CHILDREN'S RIGHTS IMPACT ASSESSMENT

Policy objectives

1. In October 2023, the Welsh Government published a White Paper on ending homelessness in Wales. A formal consultation period took place between October 2023 and January 2024 and an analysis of consultation responses was published in April 2024. This work and a wide range of stakeholder engagement has led to the development of the Homelessness and Social Housing Allocation (Wales) Bill (the Bill), which aims to ensure that homelessness in Wales is rare, brief and unrepeated.

2. The aims of the Bill build on the foundations set out in Part 2 of the Housing (Wales) Act 2014 (the 2014 Act), which was instrumental in establishing a homelessness system based on prevention, lowering emphasis on the concept of "testing" for service access, widening accommodation options and fostering cooperation between public services.

3. The Bill aims to deliver a homelessness system based on the following policy objectives:
    - Homelessness should be rare, brief and unrepeated.
    - Homelessness services should be trauma informed and person-centred.
    - Those who are homeless should be able to obtain long term housing quickly, increase their own self-sufficiency, and stay housed (Rapid Rehousing).
    - Preventing homelessness is the responsibility of the Welsh public service.

4. There are a range of provisions in the Bill which affect children and young people; a focus on prevention, with a stronger emphasis on early identification and intervention will ensure young people don't become homeless in the first place. For those whose homelessness cannot be avoided, the Bill aims to reduce the period in which people experiencing homelessness are rehoused into settled accommodation. This will ensure children and young people are spending less time in temporary accommodation.

5. The Bill will also strengthen existing corporate parenting responsibilities to ensure young people who are homeless or at risk of homelessness receive integrated support and there will be an end to the default use of the homelessness system as a route out of care. We have also made changes to the homelessness system to ensure certain young people transitioning from local authority care receive high priority in the allocation of housing. The abolishment of the priority need and intentionality tests to ensure that homeless services are widely available and to create a system that is based on inclusivity, rather than exclusion will have positive impacts for children and young people.

Gathering evidence and engaging with children and young people

What existing research and data on children and young people is available to inform your specific policy?

6. In addition to the specific participatory work undertaken to support development of the Bill (outlined in section 4), we have relied on a range of literature to assess and consider the Bill's impacts for children, including research commissioned by the Welsh Government for this purpose.

7. When exploring the experiences of children it is important to note the complexity in defining this group and the varying volume of literature in place for different age children. In relation to homelessness, FEANTSA have developed a European framework of defining youth homelessness which encompasses the experiences of young people from the ages of 13-26 years old.[1] This includes those experiencing houselessness or rooflessness or living insecurely. However, those aged 1-18 years old is also employed in some key research to define children within the context of homelessness.[2]

8. In order to ensure that the Bill responds to a wide definition and children's differing experiences, we have sought to understand and consider impact for dependent children experiencing homelessness within families and for children experiencing homelessness as single or lead applicants (often referred to as youth homelessness). At the time of writing there are 2,612[3] dependent children aged under 16 living in temporary accommodation in Wales and in the last year for which we have data, 405 16–17-year-olds approached local authorities for housing assistance as lead applicants. [4] [5]

9. Evidence suggests that young people experiencing homelessness will often experience it alongside a range of other complex issues, including the experience of abuse and neglect, issues within education and substance misuse.[6] Child homelessness often extends from trauma including conflict in the home, housing insecurity, substance misuse, family deaths, financial pressures and the experience of Adverse Childhood Experiences (ACEs). These factors can all influence a turbulent home environment and increase the risk of homelessness for families, with children becoming further impacted both in terms of future housing insecurity and trauma experienced in early childhood.[7] The earlier a person experiences homelessness, the greater the likelihood that they will experience repeat homelessness.[8]

---

[1] Framework-for-defining-youth-homelessness_final_pdf3614092469143708469.pdf

[2] Embleton, L., Lee, H., Gunn, J., Ayuku, D. and Braitstein, P. 2016. Causes of child and youth homelessness in developed and developing countries: A systematic review and meta-analysis.

