Act 1989 and duties under Part 7 of the Housing Act 1996. This guidance has been updated in 2018 to reflect new duties introduced through the Homelessness Reduction Act 2017, and to incorporate other relevant updates and forms the basis of Cumberland's Joint Housing Protocol setting out arrangements to prevent and address homelessness for young people aged 16 and 17 years.
- 1.5 Case law has clarified the relationship between the duty under Section 17 and Section 20 of the Children Act 1989 and duties under Part 7 of the Housing Act 1996 in the case of 16- or 17-year-olds who require accommodation. The House of Lords case R (G) v Southwark [2009] UKHL 26 held that, where a 16- or 17-year-old is owed duties under Section 20 of the Children Act 1989, this takes precedence over the duties in Part 7 of the Housing Act 1996 in providing for children in need who require accommodation. Where the

specific duty is owed under Section 20 of the Children Act 1989, a 16- or 17-year-old should be accommodated under that provision rather than looking to the general duty owed to children in need and their families under Section 17.

- 1.6 Whilst the Section 20 (Children Act 1989) duty takes precedence, Housing Services also have a number of residual duties towards young people who are homeless or threatened with homelessness a) prevention, b) the provision of initial and emergency accommodation where a young person presents to a housing, c) accommodation where a young person makes an informed decision to reject Section 20. Duties owed by each service will depend on a range of factors, including which service they initially seek help from, the outcomes of any assessments and enquiries, and the wishes and feelings of the young person and their family.
- 1.7 It is therefore essential that Children's Services and Housing Services work together to plan and provide services that are centred on children, young people and their families; this document provides guidance to Cumberland managers and practitioners in Children's Services (Family Help, Support and Protect, Cared For) and Housing Services on working together with a view to preventing young people from becoming homeless and addressing their needs if they are homeless.
- 1.8 This Protocol will ensure that young people are not passed between services and that a joint response to preventing homelessness is taken across the Council as a whole, and that where homelessness cannot be prevented, 16- & 17-year-olds are offered options and choices, including being cared for (looked after). The prevention of homelessness or becoming cared for is a key focus of the joint working protocol through implementing a robust assessment, prevention (and reunification), family help and support pathway that maintains a young person within their family or effectively promotes and safeguards a young person's transition to independent living.
- 1.9 Whilst Family Help, Support and Protect and Housing Services currently have different referral processes, assessments, forms and services, every effort will be made to ensure that young people experience a seamless and integrated services and do not have to repeat their story and complete multiple assessments and documents.
- 1.10 Key Principles:  
There should be timely, active, multi-agency assessments and interventions to prevent homelessness in Cumberland by:
  - a) Ensuring that young people are not passed between services and there is a joint response to preventing and addressing homelessness.
  - b) Wherever possible, and where safe, suitable and sustainable, 16- and 17-year-olds are best accommodated within their families unless to do so

places them at risk of harm (where possible avoiding homelessness and becoming cared for).

- c) Accommodation provision made for 16- and 17-year-olds unable to remain with their families should be made based on a comprehensive assessment of their needs and include the relevant supports to enable them to successfully develop independent living skills (Early Help Assessment, Child and Family Assessment, Homelessness Assessment).
- d) Where possible, young people should always be involved in discussions and plans for their future, together with their families and carers.
- e) In assessing the needs of young people for accommodation and support, those involved in that process must take account of the particular needs and background of the young person.
- f) Accommodation provided for young people will comply with the relevant Children's Services and Housing Services legislation, standards and requirements.
- g) 16- and 17-year-olds experiencing homelessness will never be placed in bed and breakfast by either Children's Services or Housing Services.
- h) Young people who become cared for under Section 20, will also be assessed in accord with the Supported Accommodation Regulations 2023 as to whether they require 'Accommodation and Support' or 'Accommodation and Care'.

- 1.11 Whilst this Protocol has been set out as a sequential set of headings, it should not be taken that the process must follow the key steps in the same sequency, for example, the immediate and first step will often involve confirming homelessness and settling young people into emergency accommodation (by either Children's Services or Housing Services) so that assessments, support, rehabilitation and/or longer term accommodation can be identified.

## **2.0 Prevention and Rehabilitation**

- 2.1 Where a notification is received that a 16- or 17-year-olds is likely to become homeless, Housing Services and Children's Services (Family Help and Support and Protect) will work together with an aim of preventing homelessness (and/or the young person becoming cared for).
- 2.2 Joint working between Children's Services and Housing Services to prevent a 16- or 17-year-old from becoming homeless may be undertaken within the framework of Early Help Services, Section 17 of the Children Act 1989 Services and/or Section 195 of the Housing Act 1996. Any preventative work should be undertaken alongside the assessment processes outlined in this document below and should not delay the provision of any other statutory

duties (such as emergency accommodation or becoming cared for) where these may also be owed.

