

Best practice for local authorities and social workers: Assisting families supported under Section 17 of the Children's Act 1989 in transitioning to mainstream support

Introduction

This guidance is intended to improve the support local authorities provide to families transitioning out of housing and financial support under section 17 of the Children Act 1989 (section 17), following the grant of recourse to public funds.

A failure to properly support families to transition away from Section 17 and into mainstream benefits and social housing can lead to

- Interruptions of support, including periods without income or housing
- Precarity and uncertainty
- Long-term detrimental outcomes for the health and wellbeing of children

Minor adjustments to local authority policy and practice can improve this situation. This briefing explains what improvements can be made.

Existing problems with transition:

Some examples of the failure to properly manage the transition to mainstream welfare are listed below. These are real-world examples, identified by advocacy organisations supporting families with NRPF.

- **Abrupt Termination of Section 17 Support:** Families have their section 17 support terminated with insufficient transition or grace periods. Accessing mainstream benefits and homelessness assessments takes time, particularly if claimants do not yet have National Insurance Numbers. If s.17 support is terminated before benefits and homelessness support are in place, families can be left homeless with no income.
- **Inadequate Support with the Transition Process:** Children's services often do not support families to make homelessness and benefit applications. Families are generally unfamiliar with these complex systems, so there are delays making applications and accessing support to which they are entitled. This creates additional stress for the family and can lead to periods of homelessness and no income if s.17 support is terminated; or additional costs to the local authority if s.17 is extended to cover the delay.
- **Lack of Coordination Between Social Services and Housing Services:** Lack of communication and coordination between Children's Social Care/NRPF Teams and Housing causes families to 'bounce' back and forth between local authority departments. In some cases, this leaves families at risk of street homelessness.
- **Failure to conduct Child in Need Assessments:** Support under section 17 is often terminated without a new Child in Need assessment. This means the risks to child welfare during the transition period and beyond are often not explored. For example, families who are moved to unfurnished accommodation may have no means of accessing essential items such as beds, cookers, washing machines etc. Failure to conduct a new assessment also means other needs, such as disabilities, will not be addressed.

Recommendations for local authorities to promote an effective transition:

Recommendation primarily for Children's Social Care or NRPF team:

- **Child-centred Child in Need Assessment:** New Child in Need assessments should be conducted after families get recourse to public funds. Where poverty and/or homelessness led to the child being in need, a child-centred plan to transition to mainstream services should be developed and implemented - as per the recommendations below - after which support should be terminated. However, where the child has additional needs, e.g. resulting from a disability or parental concerns, support should continue as per the new Child in Need plan.
- **Support with benefits applications:** Local authorities should assist families supported under section 17 to make applications for mainstream benefits. This will likely include providing direct assistance to fill out applications. Alternatively, local authorities could establish effective, funded, referral pathways with local advice organisations.
- **Continuation of subsistence support during the transition period to mainstream benefits:** Local authorities should be aware that it can take upwards of 5 weeks to access Universal Credit from the date of application. There will be additional delays if the family has not yet received their biometric residence permits, and/or they do not already have National Insurance Numbers. Local authorities should commit to continue subsistence support for at least 6 weeks after someone receives their Biometric Residency Permit (BRP). Beyond this, local authorities should either extend section 17 subsistence support or proactively use discretionary welfare payments to plug any gap between section 17 and Department of Work and Pensions payments.
- **Support with homelessness applications:** Children's Social Care/NRPF Team should refer families for homelessness support and assist them through the application process, which could include help with form-filling and advocacy for suitable accommodation. Alternatively, local authorities could establish effective, funded, referral pathways with local advice organisations. If families transitioning from Section 17 support are moving into unfurnished properties without essential items, local authorities should ensure that the environment is properly set up to meet the children's needs, which may include the provision of furniture and white goods.
- **Support for Visa Renewal and Maintaining Support:** Families with limited leave to remain will be subject to periodic visa renewals which could result in a new visa being issued with an NRPF condition unless the application adequately demonstrates destitution. The local authorities can play an important role in preventing this by providing letters to demonstrate the families dependence on mainstream support to prevent destitution to be submitted alongside visa renewal/fee waiver applications. However, if the Home Office fails to grant leave with recourse, families may need help to access immigration support and make Change of Conditions applications to regain access to mainstream benefits. In this event, local authorities should work dynamically across departments (children's social services and housing) to find creative solutions to supporting families to ensure continuity of accommodation and subsistence in order to minimise the detrimental impact and upheaval for the family.
- **Clear communication:** The transition process should be explained clearly to families, including the outcome of a final Child in Need assessment; the end of social care

involvement or the new role social care will play; and the role of a named contact in the Housing department (see more below)

- **Collaboration Between Social Services and Housing Department:** For a transition period of two months and until benefits have been established, local authorities should ensure that families are supported by both a named social worker at Children's Social Care and a named liaison housing officer at the Housing department. This support ensures comprehensive understanding of the new services, the family's specific circumstances, and the children's needs.

Recommendations primarily for Housing team:

- **Designate a Liaison for Seamless Transition.** Local authorities should appoint a named liaison between Housing departments and Children's Social Care/NRPF team. The presence of a person in the Housing department who understands the additional challenges facing families who transition from section 17 support would ensure better communication and follow-up, establishing protocols, referral pathways, and expected timelines to facilitate a smooth transition for families and safeguard the needs of children.
- **Consideration of ongoing/past section 17 accommodation in housing allocation:** Families accommodated under section 17 have usually experienced homelessness and disrupted housing for a long period of time, including placements in hotels and HMOs. This history should be considered by Housing departments when allocating temporary accommodation.

Anticipated outcomes:

Managing the transition effectively would have tangible and demonstrable positive impacts for all involved.

For families:

In the short term, once a family has had a change in entitlement and can access public funds, the amount of support they will have access to will increase considerably in most cases. The long-term advantages of ensuring a seamless transition are equally crucial. Such a transition not only contributes to an immediate boost in health and well-being but also provides increased stability for children within the family. It plays a pivotal role in shaping improved long-term outcomes for the family, offering a brighter and more secure future

For local authorities:

Current delays in transition cause increased expense to local authorities. In the short term, supporting families to transition from one type of support to another is likely to reduce the time it takes for them to access mainstream benefits and cease being supported by funds from local authority. This will save costs for local authorities.

In the long term, the opportunity cost of inaction is that individuals may lose their support and potentially end up homeless and destitute, which has enduring adverse effects on both families and the wider community. Ensuring effective transition therefore reduces longer-term costs on local community