

Shelter's response to the
Department for Schools,
Children and Families
Consultation – Strengthening
Children's Trusts: legislative
options

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Shelter

Shelter is a national campaigning charity that provides practical advice, support and innovative services to over 170,000 homeless or badly housed people a year. This work gives us direct experience of the various problems caused by the shortage of affordable housing across all tenures. Our services include:

- A national network of over 20 advice centres
- Shelter's free advice helpline which runs from 8am-8pm
- Shelter's website which provides advice online
- The Government-funded National Homelessness Advice Service, which provides specialist housing advice, training, consultancy, referral and information to other voluntary agencies, such as Citizens Advice Bureaux and members of Advice UK, which are approached by people seeking housing advice
- A number of specialist services promoting innovative solutions to particular homelessness and housing problems. These include Housing Support Services which work with formerly homeless families, and the Shelter Inclusion Project, which works with families, couples and single people who are alleged to have been involved in anti-social behavior. The aim of these services is to sustain tenancies and ensure people live successfully in the community.
- A number of children's services aimed at preventing child and youth homelessness and mitigating the impacts on children and young people experiencing housing problems. These include pilot support projects, peer education services and specialist training and consultancy aimed at children's service practitioners.
- We also campaign for new laws and policies - as well as more investment - to improve the lives of homeless and badly housed people, now and in the future.

Introduction

Shelter welcomes this opportunity to respond to the Department for Children, Schools and Families consultation on strengthening Children's Trusts: legislative options. Our response will specifically comment on the following areas of the document:

- Extending the duty to co-operate;
- Children and Young People's Plans and;
- Statutory Children's Trust Boards.

The work of Shelter's Children's Service and Young Person's Good Practice Team highlights the profound impact that housing has on the well-being and safeguarding of children and young people. Research carried out for Shelter by child poverty expert Lisa Harker has highlighted the huge impact that temporary accommodation and bad housing has on children's life chances and has analysed these effects against the five Every Child Matters (ECM) outcomes¹.

Given the vital connection between housing and children's well-being, Shelter believes that there are opportunities to improve engagement between local authority children's services departments and social housing providers to support the achievement of ECM outcomes. We, therefore, welcome the decision by the Government to examine whether Children's Trusts need to be strengthened, including by further legislation. We would like to take this opportunity to put forward our recommendations on the need to more explicitly involve housing in these legislative changes.

Summary of Shelter's recommendations

- To extend the 'duty to co-operate' by naming social housing providers, including Registered Social Landlords (RSLs) and Arms Length Management Organisations (ALMOs), as 'relevant partners' of Children's Trusts.
- A stronger, more definitive reference to housing departments to be made in the 'duty to co-operate' for both district and unitary councils.
- Responsibility for the Children and Young People's Plan (CYPP) should be widened to partners covered by the 'duty to co-operate' rather than solely the local authority.
- A stronger statutory basis for Children's Trust Boards should be established to help secure a more consistent performance and operation of Children's Trusts in every local authority area.

¹ Harker, L., *Chance of a Lifetime*, Shelter, September 2006

Extending the duty to co-operate

Lack of information sharing between housing and children's services

Shelter's work with local authorities has shown that there is a lack of information sharing between housing and children's services in regard to preventing homelessness, mitigating the impact of temporary accommodation on children, and identifying additional support needs of children. Despite the existence of clear references to the need for joint assessments, close liaison and joint protocols in both the *Homelessness Code of Guidance for Local Authorities* (DCLG 2006) and *Framework for the Assessment of Children in Need* (DoH 2000), we know that such practices are inconsistently applied by local authorities. The recent House of Lords case 'M v Hammersmith and Fulham' makes reference to the lack of communication, information sharing and joint responsibilities between the housing department and social services².

Shelter's report *Living in limbo: Survey of homeless households living in temporary accommodation*³, found that over half the respondents said that their health or their family's health had suffered due to living in temporary accommodation. The study also highlighted that, due to their housing situation children, on average, miss 55 days of school, which is usually due to disruption caused by moves to, and between, temporary accommodation. A longitudinal study carried out by Natcen⁴ on the associations between persistent bad housing and outcomes for children has also drawn attention to issues affecting children's well-being. Among other findings, the research found an increased duration of living in accommodation in a poor state of repair is significantly associated with getting into trouble with the police, being bullied and having a longstanding illness, disability or infirmity.

