

BECOME.

THE CHARITY FOR CHILDREN IN CARE
AND YOUNG CARE LEAVERS

Written response to Department for Levelling Up, Housing and Communities consultation on reforms to social housing allocations

March 2024

[Become](#) is the national charity for care-experienced children and young people. We put young people at the heart of everything we do, supporting them to get the help they need now and empowering them to bring about change in their own lives, the care system and society.

Introduction

Our response to this consultation has been informed by the views, insights and experiences of children and young people with lived experience of the care system, which have been shared with Become through various participation and engagement activities over the last few years; as well as insights gained through the services that we provide to care-experienced young people.

We have separately responded to three questions through the online survey for the consultation. However, we are providing this written response to expand on some of the challenges that care-experienced young people face in securing social housing and potential solutions to address these challenges.

Given the shortage of social or affordable housing across the country, we share the concerns of other organisations about the overall direction of these proposals in reducing access to social housing, rather than increasing the overall supply of social housing. However, given our remit, the following response specifically focuses on issues affecting care-experienced young people.

Key Messages

- 1) We strongly support and welcome the proposal for care leavers to be exempt from local area connection tests for social housing.**
- 2) We recommend that the exemption from local area connection tests be extended to all care-experienced young people who have spent time in the care system.** This is in light of a concerning rise in the number of children being accommodated under Section 17, rather than Section 20 of the Children Act 1989, and consequently being denied the rights and entitlements that apply to care leavers when leaving the care system.
- 3) Young people who are, or have been subject to immigration controls and have spent time in care should be exempt from the residence test, as well as the local area connection test,** reflecting the state's responsibility to all care-experienced young people as a corporate parent.
- 4) Beyond these proposals, more needs to be done to ensure that young people leaving care are provided with safe, appropriate and affordable social housing options that can meet their housing needs.**
- 5) It is essential that none of the proposals in this consultation adversely affect care-experienced young people's access to appropriate social housing.**

Our response

1) We strongly support and welcome the proposal for care leavers to be exempt from local area connection tests for social housing.

Under the Children and Social Work Act 2017, local authorities and the state have a responsibility to act in the best interests of care-experienced young people, seek to secure the best outcomes for them, provide safety and stability in their home lives, and prepare them for adulthood.¹ Furthermore, statutory guidance sets out that “care leavers should be supported to access appropriate and suitable accommodation” by their local offer.²

Despite these existing legal responsibilities, far too many care-experienced young people experience or face homelessness, often within the first few years of leaving the care system. Whilst thousands more care leavers live in accommodation that is deemed to be inappropriate by their local authority.

Care-experienced children and young people are a transient population: thousands of children are moved to multiple different areas or uprooted to a different part of the country during their time in care. On 31st March 2023, 36,390 children in care (43% of all children in care) were living outside of their home local authority boundary, with more than a fifth of all children in care living more than 20 miles from home.³ These numbers continue to increase year on year.

At Become, our *Gone Too Far* research has highlighted the multiple and long-term negative impacts of children in care being moved far from their support networks and communities.⁴ This includes being separated from the people and places that matter to them the most, disrupting important relationships and education, negatively impacting on their mental health and wellbeing, and compounding trauma that they may have faced before entering the care system.

When leaving the care system, many young people are currently not deemed to have a local connection to the area that they are living and are consequently unable to secure social housing. Under existing regulations, where a care leaver is under the age of 21, and has lived in an area that is different to that of their responsible local authority, for at least two years, including some time before they turned 16, the young person should be deemed as having a local connection in that area.⁵ These regulations exclude many care-experienced young people, including those who are over the age of 21, were moved to an area at 16 or 17 years of age, or have lived in an area for less than two years before leaving care. Furthermore, we

¹ Children and Social Work Act, 2017, [S1 ‘Corporate parenting principles’](#)

² Department for Education (2018), [Local offer guidance: guidance for local authorities](#)

³ Department for Education (2023) [Children looked after in England, including adoptions: reporting year 2023](#)

⁴ Become (2023), [Gone Too Far: Preventing children in care being moved miles from the people and places that matter to them.](#)

⁵ See Department for Levelling Up, Housing and Communities (2018), [Homelessness code of guidance for local authorities: Chapter 10 – Local connection and referrals to another housing authority](#)

have heard anecdotal examples of young care leavers who should be deemed as having a local connection in the area they are living having been denied this by their local authority.