[3] Homelessness accommodation provision and rough sleeping: February 2025 [HTML] | GOV.WALES

[4] Homelessness accommodation provision and rough sleeping: August 2024 | GOV.WALES

[5] Households for which assistance has been provided by outcome, age and gender (gov.wales)

[6] Llamau, Study of the Experiences of Young Homeless People, 2015.

[7] Embleton, L., Lee, H., Gunn, J., Ayuku, D. and Braitstein, P. 2016. Causes of child and youth homelessness in developed and developing countries: A systematic review and meta-analysis. JAMA pediatrics, referenced by N.Rees in ongoing work on the experience of children of homelessness.

[8] Crisis' 2014 report, '*Nations apart? Experiences of single homelessness people across Great Britain*'

10. The experience of homelessness amongst children can lead to an increase in mental ill-health, complex feelings associated to home and disconnection from wider family. Children who have experienced homelessness continue to be affected by issues which preceded or precipitated homelessness which can include parental addiction, conflict and family breakdown and family violence.[9]

11. In December 2022, in partnership with Children in Wales', we issued a call for evidence relating to the experience of homelessness amongst dependent children under sixteen. This exercise confirmed a lack of evidence pertaining to this particular group but highlighted some useful Welsh research which sets out the range of challenges young people in Wales face as they try to access housing:

    - low confidence in approaching local authority housing services;
    - having to repeat experiences to various sector professionals and feeling judged and stigmatised and not supported by the system;
    - the stretched availability of resources in terms of staffing and funding;
    - the lack of support including signposting from other parts of the public sector: social services, mental health services/CAMHS, education and youth services;
    - poor communication between different parts of the public service and as a result, with children and young people;
    - the stretched availability of suitable temporary accommodation and the use of night shelters;
    - conflicts between different parts of the public sector over responsibilities;
    - the unaffordability of permanent housing;
    - information that is inaccessible and difficult to understand;
    - young people often feel their concerns and needs are not taken seriously and that more could be done to prevent homelessness whether or not the children and young people were part of family groups. [10] [11] [12]

12. These barriers are particularly pronounced for LGBTQ+ young people who are disproportionately represented within homelessness cohorts. There is also a challenging intersection between age and other protected characteristics with exacerbated barriers experienced by children with one or more protected characteristics. The evidence points to challenges for children of parents who have no recourse to public funds (NRPF), particularly in relation to the complexity of legislation, policy and guidance governing their rights and entitlements at UK and Welsh levels. There is additional evidence which raises

[9] Kirkman, M., Keys, D., Bodzak, D., & Turner, A. (2010). "Are we moving again this week?" Children's experiences of homelessness in Victoria, Australia. *Social Science & Medicine* referenced by N.Rees in ongoing work on the experience of children of homelessness.

[10] Cymorth Cymru's Experts by Experience (2023).

[11] End Youth Homelessness Cymru, *Don't Let Me Fall Through the Cracks* (2020)

[12] Public Health Wales *Preventing Homelessness in Care Experienced Individuals* (2020)

concerns around the intersection of age and those who are neuro-divergent.[13] [14] [15] [16]

13. The Wales Centre for Public Policy (WCPP) note that actions to prevent homelessness among children and young people could be strengthened, supported, enforced, and defended through legislation and social policy. They submit that the current emergency-focused response to homelessness fails young people, particularly where opportunities for earlier intervention are missed.[17]

14. Child homelessness has a concerning impact on education engagement and attainment. Research in Wales suggests that becoming homeless or at risk of homelessness is associated with a 7% increase in total sessions absent from school.[18] Research undertaken by Shelter England shows that 88% of teachers surveyed, who had experience of working with children who were homeless or living in bad housing reported children missing school and 87% reported children coming to school hungry due to the limits of temporary accommodation food preparation facilities. 94% reported tiredness as an issue for homeless children and 89% reported children arriving at school in unwashed or dirty clothing.[19]

What participatory work with children and young people have you used to inform your policy? If you have not engaged with children and young people, please explain why.[20]

15. In December 2022, in partnership with Children in Wales', we issued a call for evidence relating to the experience of homelessness amongst dependent children under sixteen. The results of this exercise and the stakeholder event run to further support the work showed a lack of research and participatory work relating to homelessness amongst children.

