



GETA

Guide to Emergency & Temporary Accommodation

Your rights, options and what to expect

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Introduction

This guide has been produced to help you and other care leavers gain information about emergency and temporary accommodation and understand what your housing rights are.

The Young People's Benchmarking Forum (YPBMF) decided to look at issues around emergency and temporary accommodation as it is a topic young people have a lot to say about and would like to know more about. This guide is the product of their work.

Young People's Benchmarking Forum felt that there was a lack of understanding around young people knowing their rights regarding emergency and temporary accommodation, as well as key differences in every local authority. Therefore this guide has been produced to fill this information gap and to give young people across the country that are leaving care, up to date information about emergency and temporary accommodation. Each case study is a YPBMF members own personal experience of being moved into emergency accommodation.

What is emergency accommodation?

If your placement breaks down you may have to move to emergency accommodation. Your local authority will have a responsibility to find you suitable accommodation until a more permanent place can be found for you, *or* you are old enough to move into your own flat.

What is temporary accommodation?

There are a range of different types of temporary accommodation (*see page 12*). You may be moved there on a temporary basis which could be a few weeks to six months or even longer. Temporary accommodation is designed to be a bridge onto more settled accommodation which often includes support to acquire life skills.

What leaving care support should I receive?

Your local authority should be providing leaving care support until at least 21, or longer if you are in education or training. So where you live may depend on what you're going to do – getting a job, going for further education or training. Ask to see your Personal Adviser (PA) and use your pathway plan as a way of discussing this. You should have a PA who should keep in touch with you and support you to achieve the things that are set out in your pathway plan.

The Transition guidance 2011 says “where you live should be safe, secure and affordable”.

There should be something written in your pathway plan about your accommodation. There is a range of temporary accommodation which includes emergency accommodation. If you have to move to emergency or temporary accommodation then you should receive support from your PA to do so and they should start planning for you to move from this accommodation to something more permanent.

If you move to different accommodation then your PA should visit seven days after the move and visit every two months. Your PA should visit the accommodation to see if it is suitable.

Your local authority should make sure that there is a range of different accommodation options available, check that they are suitable and try to let you return to supported accommodation.



Housing rights and options for care leavers – by age

Up to 16 –

You are defined as a child and should always be consulted about your placement. This means that your social worker should always talk to you about where you live. Your local authority is acting as your parent and has the responsibility to find you suitable accommodation.

You have no financial responsibilities – your carers will be paying bills if you are in foster care or a children's home and if you are in emergency/temporary accommodation then the local authority is financially responsible for you. As a young person you don't have to pay bills for rent but you still need to learn how to manage money.

16–17

You might begin to think you are an adult (after all, you can leave home/care if you feel ready) but the law states that you are still a child until you are 18. Therefore your local authority is still responsible for finding you suitable accommodation. If you are no longer in a placement then you may well have to move to temporary/emergency accommodation. If you are settled in foster care then you may be able to stay there until 18 years of age or even older but you must talk to your worker if this is the case. Some local authorities have been piloting arrangements to enable young people to stay with their foster carers up to the age of 21. This is called 'Staying Put'.

Although you can try and move out and live independently, local authorities will encourage and support you to stay in care until 18 years old. Some things you may need to know:

- At 16–17 you are too young to receive bank credit.
- You are unable to buy a house or start a mortgage.

- You are too young to hold a tenancy – you can have an equitable tenancy in trust and most landlords will insist on this for all young people often up to the age of 25. Though you could get small shared housing (e.g. supported lodgings) as they are usually on ‘licence agreements’ not tenancies. Your local authority will have to support you to move into such a placement.
- Generally, at age 16–17 you are not entitled to claim welfare benefits if you remain in care. However, your local authority will still be responsible for your accommodation costs, food and money etc which will depend on the guidelines of your services.
- When you are 16–17 the minimum wage is currently £3.64 per hour (as from April 2011).

At 18

You’re an adult, right? Well, yes and no...

You are entitled to receive national minimum wage that is currently £4.92 per hour if you are aged 18 to 20. If you are aged 21 and over the national minimum wage rate for workers is £5.93 (as from April 2011).