- 2.3 If key issues affecting the young person's welfare and/or the sustainability of their living at home remain unresolved, but they are able to remain or return there, support should be provided to the family through Children's Services in line with their assessed need and set out in their Early Help or Child in Need Plan.
- 2.4 Preventative services may include one or more of the following interventions:
- a) Family and home visits by, Family Help, Support and Protect, Housing Services (individually or jointly).
  - b) Referral to the Gateway Group meeting.
  - c) Information and advice.
  - d) Informal and formal mediation.
  - e) Family help worker support.
  - f) Family Group Decision Making (and family networking) meetings.
  - g) Advocacy (through the commissioned service from the National Youth Advocacy Service NYAS).
  - h) Referral to the emergency accommodation or short term supported accommodation pathway (via Family Help, Support and Protect, Housing Options) as part of a planned move-on.
- 2.5 Subject to the young person's and family's agreement, practitioners should always share and review any information held by the Council about the young person and their family (Family Help, Support and Protect, Housing Services), this information will help in understanding the background of the young person and their family and any interactions they may have been had with both Housing Services and Children's Services.
- 2.6 In order for homelessness (and becoming cared for) prevention to be effective all sections of the Council will be responsible for taking immediate steps to prevent homelessness if they are approached by a young person aged 16 or 17 who may be threatened with homelessness.
- 2.7 All services will work pro-actively with young people and their families to attempt to identify and resolve the issues which have led to the threat of homelessness. This preventive work (and reunification with family work) will be undertaken at the same time as the assessment of the young person and where required, the provision of accommodation services.
- 2.8 Of paramount importance is the welfare of the young people who seek advice and assistance from statutory and voluntary agencies. Where responsibility for service provision is yet to be determined (Children's Services and/or

Housing Services), the statutory agency with which the young person first makes contact should make interim arrangements to secure both support and accommodation pending full assessments. Given there is a need to work together to ensure the young person is safe, all sections of the Council must ensure that work is undertaken across service sectors to provide accommodation if assessed as required.

### 3.0 Referrals and Initial Assessment

- 3.1 Whichever department the young person initially presents to, a referral by that department should be taken and a referral to partner departments made:
- a) First Contact Script – Homeless 16- & 17-Year Olds (Early Help)  
[contactus.digital.cumberland.gov.uk/w/webpage/16-17homelessnesscumberland](https://contactus.digital.cumberland.gov.uk/w/webpage/16-17homelessnesscumberland)
  - b) Homeless or at Risk of Homelessness – 16- & 17-Year Olds (Support and Protect) – Integrated Front Door  
[Report a concern about a child | Cumberland Safeguarding Children Partnership](#)
  - c) Duty to Refer (Housing Services)  
[Homelessness | Cumberland Council](#)
- 3.2 The department receiving the initial referral and referring to the partner departments should also enter the young person's details on the Share Point – 'Homeless 16- & 17-Year-Old Tracking Data Tool'.
- 3.3 Whilst Children's Services has the lead responsibility for the provision of services to homeless 16- & 17-year olds, it should be noted that where a young person initially presents to Housing Services and is deemed to be homeless, Housing Services has a duty to provide emergency accommodation under Section 188 of the Housing Act 1996 whilst referring to partner departments and whilst respective assessments are undertaken.
- 3.4 The young person must be seen on the day of their initial contact, a triage assessment completed, their immediate needs addressed, referrals made, and a 'Solutions Meeting' set up and a 'Gateway Meeting' referral made and their details added to the 'Share Point – 'Homeless 16- & 17-Year-Old Tracking Data Tool'.
- 3.5 Where the young person presents to Children's Services (Family Help or Support and Protect) and is deemed to be homeless, emergency accommodation will be provided under Section 20 (1) (if longer than 24 hours) whilst referring to partner departments and whilst respective assessments are undertaken and completed.

- 3.6 The department where the young person initially presents will clarify on the day of presentation whether the young person is at 'risk of homelessness' or 'homeless' and whether they can remain in the family home whilst work is undertaken to assess and support the young person and their family.
- 3.7 On the day of the initial presentation the department should complete an initial assessment of need and seek to meet any immediately identified need and refer to partner departments, (which may include the provision of emergency accommodation).
- 3.8 A referral via the First Contact Script should be completed where the presentation is to Housing Services or to the Safeguarding Hub (Cumberland Children's Advice and Support Service, CCASS). This will trigger a Gateway Group meeting booking which will take place within a maximum of 10 working days. In addition, a 'Solutions Meeting' should be booked within 2 working days (to include the nominated lead/s in Family Help, Support and Protect and Housing Services) to review the initial assessment information and share all information held by the different services, regarding the young person and their family.
- 3.9 The 'Solutions Meeting' (See Appendix Two for Terms of Reference & Agenda) can be held virtually or, where possible face to face and address the young person's immediate needs, including accommodation requirements, prevention or rehabilitation needs and set an initial timescale for the completion of a) Child and Family Assessment, b) Homelessness Assessment and c) Early Help Assessment (if applicable) all of which will require a home visit as soon as practical. The 'Solutions Meeting' should also set out a provisional timescale for completing the two (or three) statutory assessments. Whilst the maximum time allowed for the completion of the Child and Family Assessment is 45 working days and the Homelessness Assessment is 56 days; Cumberland has set a local timescale of 10 working days to achieve both assessments.
- 3.10 The respective assessments and home visit will cover the following general areas in addition to any other specific needs and issues in relation to the young person's circumstances and the partner departments focus:
- a) The current situation and reasons for requiring support.
  - b) Background history including accommodation history and whether they are known to Children's Services, Housing Services or partner agencies.
  - c) Their family situation and support networks.
  - d) Vulnerability, including disability and mental health.
  - e) Risks to themselves, others and staff.
  - f) Other agencies working with the young person.
  - g) Employment, education and training status.
  - h) Involvement in the criminal justice system or recorded criminal convictions.