Young care leavers who have been relocated to another area but are not deemed as having a local area connection have limited housing options. Care-experienced young people often face barriers to securing private rented tenancies, through affordability, stigma and not being able to provide a guarantor or deposit. They may have the option of returning to their home local authority area to secure social housing, but this often means being uprooted again, facing further instability and being disconnected from connections and relationships they have made in the area they have been living in. Moreover, for some young people their home local authority could be associated with traumatic experiences, or they may not have positive or existing connections there, so they may not want to return to that area.

This all occurs at a time when young people leaving care face a care cliff, where important relationships and support falls away, and they can be expected to become independent overnight, often before they are ready, and without the support they need to make a positive start to adulthood.

Consequently, the current local area connection requirements for social housing allocations can contribute to care-experienced young people facing or experiencing homelessness.

Care-experienced young people are disproportionately likely to experience or face homelessness. The latest available data shows that in 2022/23, 3, 700 care leavers aged 18-20 and 4, 200 care leavers aged 21-25 faced homelessness.⁶ However, this is just the tip of the iceberg: beyond these statistics are many more who are 'hidden homeless', sofa surfing or rough sleeping, who may be unaware of their rights and entitlements and haven't been in touch with their local authority for support. It is estimated that up to one in three care leavers face homelessness in the two years after leaving care.⁷ A significant concern is the rising number of care-experienced young people who are facing homelessness: the number of care leavers aged 18-20 who approached their local authority as being or facing homelessness increased by 33% in the four years between 2018/19 and 2022/23.⁸

2) We recommend that the exemption from local area connection tests be extended to all care-experienced young people who have spent time in the care system.

Safe, affordable and appropriate housing is essential for care-experienced young people to make a positive start to adulthood. However, care-experienced young people can face specific barriers to accessing appropriate housing and are at a much greater risk of experiencing homelessness than the wider population.

⁶ Department for Levelling Up, Housing and Communities (2023), [Statutory homelessness in England: financial year 2022/23](#)

⁷ All-Party Parliamentary Group for Ending Homelessness (2017), "[Homelessness prevention for care leavers, prison leavers and survivors of domestic violence - Report 1](#)"

⁸ Become (2023) [Press release: 33% increase in homelessness among care leavers](#)

We think it is essential that the exemption from local area connection tests be extended to all care leavers, including young people categorised in legislation as a “former relevant child”, a “qualifying care leaver” and any young person with experience of the care system.

We are particularly concerned with reports that some local authorities are increasingly accommodating older teenagers who are homeless under section 17 of the Children Act 1989, rather than section 20, meaning that they never receive full ‘care leaver’ status and are consequently unable to access the rights and entitlements that apply to care leavers under legislation, including to appropriate accommodation. This practice was highlighted in recent research carried out by the Children’s Commissioner’s Office⁹, but is also something that we have heard about from young people through our Care Advice Line.¹⁰

3) Young people who are or have been subject to immigration controls and have spent time in care should be exempt from the residence test, as well as the local area connection test.

As previously highlighted, local authorities and the state, as corporate parents, have existing legal duties under the Children Act 1989, the Children and Social Work Act 2017 and other legislation, to safeguard and provide accommodation, care and support to children in care and care leavers. These responsibilities should apply broadly to all children and young people who meet the criteria set out in law, including unaccompanied asylum-seeking children.

Over recent years, there has been a continued increase in the number of unaccompanied asylum-seeking children (UASC) in the care system. The number of UASC children in care in England increased by 60% from 4, 560 in 2018 to 7, 290 in 2023,¹¹ whilst research from 2021 estimated that more than 10,000 young care leavers in England had unresolved immigration or citizenship issues.¹²

UASC children have often faced high levels of adversity and trauma.¹³ They may also experience additional challenges leaving the care system, including the denial of rights and entitlements to a whole range of support, including housing and employment support, and student finance. Young care leavers with unresolved immigration applications may be at an increased risk of facing or experiencing homelessness.

⁹ Children’s Commissioner (2023), [Homeless 16- and 17- year olds in need of care](#)

¹⁰ Become (2024), [Care Advice Line](#)

¹¹ Department for Education (2023) [Children looked after in England, including adoptions: reporting year 2023](#)

¹² South London Refugee Association and Coram Children’s Legal Centre (2021) [Taking Care: How local authorities can best address immigration issues of children in care](#)

¹³ Wood, S. et al. (2020) [Adverse Childhood Experiences in child refugee and asylum seeking populations](#). Public Health Wales NHS Trust, pp. 8-14.

4) Beyond these proposals, more needs to be done to ensure that young people leaving care are provided with safe, appropriate and affordable social housing options that are able to meet their housing needs.

