

**BOROUGH COUNCIL OF KING'S LYNN AND WEST NORFOLK**

**RECORD OF DECISION TAKEN BY OFFICERS UNDER DELEGATED POWERS**

This is a record of a decision taken by an officers under delegated powers and where necessary taken in consultation with members and officers.

## Delegated Power

**The Chief Executive in consultation with the Portfolio Holder for Housing has delegated authority to make minor amendments to the Council's Social Housing Allocation's Policy (CAB217 2013/14)**

## Decision Taken

The key driver to this amendment to the policy is to allow a young person leaving local authority care (care leaver) to gain priority on the housing register without having to apply as homeless when their care setting is due to end.

In the current policy, care leavers are not defined in their own right and are unable to place bids and be given priority on the housing register until they reach their 18<sup>th</sup> birthday. This means that a care leaver leaving their placement would be required to apply to the council as homeless or as being threatened with homelessness once they reach their 18<sup>th</sup> birthday.

The current policy takes account of the new 'prevention' and 'relief' duties brought about by the Homelessness Reduction Act 2017 (HRA). Upon applying as homeless a care leaver would be assessed in the 'relief' stage, given that the ending of their placement cannot be prevented, and the council would allocate a 'medium' band to their housing application for a period of 56 days. On the expiry of the 56 days in the 'relief' stage and, if no housing solution had been found, then the care leaver would be considered homeless and allocated a 'high' band on the housing register. In addition, the Housing Options Team will place bids for all suitable accommodation on behalf of a care leaver in both the 'relief' and 'homelessness' stages which in turn reduces this vulnerable client groups choice in where they wish to live.

It is considered by the Ministry of Housing, Communities and Local Government to be bad practice for local housing authorities to assess care leavers in accordance with homelessness legislation.

Within the Homelessness Code of Guidance for Local Authorities 2018, chapter 22 deals with the provision for care leavers and paragraph 22.4 states the following:-

### ***Children and Social Work Act 2017 (Part 1, (1(a-g))***

*Any joint working arrangements between a children's services authority and a housing authority for care leavers' transition to independent living should include ensuring the delivery of effective preparation for independence with planned, sustainable moves into supported or independent accommodation. Local processes and/or practices should not involve care leavers routinely being treated as homeless when care placements come to an end in order to place the housing authority under an obligation to secure accommodation under Part 7 of the 1996 Act.*

The HRA also dealt with the local connection criteria for care leavers and expanded the provision for this vulnerable group. The Homelessness Code of Guidance for Local Authorities 2018, chapter 10 deals with local connection and the provision for care leavers at 10.17 – 10.19 states the following:-

### **Care leavers**

*10.17 Section 199(8) to (11) makes specific provisions relating to local connection for care leavers.*

*10.18 A young person owed leaving care duties under section 23C of the Children Act 1989 will have a local connection to the area of the children services authority that owes them the duties. If the children services authority is a county council and not a housing authority, the young person will have a local connection with every housing authority district falling within the area of the children services authority.*

*10.19 Where a care leaver is aged under 21 and normally lives in a different area to that of a local authority that owes them leaving care duties, and has done for at least 2 years including some time before they turned 16, the young person will also have a local connection in that area.*

The proposed changes are:-

- Ensure that care leavers are considered for 'emergency' priority if they are ready to move into independent accommodation on the housing on their 18<sup>th</sup> birthday.
- That their local connection to the borough is established as outlined by the HRA and the Homelessness Code of Guidance in paragraphs 10.17 – 10.19.

This is an interim measure that allows priority to be awarded to care leavers who are ready to move into independent accommodation from their care placement without having to apply as homeless. It also ensures that access to social housing is prioritised for those in most need and specifically for this client group. This approach has been discussed and endorsed by the Ministry for Housing, Communities and Local Government's Homelessness advisor.

This can be carried out within current allocations policy arrangements and will be considered further as part of a wider allocations policy review that is under way.

Current wording from the allocations policy below.

#### *Emergency Priority*

*Sometimes applicants find themselves in such severe living conditions that they have no option but to move straight away. Examples of extreme circumstances are:- witness protection cases, hospital discharge or a combination of factors from the High Band. In these extreme circumstances an Emergency Priority may be awarded.*

- *The decision as to whether an Emergency Priority will be awarded will be taken by the West Norfolk Homechoice Panel. The panel consists of representatives of the Borough Council and of partner Housing Associations.*
- *If granted, this will give you priority overall other banded applicants of similar household size for 3 months. You may bid for any property suitable for your family size. If you don't bid during that time your case will be looked at again and a decision taken as to whether to allow you more time or to place you in the Band that your housing need dictates.*

#### **Reasons for the Decision**

To allow for priority to be given to vulnerable care leavers in line with legislation, guidance and good practice.

#### **Options considered**

To continue to assess care leavers as homeless however, this is not appropriate for this client group.

To note, this is an interim measure pending a wider allocations policy review.

**Any declarations of interest and details of any dispensations granted in respect of interests.**

No

**List of Background papers**

- The Homelessness Reduction Act 2017
- Homelessness Code of Guidance for local authorities 2018
- Children and Social Work Act 2017 (Part 1)

**Authorisation**

Post Held **CHIEF EXECUTIVE**

Signature



Date **26/2/20**

**Consultation with members/officers**

**If the decision is taken following consultation with the members/officers, please give details:**

The decision is taken by Lorraine Gore, Chief Executive in consultation with Cllr Adrian Lawrence Portfolio Holder Housing and Duncan Hall.

**Signed by Member as consulted:**

Date

# Pre-Screening Equality Impact Assessment

Borough Council of  
**King's Lynn &  
West Norfolk**



Name of policy/service/function	Social Housing Allocation Policy
Is this a new or existing policy/ service/function?	Existing
Brief summary/description of the main aims of the policy/service/function being screened.  Please state if this policy/service rigidly constrained by statutory obligations	The aim of the policy change is to allow a care leaver leaving local authority care to gain priority on the housing register without having to apply as homeless when their care setting is due to end.  The policy is constrained by a statutory framework.

Question	Answer				
<p>1. Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups <b>according to their different protected characteristic</b>, for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service?</p> <p>Please tick the relevant box for each group.</p> <p>NB. Equality neutral means no negative impact on any group.</p>	Positive	Negative	Neutral	Unsure	
	Age	√			
	Disability			√	
	Gender			√	
	Gender Re-assignment			√	
	Marriage/civil partnership			√	
	Pregnancy & maternity			√	
	Race			√	
	Religion or belief			√	
	Sexual orientation			√	
Other (eg low income)			√		

Question	Answer	Comments
2. Is the proposed policy/service likely to affect relations between certain equality communities or to damage relations between the equality communities and the Council, for example because it is seen as favouring a particular community or denying opportunities to another?	No	
3. Could this policy/service be perceived as impacting on communities differently?	/ No	
4. Is the policy/service specifically designed to tackle evidence of disadvantage or potential discrimination?	Yes / No	The policy is designed to tackle the disadvantage to vulnerable care leaver leaving care..
5. Are any impacts identified above minor and if so, can these be eliminated or reduced by minor actions? If yes, please agree actions with a member of the Corporate Equalities Working Group and list agreed actions in the comments section	n/a	<p><b>Actions: n/a</b></p> <p><b>Action Name</b> [REDACTED]</p>

Assessment completed by: Name <i>Ross Hefford</i>	
Job title <i>Housing Options Manager</i>	Date <i>26/2/20</i>

**Please Note: If there are any positive or negative impacts identified in question 1, or there any 'yes' responses to questions 2 – 4 a full impact assessment will be required.**