#### 4.0 Joint Assessment Process

- 4.1 Following the initial triage meeting and ‘Solutions Meeting’ and wherever possible, the a) Child and Family Assessment, b) Homelessness Assessment and c) Early Help Assessment (if applicable) will be completed in 10 working days.
- 4.2 Wherever possible, the two (or three assessments) should be undertaken face-to-face and by workers from the respective departments meeting together with the young person and family. This will avoid the need for both children and their families to repeat their story and ensure consistency of information gathering.
- 4.3 As a matter of course all young people will be referred for an advocacy service via the National Youth Advocacy Service (NYAS). To ensure all young people have access to impartial information about their options and choices under Section 20 or Section 17 (Children Act 1989) and/or Part 7 (Housing Act 1996), young people will be referred for advocacy unless they explicitly ‘opt-out’ of a referral. – Add NYAS Link To Referral Process
- 4.4 Key Assessment Elements for Children’s Services and the Family Help and/or Child and Family Assessment is whether the young person is deemed a ‘Child in Need’ (Section 17) and whether they are then in need of ‘Accommodation’ (Section 20):
- A Child in Need is defined by section 17(10) of the Children Act 1989 if:
- a) S/he is unlikely to achieve or maintain, or to have the opportunity of achieving or maintaining, a reasonable standard of health or development without the provision of services by a local authority under this Part.
  - b) His/her health or development is likely to be significantly impaired, or further impaired, without the provision of services.
- Or
- c) S/he is disabled.
- 4.5 Where a young person aged 16- or 17-years is assessed as a Child In Need, this can trigger the duty under Section 20 (1) of the Children Act 1989 to accommodate.
- 4.6 Under Section 20 (1(a-c)), every local authority should provide accommodation for any child in need within their area who appears to them to require accommodation as a result of:
- a) There being no person who has parental responsibility for *him*;
  - b) *Him* having been lost or abandoned; or

- c) The person who has been caring for *him* being prevented (whether or not permanently, and for whatever reason) from providing *him* with suitable accommodation or care.
- 4.7 In addition, under Section 20 (3) and (4), every local authority should provide accommodation for any child in their area:
- a) Who has reached the age of sixteen and whose welfare is likely to be seriously prejudiced if they do not provide him with accommodation.
  - b) If they consider that to do so would safeguard or promote the child's welfare, even though a person who has parental responsibility for him is able to provide him with accommodation.
- 4.8 Key assessment elements for Housing Services and the Homelessness Assessment include: ensuring the young person is homeless and fits within the 16- & 17-years-old 'Priority Need' group. **Housing authorities will be unable to determine whether a 16- or 17-year old has 'Priority Need' under the Housing Act 1996 until a child in need assessment has been completed (but will have a temporary accommodation housing duty where the young person presented to Housing Services).**
- 4.9 In particular the considerations a young person needs to be made aware of are:
- c) duties under Section 188 of the Housing Act 1989 to provide interim accommodation where a young person initially presents to a housing services.
  - d) duties on housing services to undertake an assessment, develop a personalised housing plan and to take steps to help the applicant retain or secure accommodation (Sections 195 and Section 189B of the Housing Act 1996).
  - e) the requirement on the applicant to cooperate and for applicants to take steps themselves as set out in a personalised plan (Section 193B and Section 193C of the Housing Act 1996).
  - f) the 'accommodation offer' under the relief duty – suitable accommodation which has a reasonable prospect of being available for occupation for at least 6 months (Section 189B and section 195 of the Housing Act 1996).
  - g) the implications of turning down offers of accommodation that are suitable (Section 193A of the Housing Act 1996).
  - h) the possible risk of being found or becoming homeless intentionally in the future (Section 191 of the 1996 Act), and their right to request a review of decisions (Section 202 of the 1996 Act).
  - i) the difference between services offered under the Housing Act 1996 and the Children Act 1989 (and the benefits and disadvantages of the retrospective services).

- 4.10 Throughout the joint assessment process, attention should be paid to the views and wishes and feelings of the young person and to the distress arising from a difficult family and homelessness situation.
- 4.11 Information should always be provided to young people regarding the choices and options they have and the difference between accommodation and support/care services provided under Section 20 the Children Act 1989 and accommodation services provided under Part 7 of the Housing Act 1996 and support services provided under Section 17 of the Children Act 1989. Information will be provided verbally and in leaflet form and can be provide via the advocacy service.

## **5.0 Emergency Accommodation**

- 5.1 Young people who present as homeless to Children's Services and following an initial assessment of homelessness are then deemed to be owed a duty under Section 20(1), will be referred to the 'Short Term Emergency Accommodation' provision, as long as they their assessed need is for 'Accommodation and Support'; where the assessed need is for 'Accommodation and Care'; or where the 'Short Term Emergency Accommodation' is full; a request will be made to the Commissioning Service, Placement Finding Team.
- 5.2 Children's Services staff must request accommodation through due process and by presenting the accommodation request to the next 'Homes for Children and Resources Panel' to ratify the accommodation requirement.
- 5.3 Young people who present as homeless to Housing Services and who are deemed to be owed a Section 188 duty will be referred to the 'Short Term Emergency Accommodation' provision.

## **6.0 Longer Term Accommodation and Transfer Arrangements**

- 6.1 Where the outcome of the Child and Family Assessment is that the young person will become cared for under Section 20(1) or Section 20(3) the Children Act 1989, the request should be presented to the Legal and Placement Panel to ratify the Section 20 decision. At which point they will be matched to a permanence placement and will be supported to join the Cumberland Housing Needs Register and join the Cared For and Care Experience Accommodation Pathway.
- 6.2 Children's Services staff must request accommodation through due process and by presenting the accommodation request to the next 'Homes for Children and Resources Panel' to ratify the accommodation requirement and following a request to the Legal and Placement Panel to agree Section 20(1) or (3).

