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# Homelessness help for young people

This information is for professionals working in housing and homelessness in Northern Ireland.

If you are a member of the public looking for help, please visit our housing advice pages.

## Assisting homeless young people

Social services and the Housing Executive should work together when a person aged 16 or 17 presents as homeless.

The Housing Executive can assess a 16 or 17-year-old for homelessness. But if social services provide accommodation to a young person they may have ongoing duties to:

- that young person, and
- any children that young person was responsible for while under the trust's care

## Regional good practice guidance for assisting young people

The Housing Executive and the health and social care trusts agreed a regional good practice framework for helping homeless young people.[1]

This aims to ensure that a young person who is homeless will get the help and support they need regardless of which organisation they approach for assistance.

The principles of this guidance are:

- a young person has a right to an assessment of their support and accommodation needs
- where it is safe to do so the authority will try to keep the young person in their family home
- any intervention will be timely, especially if the young person is homeless or at risk of homelessness
- the best interests of the young person are at the centre of any decisions affecting them
- due regard is given to the young person's views

## Terminology used by social services for young people in care

Social services uses certain terms to categorise young people who are or have been in care.

### Looked after child

A child is looked after if they are:[2]

- in the care of a health and social care trust or
- provided with accommodation by that trust for a continuous period of more than 24 hours

### Eligible child

This is a young person who:[3]

- is 16 or 17
- is currently in care
- has been looked after for at least 13 weeks since turning 14

### Relevant child

This is a young person who:[4]

- is 16 or 17
- has left care
- was looked after for at least 13 weeks since turning 14
- was looked after at some point while aged 16 or 17

A person is also a relevant child if they:[5]

- are 16 or 17
- are not currently subject to a care order
- were in custody or hospital when they turned 16 but had been looked after for at least 13 weeks since the age of 14 immediately before being detained or hospitalised

### Former relevant child

This is a young person who:[6]

- is 18, 19 or 20
- was a relevant child

### Qualifying young person

This is a person who:[7]

- is under 21
- was looked after, accommodated or fostered while aged 16 or 17

## Young person presents to Housing Executive or social services for help

A young person should get the same help whether they approach the Housing Executive or social services for help with homelessness.

If they are a relevant or eligible child:

- the person assisting them will liaise with the trust’s 16 Plus team to work out if the person can safely return to their former accommodation

- the 16 Plus team, the Housing Executive and other relevant agencies will work together to find suitable alternative accommodation if they can't safely return

### Not a relevant or eligible child

Where the young person is not a relevant or eligible child the Housing Executive will:

- provide the young person with temporary accommodation if they appear to be homeless
- immediately contact the social work service in the relevant trust

The social work team will:

- establish if the young person is known to this or another trust
- contact the Housing Executive to arrange temporary housing if this is needed
- decide which trust should carry out the UNOCINI assessment[8]
- let the Housing Executive know the outcome of the UNOCINI assessment

## Social services duty to provide accommodation to young people

Social services has a duty to provide accommodation for any child in need in its area who appears to need accommodation because:[9]

- no one has parental responsibility for them
- they are lost or have been abandoned or
- the person who has been caring for them is prevented from providing suitable accommodation or care

### Young person who is 16 or 17

The trust is under a further duty to provide accommodation for any child in need within its area:[10]

- who has reached the age of 16 and
- whose welfare is likely to be seriously prejudiced if it does not provide accommodation

- the trust has to find out the child's wishes in regards to accommodation and give these due consideration when finding suitable accommodation.

### Young people aged under 21

The trust may have a duty to provide accommodation to a former relevant child if the Housing Executive has no duty towards this person.[11]

The trust may provide accommodation to a person who is under 21 if it considers that doing so would promote the person's welfare or safeguard them.[12]

The trust has a duty to provide accommodation during holiday times only to a young person if:[13]

- they are in education and do not have access to their term time accommodation and
- they are under 21 and were looked after, privately fostered or living in a children's home for at least three months after turning 16 or
- they are under 21, were looked after at some point since turning 16 and spent at least 13 weeks from the age of 14 in care

## Understanding the Needs of Children in Northern Ireland assessment

The Understanding the Needs of Children in Northern Ireland (UNOCINI) assessment is a common assessment framework used in Northern Ireland.