16. Although we have been unable to address the dearth of research in this space, we have taken steps to strengthen the evidence base and to ensure that direct engagement with children has informed the Bill.

17. We are grateful to End Youth Homelessness Cymru (EYHC) who ran a number of focus groups to ensure that young people aged between sixteen and twenty-four, including care experienced young people, were engaged as part of the White Paper consultation. As part of their wider work to engage people with lived experience of homelessness, Cymorth Cymru also undertook surveys and one on one interviews with young people. We are also grateful to the young people who provided direct responses to the consultation, using the children's and young people's consultation document.

---

[13] End Youth Homelessness Cymru's *Out on the Streets LGBTQ+ Youth Homelessness in Wales (2020)*

[14] AKT '*LGBT Youth Homelessness: A UK National Scoping of Cause, Prevalence, Response and Outcome (2015)'.*

[15] Tai Pawb's '*The experiences of homelessness of people with protected characteristics in Wales'* (2023)

[16] Youth Homelessness Cymru's *'Impossible to Navigate' (2024)*

[17] Preventing Youth Homelessness | WCPP

[18] Absence from school amongst children living in homeless households [HTML] | GOV.WALES

[19] Briefing: The impact of homelessness and bad housing on children's education - Shelter England

[20] Article 12 of the UNCRC stipulates that children have a right to express their views, particularly when adults are making decisions that affect them, and to have their opinions taken into account.

18. We have also engaged with a wide range of stakeholders who work directly with children and young people, including youth homelessness co-ordinators working across Wales, the National Youth Advocacy Service, End Youth Homelessness Cymru and the office of the Children's Commissioner in Wales. We have worked closely with the Welsh Government Health and Social Services department to develop our policies, and we are grateful to the All-Wales Heads of Children's Services for engaging in this work and providing a lead social worker to assist. As part of the consultation on the White Paper we also ran a virtual engagement event on the role of social services and housing in homelessness prevention, which involved discussion on children's experiences of homelessness.

19. To explore links between education and homelessness in more detail, we undertook direct work with two primary schools (both with nursery provision), community schools management and three secondary schools across Wales. School staff described the following experiences of homelessness in their professional roles:

    - Families paying cash for rent to landlords who are not fit and proper and living in precarious housing risk as a result. Schools have experience of families facing eviction as a result of this practice who then turn to the school (as one of very few trusted professionals for a family) for help.
    - Families living in squalid, slum-like, dangerous and unsafe accommodation. School staff have witnessed homes of families that are rat and bug infested.
    - School age children living in temporary accommodation, for some this means hotels and B&Bs and for others this is Air BnBs. Families are moved frequently which is unsettling and impacts attainment.
    - Particularly problematic experiences amongst families with NRPF, families here on student visas and refugee and migrant families, who will often access accommodation through informal means.
    - Families in temporary accommodation are often unable to practice their faith and unable to access culturally appropriate food.
    - Schools are referring individuals at risk of homelessness who they identify through their safeguarding procedures but are frustrated by thresholding and gaps between services which mean the individuals they refer do not get the service they need.

20. One outcome of our participatory work has been the identification of an evidence gap relating to dependent children under sixteen experiencing homelessness. We made attempts to engage this group of children, in partnership with Children in Wales in 2023 but, unfortunately, Children in Wales were unable to identify anyone to participate in the work. Since then, we have worked with the Welsh Government Knowledge and Analytical Service and the Children's Commissioner in Wales to develop a research specification for this group. In early 2025, following an open tender exercise, we commissioned Dr Nia Rees to undertake participatory methodological research to engage children in understanding children's experiences in Wales. The research is underway at the time of writing.

21. Since commissioning this piece of work, the Children's Commissioner for Wales has published a spotlight report: 'How housing and homelessness affects children and young people' (April 2025). The report focusses on children and young people's experiences of housing and "home" and highlights challenges experienced by children and young people in this area. These challenges include feeling unsafe, living in cramped conditions, the negative impact on education and mental health, living with mould and damp, experiencing stigma of social housing and financial concerns.