- 6.3 Where the outcome of the Homelessness Assessment is that the young person is deemed to be owed a duty under Section 193 of the Housing Act 1996 and the young person has made an informed choice to reject an offer of accommodation under Section 20(1) the young person will be provided with accommodation by the Housing Service.
- 6.4 Where young people are supported under a Section 193 duty and provided with accommodation by Housing Services, Children's Services will support the young person under Section 17 and will provide a social worker and open a Child in Need Plan.
- 6.5 Where the young person becomes cared for under Section 20(1), or Section 20(3), and the outcome is that they will remain cared for longer term, planning should take place to transfer the young person's case planning from the Support and Protect service to the Cared For service. The transfer should take place after:
- a) The completion of the Child & Family Assessment.
  - b) After completion of the tasks identified in the Child & Family Assessment.
  - c) Following the first cared for review.
- or
- d) Following the second cared for review where preventative work has been undertaken and has not been successful (the transfer can be delayed where it is anticipated that the outcome of the preventative work will be a rehabilitation home and a short delay after the second review will ensure continuity of worker and a positive return home).
- 6.6 All transfer arrangements should aim to ensure continuity of social worker and/or support worker and provide a smooth transition from the Support and Protect service to the Cared For service.

## **7.0 Specific Groups of Homeless 16- & 17-Year Olds**

### **7.1 Young Parents**

- 7.2 Where a 16- or 17-year-old parent, or pregnant young woman, presents as homeless, the procedures to be followed will be in relation to the young person (parent). Whilst the needs of the young person's child should be considered as part of the overall assessment and planning process, it is the legal duty owed to the young person (under Section 17 / Section 20 (1) that takes primacy in regard to the provision of accommodation.
- 7.3 Although the young person may well become cared for under Section 20(1) under these procedures, this would not be the case for their own child unless there are other presenting issues. Any child protection/safeguarding/parenting concerns should be referred to the Safeguarding Hub (Cumberland Children's Advice & Support Service, CCASS).

#### **7.4 Young People involved with the Justice System and those being Released from Custody**

7.5 Where a young person aged 16 or 17 years is currently in custody and will be or is likely to be homeless on release, the Youth Justice Services should refer the young person directly to the Safeguarding Hub (Children's Advice and Support Service, CCASS) and to the Housing Service (and a First Contact Script form completed). The referral should be made as soon as the Youth Justice Service becomes aware of a release date and that they may be homeless, and at least 4 weeks prior to the anticipated release date for a Child and Family Assessment and Homelessness Assessment to be undertaken.

7.6 Where a young person aged 16 or 17 years is being supported in the community by the Youth Justice Services and the young person is at risk of homelessness or becomes homeless, they should be referred into the Joint Housing Protocol process in the same way as other young people.

#### **7.7 Young People Leaving Hospital**

7.8 Where a young person aged 16 or 17 years is being discharged from detention in hospital and is unable to return home it is likely they will be subject to Section 20(1) and should be referred directly to the Safeguarding Hub (Children's Advice and Support Service, CCASS) and to the Housing Service (and a First Contact Script form completed) as soon as a discharge date is known.

#### **7.9 Young People Presenting from another Local Authority area, a) Children's Services Responsibilities, b) Housing Responsibilities**

##### **7.10 Children's Services Responsibilities:**

7.11 Where a 16- or 17-year-old who was living in one local authority area moves to another local authority area and seeks assistance from Children's Services in that local authority, the duty to assess falls on the authority area in which the young person is. The authority cannot refuse to consider the young person's immediate needs and expect them to return to the authority in the area presumed to be their 'home' district. Children's Services will complete a Child and Family Assessment and liaise with the 'home' district regarding the young person's circumstances. See Section 3.51 to 3.53 of the 2018 Joint DfE and MHCLG Guidance regarding 16- & 17-year-olds from one area, who seek help from another local authority Children's Services.

##### **7.12 Housing Responsibilities:**

7.13 Housing services may choose to refer applicants who are homeless and eligible for services to another housing authority under certain circumstances. Referrals can only be made if the person does not have a local connection to

the area they have applied to; they do have a local connection in the area they are to be referred to; and they would not be at risk of violence or the threat of violence in the area they are referred to.

- 7.14 In deciding whether to refer a young person to another district where they may have a local connection, housing authorities should consider a range of factors, including safeguarding or any risk of significant harm to the young person. In order to ensure that decision making is informed by relevant information, Housing Services should seek consent to discuss a referral to another authority with relevant Children's Services, in both the area of Housing Services and in the area they are minded to make a referral to.
- 7.15 Further guidance on local connection and referrals to other authorities is available at chapter 10 of the Homelessness Code of Guidance. Also see Section 4.30 to 4.33 of the 2018 Joint DfE and MHCLG Guidance regarding 16- & 17-year-olds from one area who seek help from another local authority Housing Service.

#### **7.16 Homeless Couples where one or both partners are Age 16 or 17 Years**

- 7.17 The needs of a 16- and 17-year-old for accommodation should be assessed in the context of their relationship with any 'partner'. In some instances, it may be appropriate for a 16- or 17-year-old to be accommodated in a situation where they can live with their partner. This should not prevent Children's Services from accommodating a 16- or 17-year-old under Section 20(1) where the young person is owed a duty under this section. Specific consideration should be given to placement options for young people accommodated under Section 20 whilst living with a partner. For example, placement in an alternative arrangement such as a self-contained property with visiting support may be appropriate.
- 7.18 It will also be important to have contingency plans in place in case the relationship breaks down.