Social services must do a UNOCINI assessment within 10 days of a young person asking for help with homelessness. The outcome will determine if the trust has a duty to provide accommodation to the young person.

The UNOCINI assessment is a series of seven questions that must be asked in order.

1. Is the applicant a child?
2. Is the applicant a child in need?
3. Is the child within the trust's area?
4. Does the child appear to the trust to require accommodation?
5. Is that need a result of:

- there being no person who has parental responsibility for the child

- the child's being lost or having been abandoned or
- the person who has been caring for the child being prevented from providing the child with suitable accommodation or care

1. What are the child's wishes and feelings regarding the provision of accommodation for them?
2. What consideration (having regard to the child's age and understanding is duly to be given to those wishes and feelings?

## Child in need

A person is a child in need if they are under 18 and:[14]

- They are unlikely to achieve or maintain, or to have the opportunity to achieve or maintain a reasonable standard of health or development without an authority providing them with services
- Their health or development is likely to be significantly or further impaired if the authority does not provide certain services or
- They are disabled

A 16 or 17-year-old who does not have suitable accommodation is always a child in need.[15]

## Trust area

The trust in which the young person asked for help is responsible for the UNOCINI assessment. They can transfer the case to a different trust after the assessment if:

- The young person is already known to the other trust and
- Transferring the case is in the young person's best interests

## Reasons for needing accommodation

The trust should take a broad approach when deciding if someone with parental responsibility is prevented from providing the person with accommodation.[16]

This includes:

- If the person with parental responsibility deliberately excludes the young person from the home[17]
- Where the people are 'so incompatible that they simply cannot live together' [18]

- Where the relationship has so badly broken down that the person is not prepared to accommodate the child and the child is not prepared to be accommodated by that person19

## Footnotes

- [1]Ministry of Housing, Communities and Local Government, Prevention of homelessness and provision of accommodation for 16 and 17 year old young people who may be homeless and/or require accommodation, Provision of accommodation for 16 and 17 year olds who may be homeless and/or require accommodation (publishing.service.gov.uk), accessed February 2023.
- [2]The Children (Northern Ireland) Order 1995, Article 25.
- [3]The Children (Northern Ireland) Order 1995, Article 34A, Children (Leaving Care) Act (Northern Ireland) 2002, and The Children (Leaving Care) Regulations (Northern Ireland) 2005.
- [4]The Children (Northern Ireland) Order 1995, Article 34B and The Children (Leaving Care) Act (Northern Ireland) 2002.
- [5]The Children (Leaving Care) Regulations (Northern Ireland) 2005, Regulation 3.
- [6]The Children (Northern Ireland) Order 1995, Article 34D, Children (Leaving Care) Act (Northern Ireland) 1995, Chapter 2.
- [7]The Children (Northern Ireland) Order 1995, Article 35 and  The Children (Leaving Care) Act (Northern Ireland) 2002, Chapter 4.
- [8] Department of Health, Understanding the needs of children in Northern Ireland, https://www.health-ni.gov.uk/publications/understanding-needs-children-northern-ireland-unocini-guidance, accessed June 2022.
- [9]The Children (Northern Ireland) Order 1995, Part IV, Chapter 21.
- [10]The Children (Northern Ireland) Order 1995, Part IV, Chapter 21(3).
- [11]SO, R (on the application of) v London Borough of Barking and Dagenham [2010] EWCA Civ 1101.
- [12]The Children (Northern Ireland) Order 1995, Part IV, Chapter 21(5).
- [13]The Children (Leaving Care) Act (Northern Ireland) 2002, Part I, Chapter 35B.
- [14]The Children (Northern Ireland) Order 1995, Part IV, Chapter 17.
- [15]R v Northavon District Council ex parte Smith [1994] 2 AC 402.
- [16]24 R v London Borough of Barnet ex parte G (FC) [2003].
- [17]28 R(g) v London Borough of Southwark [2009] UKHL 26.

- [18]S, R (on the application of) v London Borough of Sutton, [2007] EWHC 1196 (Admin).
- [19]34 L, R (on the application of) v Nottinghamshire County Council [2007] EWHC 2364 (Admin), https://www.bailii.org/ew/cases/EWHC/Admin/2007/2364.html, accessed June 2022.