Our work with children's centres and with housing departments shows that many children's centres do not know where families living in temporary accommodation are, and many housing departments are vague/non-committal about their ability to share information with children's centres. We know that families in need of support are often the hardest to locate. In recognition of this situation the DCSF recently announced significant additional spending on outreach workers for children's centres, to enable them to more effectively engage with the hardest to reach families and children. Ensuring greater co-ordination and engagement between housing and children's services should provide additional opportunities to reach these families.

² House of Lords, Regina (M) v Hammersmith and Fulham London Borough Council, Session 2007-08, 27th February 2008

³ Mitchell, F., Neuburger, J., Radebe, D. and Rayne, A., *Living in limbo: Survey of homeless households living in temporary accommodation*, Shelter, June 2004

⁴ Barnes, M., Butt, S. and Tomaszewski, W. *The dynamics of bad housing: The impact of bad housing on the living standards of children*, Natcen, September 2008, sponsored by Eaga Partnership Charitable Trust and Shelter

Including housing as a 'relevant partner'

Shelter believes that the 'duty to co-operate' should be extended to include social housing providers by naming them as a 'relevant partner'. As responsibility for social housing no longer exclusively sits within local authorities this should include both RSLs and ALMOs.

While district and unitary councils are defined as 'relevant partners', within the current legislation, there is no specific reference to housing departments. This means that housing related issues may not be brought to the attention of the Children's Trust and that few Children's Trusts have someone with overall responsibility or expertise on housing. As such we also think that a stronger, more definitive reference to housing departments needs to be made in the 'duty to co-operate' for both district and unitary councils.

Extending the 'duty to co-operate' to include RSLs and ALMOs as 'relevant partners' for Children's Trusts, and by including a more definitive reference to housing departments within the current 'duty to co-operate' would strengthen the partnerships arrangements between housing and children's services. It would place an obligation on both housing organisations and children's services to share information and improve the engagement and responsiveness of both parties to ensure children's needs are picked up at an earlier stage. It would also give housing providers a stronger voice and more influence over the strategic arrangements of Children's Trusts. This would go a long way to ensuring that vulnerable families in difficult to reach circumstances are contacted by Family Support and outreach workers.

Children and Young People's Plans

We agree with the proposal that responsibility for the Children and Young People's Plan (CYPP) should be widened to partners covered by the 'duty to co-operate' rather than solely the local authority. Such a change will mean greater involvement of a wider range of partners in setting targets relating to children and young people in the Local Area Agreement (LAA). This will ensure that the targets reflect a wider range of interests and clarify accountability for the activities undertaken to achieve specific outcomes. As noted above, we would like to see RSLs and ALMOs, as well as local authority housing departments, included as a 'relevant partner'.

Statutory Children's Trust Boards

We also support the proposals to establish a stronger statutory basis for Children's Trust Boards in order to help secure a more consistent performance and operation of Children's Trusts in every local authority area.

We consider that there needs to be a clear remit setting out the role of participating partners on Children's Trust Boards. We would also like to see a representative of all housing providers in the area (including RSLs, ALMOs and local authority housing departments) as a core member on the Children's Trust Board. The housing representative's role should be clearly defined; and the person in this role should have an in-depth understanding of how housing needs should be

integrated into children's services. This could be in the form of a checklist or guidance; for example the joint DCSF/CLG guidance published in May 2008, *Joint working between Housing and Children's Services: Preventing homelessness and tackling its effects on children and young people*, forms a good template for joint working arrangements between children and housing services.

Conclusion

Shelter is concerned that the current proposals to extend the 'duty to co-operate' do not include all social housing providers as a 'relevant partner'. Local authority housing departments, RSLs and ALMOs all hold information relevant to safeguarding children and young people, such as the identity of families who are at risk of being found intentionally homeless or families living in temporary accommodation. Explicitly including RSLs, ALMOs and local authority housing departments in the proposals to extend the 'duty to co-operate' would help to ensure better joint partnership arrangements and early intervention by support services for children and young people in need.

If new proposals for Children's Trusts are to be put in place 'to champion and take responsibility for improving the lives of children across Every Child Matters outcomes', then there needs to be recognition and appropriate statutory provisions to enable effective working arrangements between the full range of stakeholders involved with Children's Trusts, including housing.

Shelter Policy Unit
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For further information please contact Francesca Albanese, Policy Officer, on 0844 515 2137 or at Francesca.Albanese@shelter.org.uk