#### **7.19 Asylum Seeking Young People**

- 7.20 The majority of Unaccompanied Asylum-Seeking Children (UASC) will be provided with services as cared for children under Section 20 (1) in keeping with those described in previous sections relating to the responsibilities of Children's Services under the Children Act 1989.
- 7.21 The circumstances, eligibility and entitlements of this group of young people are also impacted upon by their asylum and residence status. The legislation and application of asylum rules are subject to ongoing revisions. If the young person is not eligible for Public Funds or Public Services, investigation by Housing Services will conclude with a 'Not Eligible' decision. Until a young person has their initial asylum decision and/or they have leave to remain that

provides access to public funds and services, they remain the responsibility of Children's Services.

## **8.0 Financial Support**

- 8.1 Where a young person presents to Housing Services and is deemed eligible for assistance and homeless; Housing Services will meet any housing costs (from Housing Benefit) until the outcome of the Child and Family Assessment and Homelessness Assessment is completed and a decision made on their longer-term status.
- 8.2 Children's Services will provide 5 weeks of personal financial support (equivalent to the prevailing Universal Credit rate) whilst the young person is supported to make a claim for Universal Credit. If the outcome of the assessments is that the young person will become cared for, Children's Services will take over the financial responsibility from the date the Section 20 decision is made. Housing Services will need to cancel the young person's Housing Benefit claim and Children's Services will cancel the young person's Universal Credit claim.
- 8.2 Where a young person presents to Children's Services (and is deemed homeless) they are responsible for meeting any housing costs and personal costs until the outcome of the Child and Family Assessment and Homelessness Assessment is completed and a decision made on their longer-term status. The level of financial support will be based on the Care Experienced Financial Policy for the prevailing year.
- 8.3 Where a young person who presented to Children's Services makes an informed decision to reject Section 20 and is subject to a Part 7 duty, Housing Services will take over the housing costs of the young person or move them to suitable accommodation provided by Housing Services. Children's Services will support them to claim Universal Credit (see 8.1) from the date the decision to formally reject Section 20 is made and will provide interim financial support under Section 17 for 5 weeks whilst the young person claim's and awaits their first Universal Credit payment.
- 8.4 It should be noted that young people have a right to change their mind regarding the decision to reject or accept the provision of services via Section 20 or Section 17 and Part 7. Social workers, Housing Officers and support staff should continue to explain to young people the different service options available to them and ensure they understand that they can change their mind about the services offered or provided as they are consent based. Where young people have rejected advocacy support, this should be re-offered at regular intervals.
- 8.5 For detailed financial responsibilities see appendix 1.

## **9.0 Identity Documentation**

- 9.1 Young people will be supported to keep identity documents where these are available or obtain documentation as this will be required for housing registration and benefit claims and taking advantage of education, training and employment opportunities.
- 9.2 Young people will be supported by the workers from the department to which they presented at, to obtain at least two items from the list below that will be required (this list is not exhaustive and other forms of identification may be suitable). Items must include a birth certificate/passport along with one other form of identity documentation:
- a) A current passport.
  - b) Birth certificate.
  - c) Bank statements less than four weeks old.
  - d) UK residence permit.
  - e) A driving licence.
  - f) Letter from solicitor/social worker/probation officer or Inland Revenue confirming identity.
  - g) National Health Number card.
  - h) National Insurance Number card.
  - i) Department for Work and Pensions notification letter.
  - j) Citizenship Card.

## **10.0 Tracking, Data, Protocol Oversight and Escalation**

- 10.1 As soon as a young person presents as at risk of homelessness or as homeless, alongside completing referrals to partner departments the young person's details should be added to the 'Share Point – 'Homeless 16- & 17-Year-Old Tracking Data Tool'. This will ensure that young people can be tracked consistently across the whole Council and partner agencies.
- 10.2 The Joint Housing Protocol Operation Steering Group meets monthly to review individual cases, analyse trends and patterns, review learning, implementation and service gaps and oversee training and operational requirements. The Joint Housing Protocol Operational Steering Group comprises Service Managers and Team Managers from Children's Services and Housing Services (Family Help, Support and Protect, Housing Services).
- 10.3 Joint Housing Protocol Operational Steering Group:
- Housing Services – Head of Homeless Prevention and Housing Services.
  - Housing Services – Operational Manager (Three Areas).
  - Cared For, Care Experienced and Support and Protect - Service Manager Corporate Parenting.
  - Family Help, Partnerships and Innovation – Service Manager

- Family Help Manager – Youth SAFE and RISE.
- Support and Protect – Children and Families Manager (West).
- Support and Protect – Children and Families Manager (East).

10.4 Where individual young person's issues or service requirements require escalation, this should, in the first instance be referred to the relevant staff, team managers, then the relevant service managers, relevant senior managers and where necessary the relevant assistant directors (See escalation table in appendix three).

## **11.0 Information Sharing and Data Protection**

11.1 All departments within the scope of this protocol shall process personal data strictly in accordance with the terms of the Data Protection Act 2018 and General Data Protection Regulations, and shall not carry out any other processing, use or disclosure using such personal data.

11.2 Informed consent will always be sought from the young person to allow for the sharing of information. This information will, in all instances, be relevant and will assist in reaching a decision about the young person's status.