You may also be entitled to welfare benefits such as housing benefit or local housing allowance, this is for rent – if you are working on a low income. If you are out of work you should be entitled to unemployment benefits.

For more information on benefits read the NCAS *Know your rights, know your benefits* guide.

You can hold a tenancy of your own (and be legally liable for unpaid rent, any debts or unpaid credit card bills etc).

BUT...

The full ‘adult rate’ of welfare benefits is only paid when you reach 25.

Also, if you are 18–21 and a care leaver, full housing benefit will be paid on a flat. However, if the flat is privately rented then you will receive the full housing benefit only up to the age of 22. After this and up to age of 25 you can only get a ‘shared room rate’.

More about tenancies

Not all tenancy agreements are the same ... it can depend on who owns the property.

Case study

From one place to another



I ended up living in 38 different places, my life was in bits, and it just went horribly wrong. My education started to suffer, at school I would get bullied for being in care and then I was struggling with my work so I started fighting then I’d misbehave in class then I would get kicked out then I’d make foster parents mad so they wouldn’t have me anymore so I would move on. Every time they moved me this would make me more angrier and hate them even more because I thought they would either take me to my brother or take me home but they didn’t right up until I was 16½ and then social services kicked me out. I couldn’t get straight back to the area I was born in so I had to wait for someone to come and pick me up but I couldn’t stay in my placement, they told me to stay with friends. I had to wait six days for someone to take me back and drop me off at a B&B.

Case study

My first home



My worker took me to look at my flat to see where it was and if I liked it. It was a studio flat and was great for my first flat; I got to pick what colours I wanted for decoration and my flooring. I got the keys and went to clean a bit before I moved in; my worker helped me pick my furniture and kitchen appliances and bathroom. When I moved in it was all decorated and everything was already done so it was ready for me and my personal belongings to move straight into. After a week or so getting used to paying bills and doing my own cleaning I called it my **home**.

Types of accommodation

Private owners collectively known as the Private Rented Sector (PRS) – landlords (who can be companies or individuals) give their tenants *assured short hold tenancies*. This means you will be given a fixed term tenancy contract usually for six months although some landlords prefer to give you a longer period (e.g. one year, or three years).

If the landlord does nothing after this agreed period you have the right to remain in the property until (and only if) the landlord has served a notice and gets a court order to get you out. In the fixed tenancy term the landlord has to prove you have done something wrong like caused a nuisance or not paid your rent before the court can make you leave the property. After the fixed term the landlord **can** go to court to get you out after the guarantee period for any (or no!) reason at all – you don't have to have done anything wrong for them to ask the court for the property back.

Housing Associations (HA) and Council Housing is different. Although some now use 'Probationary tenancies' similar to a trial period, only after this time will you get housing rights. Once you have a full assured tenancy from the housing association or your local Council (together known as *social housing providers*) with both types of agreements the council or HA has to go to court to get the property back but with a full assured or secure tenancy you can only be asked to leave if you have done something wrong or there is a problem. You could be asked to leave due to:

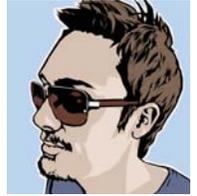
- bad behaviour, by you or your guests
- rent arrears (not paying your rent)
- concerns for your health and safety (for example, the house may be in a bad condition).

The two A's

Abandonment (not actually being there most of the time, for example if you are really living somewhere else), and *Arrears*

(of rent) are the most likely reasons a court would order you to leave your property. However, in many cases you can make a deal to pay off the arrears with the landlord.

Supported lodgings, renting a room, staying in a hostel



Your 'security of tenure' (this means your rights and offers protection) is pretty slim in these kinds of places, especially if the landlord (or agent, employee, etc) lives in the same building. You could be asked to leave with little or no notice at anytime unless there is a written agreement (e.g. to give you '28 days notice' or the right to appeal a landlords decision) – usually for one of the two A's, Abandonment or Arrears.

At 22 –

As a care leaver, if you are renting a PRS flat (*see page 8*) on your own and need to claim housing allowances to pay the rent, your entitlement reduces on your 22nd birthday.

