

Policy Fact Sheet: Local Connection for Care Leavers

What is the local connection for care leaver's measure?

This measure (in Clause 8) amends the definition of a 'local connection' for young people leaving care. Local connection affects which Local Housing Authority (LHA) offers assistance under parts of the homelessness legislation, including the existing main homelessness duty and the new duties to assist homeless applicants.

If an applicant is owed one of these duties by LHA, that LHA can consider whether the person has a local connection to their area, and, if they don't, whether they have a local connection to another area. If they do they may refer them there rather than providing the service themselves.

This measure will ensure that a young homeless care leaver has a local connection to the area of the local authority that looked after them or, if it is different, the area where they normally live and have lived for at least 2 years including some time before they reached 16. This will make it easier for them to get help in whichever of these areas they feel most at home.

What is the measure hoping to achieve and why is the Government supporting this?

The current framework for assessing a homeless applicant's local connection can make it difficult for care leavers to establish one in the area they want stay in. This occurs because it is possible for a young person not to meet any of the four criteria:

1. Normal residence has to be of the person's choice and an LHA may take the view that a placement (for example in foster care or a children's home) was not of the person's own choice.
2. Care leavers are often not in employment, especially when very young and perhaps still in education.
3. They may not have family associations in the area.
4. Applicants can have a local connection by way of special circumstances. However there is nothing to compel LHAs to recognise that being a care leaver constitutes special circumstances within the meaning of the legislation.

Due to this, young people leaving care may have difficulty establishing a local connection with the area where they feel most at home and therefore be

unable to access services there if they become homeless. This measure will make it easier for them to access help in the area where they want to live.

Why is legislation needed?

It is important that care leavers do not lose out due to their unique housing history where they could be placed in multiple locations, which they regard as their home, but through no fault of their own cannot establish a local connection to the area they want to settle. Primary legislation is needed to make an exception to the current law that determines when a local connection is established.

How do we see this working in practice?

An LHA will have to take the unique housing history of a care leaver into account when making an assessment of their local connection. The situations when a local connection will be established are:

1. A young person will have a local connection to the area of the local authority that owes them leaving care duties.
2. A care leaver aged under 21 who normally lives in a different area to that of the local authority that owes them leaving care duties, and has done for at least 2 years including some time before they turned 16; the young person will also have a local connection in that area.

It will now be easier for care leavers to prove a local connection and have the opportunity to live in the area where they feel most at home, even if this doesn't fall under the current set of criteria due their unique housing history.

Key questions and answers

How are care leavers currently affected by local connection rules?

Current legislation can make it difficult for care leavers to establish a local connection in some circumstances, meaning they are sometimes passed from pillar to post or can't get help in the place they call home. This occurs because it can be difficult for a care leaver to show a local connection to an area where they have been living for some time either before or during the time they were in care.

How many care leavers are currently affected?

Care leavers are at particular risk of homelessness – 589 care leavers without dependent children were accepted as owed the main homelessness duty last year (figures for those with children aren't available).