11.3 There are certain specific legal reasons where information may be shared where no such permission has been given by the young person. These include:

- To protect the vital interests of the individual or another, where vital interest is serious harm or a 'life or death situation'.
- When there is an overriding public interest for example, to assist in the investigation of crime.
- Under specific legal circumstances when there is a duty to pass on certain information, for example, child protection. Where there are child protection concerns, officers should refer to the Cumberland Safeguarding Partnership's procedures.
- Where there is a legal requirement by Court Order.

## Appendix One

**Homeless 16- & 17-Year Olds – Funding Responsibilities, Emergency Short Term Placements (Riverside)**

1. Young person presents as homeless to Children's Services, Children's Services complete the First Contact Script and verify homelessness. The young person is placed into the foyer – placement and support costs met by Children's Services and Care Experienced Finance Policy sets out allowances to be paid to the young person. Following the outcome of the Child & Family Assessment:
  - a. Section 20 ratified, funding continues as above.
  - b. Young person rejects Section 20 and Part 7 ratified, responsibility for housing costs transfer to Housing Benefit and Housing Services (Housing Department responsibility), Children's Services provides transitional funding of £72.90 for 5 weeks whilst the Universal Credit – Personal Element claim established.
  
2. Where a young person (aged 16 or 17 years) is placed by Children's Services and is already 'Cared For' the same approach would apply, i.e. Children's Services is responsible for housing costs and living costs via the Care Experienced Finance Policy.
  
3. Young person presents as homeless to Housing, Housing complete the First Contact Script and verify homelessness. The young person is placed into the emergency accommodation pathway (Riverside) – Housing pays for accommodation and support costs, which will be covered by Housing Benefit and/or Homelessness funding. Housing is responsible for co-ordinating/completing the Housing Benefit claim and will need to provide a supporting letter regarding the young person being without 'Parental Support (Estranged)' whilst a Homelessness and Child & Family assessments are completed. Young person to be supported by Children's Services to claim the Personal Element of Universal Credit, Children's Services to provide a supporting letter to confirm the young person was placed by Housing and is deemed without 'Parental Support (Estranged)' whilst a Homelessness Assessment and Child & Family Assessment are completed. Children's Services will provide an interim financial allowance of £72.90 per week for 5 weeks whilst the young person establishes their Universal Credit – Personal Element claim.
  
4. Young person presents as homeless to Housing, Housing complete the First Contact Script, confirm eligibility, and verify homelessness. The young person is placed as above; where the outcome of the Child & Family Assessment is that the young person will be 'Accommodated' under Section 20, Children's Services will take over the accommodation and funding responsibilities from the day the young person is deemed Section 20 and 'Cared For'. Housing should cancel the Housing Benefit claim, and Children's Services should cancel the Universal Credit claim and provide allowances in line with the 'Care Experienced' Finance Policy.

## Appendix Two

**Solutions Meeting - Terms of Reference and Solutions Meeting Agenda****1. Solutions Meeting - Terms of Reference:**

- A. To provide a joint and urgent meeting forum involving the Joint Housing Protocol partners: a) Youth Safe, b) Support and Protect, c) Housing Services in order to co-ordinate an immediate service response focussed on meeting need and preventing homelessness and/or becoming cared for.
- B. To identify the respective roles, responsibilities and input from each partner.
- C. To bring together information about the young person held by the respective Joint Housing Protocol partners.
- D. To ensure a co-ordinated approach is taken to meeting the accommodation needs of any young person who is likely to become homeless or is homeless.
- E. To co-ordinate the gathering of information and key task in preparation for presenting the young person to the next Gateway Group Meeting.

**2. Solutions Meeting - Agenda:**

- A. Agency that young person initially presented to and date.
- B. Opportunities for prevention and/or rehabilitation work and support.
- C. Provisional timescale for start and completion of the Child & Family Assessment.
- D. Provisional timescale for start and completion of the Homelessness Assessment.
- E. Accommodation situation.
- F. Background and information held on the young person by Children's Services and Housing Services.
- G. Referral for advocacy – date and support to help access advocacy.
- H. Information to be provided and explanation of S17, S20, Part7.
- I. Interim financial support whilst Universal Credit claim completed, or Section 20 financial support arranged.

## Appendix Three

**Joint Housing Protocol Operational Steering Group - Terms of Reference,  
Key Performance Indicators and Escalation Process**

**1. Terms of Reference:****A. Objectives:**

- To ensure that the Joint Housing Protocol and duties under the Children's Act 1989 / Housing Act 1996 and Homelessness Reduction Act 2017 and the joint working arrangements are functioning across Cumberland and the different partners appropriately.
- To share information on successes, challenges and agree future working arrangements to ensure continued positive partnership working.
- To review themes, trends and learning coming out of joint protocol meetings and individual practice situations in order to take action quickly and develop flexible and responsive solutions.
- To ensure a continuous learning and improvement approach and to ensure learning and updates are disseminated, incorporated into the protocol and related guidance and ongoing training.

**B. Operational Steering Group Topics:**

- Agency updates/data/information sharing.
- Joint Housing Protocol learning and development needs.
- Training requirements.
- Issues/successes/challenges/solutions for homeless 16- & 17-year-olds (including specific case discussions regarding solutions meetings, Gateway Group meetings and individual outcomes).
- Escalations and complaints.

**2. Key Performance Indicators – to be reviewed at the monthly Joint Housing Protocol Operational Steering Group Meeting****A. Activity:**

- Name of the young person and which agency they presented.
- Date they presented.
- Date of birth and age at presentation.
- Child and Families Assessment completed (date started and completed).
- Homelessness Assessment completed (date started and completed).
- Number accepting advocacy (number opting out).