At 25 –

If you become unemployed you will receive more financial help towards food and bills as well as housing costs (working or not), in a PRS property.

Things to be aware of...

Rents vary enormously – PRS rents can be much more than social housing rents for similar properties.

Getting help with housing costs (e.g. housing benefit for social housing tenancies and Housing Allowances for PRS) is 'means tested' (i.e. reduced if you are wealthy or have significant savings), applications can often take some time and must be re-applied for frequently (in case you've acquired wealth or some other change of circumstances, in fact almost any other change of circumstances).

PRS landlords do not have the right to have their property back or enter it whenever they like. Holding a tenancy is like owning the

property, for a period of time. Some landlords may not be aware of this which is why you really have to **know your rights**, avoid the two A's and be sure you have the capacity to 'live as though you own your own home' even if you are renting it.

Emergency & temporary accommodation

Young people are usually placed in emergency/temporary accommodation when their placement breaks down and they need to move at short notice.

It is important that any emergency accommodation used is safe, secure and suitable for the individual young person. There are various different types of accommodation that you can be placed in. Below are the different types of emergency and temporary accommodation that you could be moved in to and what to expect from your local authority.

Emergency accommodation

Bed and breakfast (B&B) accommodation

Government guidance recommends that B&B accommodation should be avoided (*Transitions Guidance, 2011*). However, it will take some time for B&B's to not be used by local authorities and other types of appropriate accommodation to be found for young people.

However, if you are currently living in a B&B then you should be receiving the following support:

- Your worker should have a plan which looks at where you will be moving to next.
- You should always be kept informed of what's happening.
- You should not be living too far away from key services (like where you go to college or where you work).
- Your worker should visit in the first seven days of you moving to that accommodation.

Hostels and night shelters

Not all night shelters and hostels are the same standard. They are usually cheap and sometimes free and can be very basic just providing only a bed and in some circumstances food. Some may have other vulnerable people staying there who are not care leavers. Some hostels and shelters have strict rules.

Case study

Bed & breakfast scenario

I was 16 years old when I first came to England. I come from Afghanistan. I first came to London and was living in a B&B for nearly three months while waiting for housing. I was told that it would be difficult to get housing in London and that it was better to move to a different town. A social worker picked me up and took me to 'up north', which I had never been to before.

When I first came to the area I was living in B&B for 14–15 months. There weren't any cooking facilities and I never got any healthy food. All I ate was food from takeaways and restaurants. This was very difficult and very expensive. My food cost £9–10 every day but I only got £50.00 a week from social services and it wasn't enough for me. The other thing I found difficult in B&B was that I had to leave the house. In winter time when it's raining and snowing you have to leave the room because they say it's a rule. This was very difficult. When I was living in B&B if I ever wanted to stay with my friends for more than two nights, social services used to come and say they were going to cancel my place.

Now I am living in a new area. I have my own flat now and I am so happy. There are nice people living around here. I am studying here as well. There are no racist people and there are no gangs. I never had any trouble here. When I first arrived in England I couldn't speak a word of English and I got a place at college to learn English. I did a one-year ESOL English for speaker of languages course.



Temporary accommodation

Shared supported housing

Temporary or permanent schemes where young people have their own bedroom but share a bathroom, kitchen and other communal areas with other people. Support is delivered by staff who may have an office in the property or visit on a regular basis.

Self contained supported housing

This is where people have their own flat or house. It can be in a block or cluster of the same type of accommodation. Support is provided by staff that may have an office in the block or may have a visiting service.

Foyers

These are similar to supported housing but offer support with training, education and employment. Normally there is an agreement that you have to meet with a key worker and take part in an activity that helps you move on with your life.

Shared housing residential care home

Under Care Standards Act – This can be temporary or emergency and you can only use them until the age of 18. One room and the other areas such as a kitchen and bathroom are all shared with other young people in care. They can be staffed 24 hours a day.

Taster/training flats

Some local authorities have the option of training flats that are usually available for a young person to move in to for a short period of time to give them a chance to see what it would be like to live on their own. Workers then see any areas that they might need support with.