We strongly support and welcome the proposals to exempt care leavers from the local area connection test for social housing allocations. However, these proposals only remove one of the barriers that care-experienced young people face in securing appropriate, affordable, safe and secure accommodation.

Care-experienced young people face multiple barriers to securing and maintaining appropriate housing. In addition to facing a greater risk of homelessness, many care-experienced young people are also forced to live in accommodation that is not suitable or is in a state of disrepair. On 31st March 2023, 2, 390 care leavers aged 18-20 were living in accommodation deemed to be unsuitable by their local authority, whilst no information was known about the accommodation of a further 2, 770 care leavers aged 18-20.¹⁴

Care-experienced young people also face barriers to accessing private rented accommodation, which can limit the housing options available to them and increase their reliance on the social rented sector. Market rents can be unaffordable, and we have heard examples of care-experienced young people facing stigma or discrimination from private landlords. Moreover, care-experienced young people can also struggle to provide a rent guarantor or tenancy deposit, and whilst some local authorities, like Kent County Council, provide guarantor schemes this is far from universal.

Care-experienced young people are often forced to live independently at an earlier age than non-care-experienced young people and without the same familial or financial safety net behind them. Consequently, young care leavers can be less financially resilient to a financial crisis, such as losing their job, a rent increase or having their benefits sanctioned; and can be forced into taking out high-interest loans or falling into debt.

We have heard from young people leaving care that they have not received adequate support to equip them to adapt to managing their own tenancy or live independently. We have heard from young people who have received no or insufficient support to develop independent living skills, such as budgeting, paying bills, financial management and cooking; whilst others have reported having no support in helping them to move their possessions when leaving care. Moreover, young people have reported not being made aware of their rights and entitlements, or being adequately supported to ensure that they are fulfilled. For example, through our Care Advice Line, we have heard of young people struggling to be able to open a bank account, due to a lack of identification, or not being supported to set up housing benefit in a timely manner, leading to them instantly falling into rent arrears upon commencing their tenancy.

¹⁴ Department for Education (2023) [Children looked after in England, including adoptions: reporting year 2023](#)

We think that more needs to be done to ensure that young people leaving care are able to access safe, secure and appropriate housing that meets their needs. We recommend that this should include:

- Making the Staying Put and Staying Close schemes fully funded, opt-out legal entitlements for all young people in care up to 25, so young people can stay in their homes or connected to support.
- Amending homelessness legislation to extend automatic ‘priority need’ to all care leavers up to the age of 25, regardless of vulnerability, and to exempt care leavers, up to the age of 25, from homelessness intentionality rules.
- Introducing consistent guarantor and tenancy deposit schemes in all areas to remove barriers for care leavers taking up private-rented tenancies.
- Improving transition planning for young people leaving care, including exploring housing options and better equipping young people with the skills, knowledge and confidence they need.
- Improving collaboration between leaving care teams and local housing options services, as well as with Job Centres and education providers to better identify and address the barriers that care-experienced young people may face and to ensure they don’t fall through the gaps between services.

5) It is essential that none of the proposals in this consultation adversely affect care-experienced young people’s access to appropriate social housing.

Although the consultation document specifies that under the proposed fraudulent declaration test a person could be disqualified for “knowingly or recklessly” making a false declaration on their social housing application, it is worth highlighting that care-experienced young people often report not being made aware of, or adequately supported to understand their rights, entitlements and responsibilities. Furthermore, young people leaving care continue to report facing barriers in being able to obtain identification documents, such as passports, or their full care records, which may include information that is relevant for a social housing application.

Furthermore, we think it is vital that the anti-social behaviour test does not produce an additional barrier for some care-experienced young people being able to secure social housing. Care-experienced young people are disproportionately likely to have been involved with the criminal justice system than their non-care-experienced peers,¹⁵ and can be disproportionately criminalised. For example, care-experienced young people that we have worked with have highlighted examples of the police being called for incidents that wouldn’t apply to other young people, such as when they were late home, or smashed a lamp in their children’s home.¹⁶

¹⁵ See Office for National Statistics (2022), [The education background of looked-after children who interact with the criminal justice system: December 2022](#)

¹⁶ APPG for Care-Experienced Children and Young People (2024), [Inquiry on extending corporate parenting responsibilities across the public sector: final report](#)

As aforementioned, it is important that care-experienced young people are supported to develop the skills, confidence and knowledge they need to be able to manage a tenancy effectively, both prior to and after leaving care.

Contact

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