- Number of young people placed in interim or temporary accommodation by Children’s Services.
- Number of young people placed in interim or temporary accommodation by Housing.
- Number provided with preventative, rehabilitation and mediation services.
- Number of complaints and/or case escalation disputes and outcome/resolution.

**B. Outcomes:**

- Number supported to remain or return home.
- Number becoming Section 20 (1).
- Number becoming Section 20 (3).
- Number provided with accommodation, under Part 7 and support under Section 17 (child in need plan).

**3. Dispute Resolution Process**

All staff involved in delivering this Joint Housing Protocol are aware that it is everyone’s responsibility to work positively together in the best interest of the young person concerned. By all staff fully participating in the Joint Housing Support process, it is anticipated that few disputes will arise. However, it is recognised that on occasions, there will be difference of professional opinion regarding the implementation of the Joint Housing Protocol or recommendations within the joint assessment. These disagreements could arise from any professional working with the young person, including through the Gateway Group Meeting Process and/or via the supported accommodation providers.

Such differences should, wherever possible, be resolved through further discussion between those staff directly involved, which may involve a phone call, email or meeting. However, if a resolution cannot be agreed within 2 working days, the escalation process should be followed as appropriate, i.e.’ for discussion and escalation to the relevant management level to resolve the disagreement.

**Draft Escalation Process Staff:**

Please add names, job titles and contact details for each service (16- & 17-year-olds) escalation contact at stage two, three and four

Process	Responsibility	Timescale
Stage One	Case Workers/Social Workers Children’s Services & Housing	48 hours (2 working days)
Stage Two	Team Manager – Children’s Services Team Manager - Housing	48 hours

Stage Three	Service Manager – Children’s Services Senior Housing Manager - Housing	48 hours
Stage Three	Total Timescale (if not resolved escalate to respective assistant directors)	6 Working Days in Total
Stage Four	Assistant Director Children’s Services Assistant Director Housing	
	All escalations to be reviewed at the monthly Joint Housing Protocol Operational Steering Group	

### **Complaints Young People:**

If any young person is dissatisfied with the outcome of the joint assessment or service provided, s/he has the right to complain through the existing and respective complaints procedures.

## Appendix Four

**Universal Offer for families of and young adults aged 16- & 17- years old, who may be at risk of homelessness: these services are consent based and open to all**

Team	Current Offer	Key contact
Family Help – Youth RISE	Digital offer: information available online to key audiences (young adults, their parents/carers and professionals). <a href="#">Homelessness   Cumberland Family Hubs</a>	Abi Macrae
	Digital offer: Updated professional info needs to migrate to CSCP website. <b>February 2026</b> Homeless information leaflet to be updated and uploaded. <b>February 2026</b>	Abi Macrae
Family Help – Youth RISE	Printed offer: homelessness information flyer distributed to 6 <sup>th</sup> Forms, colleges & secondary schools. <b>March 2026</b>	Abi Macrae
Family Help – Youth RISE	Presentation on recognising homelessness available to professionals/teams of professionals delivered by the Youth RISE.  Youth RISE team offer to attend team meetings to raise awareness.	Abi Macrae
Family Help – Youth RISE	Informal advice, flyers and access to Youth RISE team is available through all Family Hubs.  Updated homelessness information flyer to be shared. <b>March 2026</b>	Abi Macrae
Family Help – Youth RISE	Lesson plans: need updating & need to be linked to the above. <b>August 2026</b>  Offer of team member to come & co-deliver.	Abi Macrae
Family Help – Youth RISE	Films shared online using real life stories and animation to talk about youth homelessness & what support is on offer (not accommodation). Content needs to mirror homelessness information leaflet. <b>August 2026</b>	Abi Macrae

**Extra Help Offer (Family Help Services & Partner-Led Family Help, Level 2) for families of and young adults aged 16- & 17- years old, who may be at risk of homelessness: these services are consent based and open to anyone in need of extra help**

Team	Offer	Key contact
Family Help – Youth RISE	Home visits (solo or with other relevant agencies such as social workers/housing colleagues) to discuss the realities of youth homelessness & explore what work can be done to prevent homelessness & preserve familial relationships.	Abi Macrae
Family Help – Youth RISE	Informal mediation offered by team to support family networks, identify creative solutions to prevent homelessness and maintain the young adult in their family network, where safe to do so.	Abi Macrae
Family Help – Youth RISE Family Help – Family Led Decision Making	More formal independent mediation offered by the Family Led Decision Making team with the aim of leading onto a Family Led Decision Making meeting to identify solutions within the wider support team to prevent homelessness and maintain the young adult in their family network with their sense of belonging and identity, where safe to do so.	Abi Macrae/Rachael Wharton
Family Help – Family Led Decision Making	Work with the Family Led Decision Making team to hold a Family Led Decision Making meeting to identify solutions within the wider support team to prevent homelessness and maintain the young adult in their family network with their sense of belonging and identity, where safe to do so.	Rachael Wharton
Family Help – Youth RISE	Close working links with other agencies to signpost to appropriate support (Carlisle Key, Youth Hub, Inspira).	Abi Macrae

**Targeted Help Offer (Family Help, Level 3) for families of and young adults aged 16- & 17-years-old, who are at risk of homelessness: these services are consent based**