Mother and baby unit accommodation

Normally for young people who have become or are about to become parents. They provide support and a flat normally in shared accommodation with other young parents. Staff can be on duty during the day with emergency contacts for the night times. They will meet with each resident weekly to provide support around childcare and life skills.



Women's refuge

Accommodation that is for young women who are at risk of domestic violence from their partner. The accommodation provides security and ensures that the women are safe and not at risk. Staff members are sometimes available for support at all times.

Staying with friends

Sometimes if it is too late notice young people stay with friends before they go to the local authority for help with housing.

And finally...

All the types of accommodation listed will depend on where you live and what is available. Sometimes local authorities find it difficult to find a place for young people. Some local authorities have an agreement with the housing services in the council and you can be supported to go there if you are over 18 and they may provide you with temporary accommodation. It is always important that you ask your worker for help and get everything explained to you so you know what to expect. It is also vitally important that the worker visits you after you have been placed in emergency/temporary accommodation so that you can get the right support.

If you are placed in emergency/temporary accommodation then you must keep in contact with your worker or a manager at the local authority.

Recommendations from young people

What to expect from your Personal Adviser (PA)

- Your PA to explain clearly the different types of support to expect depending on your age. A pathway plan to be completed with you and changed when your circumstances change.
- Your PA should explain what you need to do in order to keep your temporary/emergency accommodation and what the consequences will be if you don't. This should be verbally explained and given to the young person in writing.
- The PA should explain what emergency/temporary accommodation options are available so that young people can go and look for their own accommodation without having to rely on their worker.
- The PA should provide information about where you are placed (in what area), you need to be somewhere where you feel safe.
- To provide information about the area and what services are around for example, travel information and local amenities such as shops and doctors.
- Young people should be given an emergency contact number to be able to speak to someone out of office hours.
- There should be visits from your PA within seven days of you moving into your accommodation.
- PA's should not give up on young people just because they do not keep in contact.
- Regular face to face contact from your PA.

- It is important that your PA is aware of where you are staying so they can work with you about nearby education, training and employment.
- When a care leaver moves to new accommodation, the PA must see them at that accommodation within seven days of the move. After that they must review your pathway plan 28 days after you move in to new accommodation.
- Visit your accommodation every two months.
- Provide you with your own copy of your pathway plan.

What should be expected from you?

- Encouraged to speak up if you are unhappy in your placement.
- Be respectful about how you present yourself at your meetings with workers.
- To be aware that most emergency accommodation has rules e.g. residents may not be allowed visitors; you may be expected to be in at a certain time or leave at a certain time.
- To stay in touch with your PA or leaving care service.
- To attend your pathway planning meetings.
- As you get older you should be prepared to take on more responsibility, but with some support behind you.



Case study

PA support through emergency and temporary moves



I was 17 and I got kicked out of my foster placement for throwing a chair at the wall in a rage of anger. I realised after I did it that it was stupid, I had been with my foster parents for two years and I planned to stay there till I was 18 and then get a flat but they were so over protective. I had started to get into quite a bit of trouble, they didn't agree with me going out with my girlfriend or going out at night.

My foster parents said they had given so many chances and that they could not risk keeping me there if I was going to be violent. So my placement ended.

My Personal Adviser who had been with me since I was 16 came round and talked through the options. Because it was an emergency move I had to go to a B&B, my worker told me that it was the only one place available. She met me after 5pm to take me there which surprised me because most workers only work 9–5. She told me that we would have to meet to change my pathway plan and that she was going to speak with the housing worker at her leaving care service to find another placement as soon as possible. She tried to reassure me but all I was bothered about was moving out, I knew I had more freedom now. But what I didn't expect was the B&B place not being so nice. It was small. I had a single bed in a room and a small kitchen and bathroom to share. Although in some ways it was good because the area was near the leaving care service and my friends.

My worker sat down with me and stayed with me until 7pm explaining how it would work, she gave me emergency money and a food parcel. She came back the next day; I was introduced to a staff member at the B&B who said they would look after me. Over the next week my PA called me every day and told me to pop into the leaving care service during the week to pick up more money.

