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### Homelessness help for young people

This information is for professionals working in housing and homelessness.

### 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.  $\underline{1}$ 

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:  $\underline{3}$ 

- 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 assessment8
- 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:  $\underline{9}$ 

- 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.  $\underline{12}$ 

The trust has a duty to provide accommodation during holiday times only to a young person if:  $\underline{13}$ 

- 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.  $\underline{15}$ 

#### 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.  $\underline{16}$ 

This includes:

- If the person with parental responsibility deliberately excludes the young person from the home<u>17</u>
- Where the people are 'so incompatible that they simply cannot live together'  $\underline{18}$
- 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 person<u>19</u>

### 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.