Team	Offer	Key contact
Family Help – Youth RISE	First Contact Script: consistent response to a young adult presenting as at risk of with homelessness, to be completed by the organisation to which the young adult presents.	Abi Macrae
Family Help – Youth RISE	Opt-out offer of advocacy to all 16 & 17 yr olds, who are being supported to complete a First Contact Script. <b>February 2026</b>	Abi Macrae / Louise Kitcher
Family Help – Youth RISE Housing Support & Protect	Discussions at Solutions Meeting and Gateway Group to explore what multi-agency involvement is/has been accessed by the family and what support can be scaffolded around the YP in their existing home to prevent homelessness.	Abi Macrae, Valerie Martin, Lauren Hunter
Family Help – Youth RISE Family Help – Family Led Decision Making	More formal independent mediation offered by the Family Led Decision Making team with the aim of leading onto a Family Led Decision Making meeting to identify solutions within the wider support team to prevent homelessness and maintain the young adult in their family network, their sense of belonging and identity, where safe to do so. <b>April 2026</b>	Abi Macrae/Rachael Wharton
Family Help – Family Led Decision Making	Work with the Family Led Decision Making team to hold a Family Led Decision Making meeting to identify solutions within the wider support team to prevent homelessness and maintain the young adult in their family network, their sense of belonging and identity, where safe to do so. Focus on restorative relationship building and exploration of wider kinship network, who could potentially offer care, support or a home.	Rachael Wharton
Family Help – Youth RISE	Flexible support: allocated at Gateway Group, is diverse. Flexible support can include: move on support (help in the first few months of a new home), help setting up bills, food parcels, budgeting, applying for UC, tenancy support, help with applying to CBL, practical support to source furniture etc, Hug in a Bag (basic towels & bedding), Heat & Eat (kettle, toaster & microwave), referral to Sleep Patrol CIC to offer our families/young adults beds	Abi Macrae

	and mattresses, if needed to help prevent homelessness; additional support whilst in supported accommodation to help a young adult sustain their tenancy.	
Family Help – Youth RISE	Update First Contact Script to include request to complete Public Duty to Refer and to register with Cumbria Choice Based Lettings. <b>February 2026</b>	Abi Macrae

**Specialist Help (CSC/Housing) for families of and young adults aged 16- & 17-years-old, who are homeless and unable to live at home or young adults aged 16- & 17-years-old, who are homeless and unable to live within a family setting and require a Child & Family Assessment**

Team	Offer	Key contact
Family Help – Youth RISE	First Contact Script: consistent response to a young adult presenting as at risk of with homelessness, to be completed by the organisation to which the young adult presents.	Abi Macrae
Family Help – Youth RISE	Opt-out offer of advocacy to all 16 & 17 yr olds, who are being supported to complete a First Contact Script. <b>February 2026</b>	Abi Macrae / Louise Kitcher
Family Help – Youth RISE Support & Protect	Discussions at Solutions Meeting and Gateway Group to explore what multi-agency involvement is/has been accessed by the family and what support can be scaffolded around the YP in their existing home to prevent homelessness.	Abi Macrae, Valerie Martin, Lauren Hunter
Support & Protect	Assessment of Housing Need leaflet: to be shared with a young adult who is involved in a Child & Family Assessment to explain their rights & to record their wishes.	Liz Hart, Valerie Martin, Lauren Hunter
Positive Housing Pathway (PHP)	Emergency Temporary Accommodation: 2 beds on offer at Whitehaven Foyer; these are commissioned through PHP and accessed through completion of First Contact Script & discussion at the Gateway Group.	Sue Steele/Abi Macrae
Positive Housing Pathway (PHP)	Emergency Temporary Accommodation: 2 beds in the West and 2 beds in the East; these will be commissioned through PHP and accessed through completion of First Contact Script & discussion at the Gateway Group. <b>April 2026</b>	Sue Steele/Abi Macrae

Family Help – Family Led Decision Making	Work with the Family Led Decision Making team to hold a Family Led Decision Making meeting to identify solutions within the wider support team to prevent or relieve homelessness and maintain or return the young adult to their family network. This work would have a focus on respectful, constructive communication and built on a basis of mutually agreed ground rules and expectations. Focus on restorative relationship building and exploration of wider kinship network, who could potentially offer care, support or a home.	Rachael Wharton
Family Help – Youth RISE Support & Protect Cared For & Care Experienced	Where a young adult has become cared for, if the assessment indicates that there is some potential that they could return home, their social worker should refer to the Family Led Decision Making team to explore this.	Abi Macrae Valerie Martin, Lauren Hunter Liz Hart
Family Help – Youth RISE	Flexible support: allocated at Gateway Group, is diverse. Flexible support can include: move on support (help in the first few months of a new home), help setting up bills, food parcels, budgeting, applying for UC, tenancy support, help with applying to CBL, practical support to source furniture etc, Hug in a Bag (basic towels & bedding), Heat & Eat (kettle, toaster & microwave), additional support whilst in supported accommodation to help a young adult sustain their tenancy.	Abi Macrae
Positive Housing Pathway	Supported Accommodation: 14 beds in Carlisle Foyer, 15 beds in Whitehaven Foyer; these are commissioned through PHP and accessed through completion of First Contact Script & discussion at the Gateway Group.	Sue Steele/Abi Macrae
Positive Housing Pathway	Supported Accommodation: contract to be recommissioned for 15-20 beds in West Cumbria (including 2 emergency) and 13-18 beds in Carlisle (including 2 emergency). <b>April 2026</b>	Sue Steele/Abi Macrae

## Appendix Five

### Youth RISE and Children's Services – Roles and Responsibilities Framework



Youth RISE Childrens  
Service - Role Respon