I ended up staying at the B&B for two weeks and my worker always checked on me by phone or visit, she made sure that the worker at the B&B checked on me once a week. I then moved to semi

independent accommodation place that had a worker at reception and a key worker. I had my own mini little flat and I was supported to get back into education I paid a little rent and the leaving care service paid the rest and gave me a weekly allowance until I could sign on job seekers allowance.

In the end I was kicked out of that placement but every time my worker supported me and moved me until I moved back with another family member after I was 18. My worker would always tell me honestly how it was and although she would sometimes be disappointed in me, she still supported me all the time.

Case study

Life after care



I am now currently living in my own property independently and things are going great for me.

I have also volunteered at College for a whole year and did a level 2 qualification at the same time and passed it with flying colours, this made me start believing in myself and stopped me doubting myself as much because of my past. I used to think I'll amount to nothing because of the life I was dealt and living.

When I turned 21 I stopped having a Personal Adviser from my 16+ service and I was left to fend for myself after having lost my family. Since I started my education again I was reallocated my PA and it made me feel a bit more at ease and that bit more comfortable in my day to day life. Knowing that you have got someone there just in case is a very big help and makes all the difference. Since all these changes in my life I have a more positive attitude and outlook on my local authority and others. I now don't blame them for everything but I still have a problem with trusting them. My life is good now.

Valuable contacts

Useful websites, organisations and resources

www.direct.gov.uk

The latest news and information on benefits will be available on this national government website. You can search for individual benefits and use the 'benefit adviser' interactive tool that can help you find out what benefits and tax credits you may be entitled to.



www.leavingcare.org

The latest news and information on all issues relating to transitions from care and care leavers are available on the NCAS website. Includes the booklet: *Know your rights, know your benefits*.

<http://getreadyforadulthood.org>

This web page is for young people in or leaving care and gives you information and advice to help prepare you for adult life.

Benefits Enquiry Line

A telephone advice and information service you can call if you are sick or disabled.

T: 0800 88 22 00

Text phone: 0800 24 33 55

Citizens Advice Bureau

The Citizens Advice service helps people resolve their legal, money and other problems by providing free, independent and confidential advice.

T: 0870 840 808 08

E: enquiry@cabline.org

W: www.citizensadvice.org.uk/advice4me.htm

Shelter housing advice helpline

Shelter provides a free, national telephone advice line staffed by trained housing advisers.

T: 0808 800 4444 (8am–midnight 7 days per week, free phone)

E: info@shelter.org.uk

W: www.shelter.org.uk

Voice

A children's advocacy organisation for children in care and care leavers away from home. It provides a national helpline.

Free phone: 0800 800 57 92

W: www.voiceyp.org

Jargon buster

Local authority – they are responsible for looking after you whilst you are in care. It can cover housing, health, education and social services. When you are looked after all these organisations have a duty to support you.

Pathway plan – A plan that is drawn up with your social worker/PA outlining what support you should receive from your local authority.

PRS – Private Rented Sector landlords.

HA – Housing Association – not like the council – a social housing provider.

Tenancy – A contract agreement between you and the landlord/council—it states the terms that you and the landlord should stick to.

Secure tenure – Ability to live in place without fear of eviction.

Assured short hold tenancies – This means you will be given a fixed term tenancy contract usually for six months although some landlords prefer to give you a longer period e.g. one, two or three years.



Young People's Benchmarking Forum (YPBMF) is made up of a number of young people who have experience of working with local authorities across England and Northern Ireland. Forum members are aged between 16–25 and are currently employed within local authorities or are undertaking a traineeship or apprenticeship. The focus of their role will often be on participation, or as a member of their Children in Care Council.

What is the National Leaving Care Benchmarking Forum?

The National Leaving Care Benchmarking Forum is a national network of 46 local authorities and trusts from England, and Health and Social Services Trusts in Northern Ireland who work together to improve the quality of their services through benchmarking and shared learning. Its aim is to improve outcomes for young people in care as they make their transition to adult life.

The National Care Advisory Service (NCAS) is the national advice, support and development service focussing on young people's transition from care.

National Care Advisory Service (NCAS)

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