Using this research, how do you anticipate your policy will affect different groups of children and young people, both positively and negatively?

22. Prior to the development of this Bill and in response to the WCPP work cited above, the Welsh Government has already taken forward a range of actions to reduce youth homelessness. Since 2019-20 we have issued £3.7m a year to youth services via the Youth Support Grant (YSG) for the earlier intervention and prevention of youth homelessness. All local authorities have appointed a Youth Homelessness Coordinator based in the youth service, working with their housing, education and social services colleagues to ensure those at risk of homelessness are identified and supported.

23. Building on our broader policy work to prevent youth homelessness, the Homelessness and Social Housing Allocation (Wales) Bill provides opportunity to address a number of areas where children or literature based on children's experiences have highlighted dissatisfactory experiences. The Bill will not be able to address all of the challenges highlighted during the consultation but will strengthen practice in several key areas. It will also take forward reforms where children have raised concerns. In the following section we will outline key themes arising from engagement with children and stakeholders working with children and our response to these.

24. The focus on increased prevention activity and the creation of a homelessness system that is trauma-informed and person centred has been welcomed by expert stakeholders, who are of the view that it will benefit children and young people, marginalised communities and vulnerable individuals. The approach within the Bill to target prevention at particular groups including young people leaving care is also well supported, as is improving preparation for transition from care to independent living.

25. Supporting the wider public service to identify and refer people at risk of homelessness is well aligned to a long-held principle that homelessness is not just a housing issue. This is a principle shared across the homelessness and housing sector and there is, therefore, widespread support to enshrining this in legislation.

Priority need

26. Evidence from the young people's responses to the consultation suggests that children and young people agree in principle with the abolition of priority need. Removing the priority need test means that people facing homelessness won't have to prove they meet the priority need test before getting the help they need. However, some stakeholders are concerned that the abolition of priority need

will be felt as a loss to those who currently fall into a priority need group, particularly young people leaving care. There is a sense, based on local practice that care leavers are housed more quickly by accommodation providers solely because of priority need, and a lack of faith that the system can accommodate the increased demands on the service.

27. In their consultation response, End Youth Homelessness Cymru submit that "*young people are not on an even footing with their older peers; being penalised by the welfare system because of their age…they are often working minimum wage jobs for less money…and they are routinely discriminated against by landlords when looking to access the PRS because of their age….We cannot therefore advocate for the imposition of equality at this point, when care leaver's life experiences up to the crisis point of making a homelessness application, do not come close to having been on an equal footing to their non-looked after peers".*

28. During the development of the Bill, we have engaged further with key stakeholders representing children and care leavers; with social services and with local housing authorities to explore practice associated the priority need test. The priority need test is used to determine who is entitled to the main homelessness duty (to secure accommodation is available for occupation) but it does not have an ongoing role in the prioritisation or allocation of housing and we have therefore been keen to understand how localised understanding about the role of the test has informed stakeholder views.

29. The Bill abolishes the priority need test to ensure that homeless services are widely available and to create a system that is based on inclusivity, rather than exclusion. We believe that this will have positive impacts for children and young people who will retain access to homelessness and advice services, as they do now. However, we are clear that this abolition can only take place following a sufficient lead in time; noting the current pressure in the system and the finite supply of social housing. Ministers will be able to end use of the test when they deem it appropriate. We believe that this offers a useful preparation period prior to abolition but delivers the long-held view of many key stakeholders that the priority need test serves to exclude vulnerable people from crucial assistance. In combination with other proposals, laid out below, we are of the view that the Bill will significantly strengthen entitlements to children and young people, particularly care leavers who are experiencing or at risk of homelessness.

Intentionality

30. In general, children and young people agree with the proposal to abolish the intentionality test which is seen as an unnecessary barrier to accessing services for young care experienced people threatened with homelessness in Wales.

31. The care experienced group run by End Youth Homelessness Cymru suggest that to "*reach a stage where the intentionality test is required already represents a wider systemic failure in the prevention-based approach advocated for by the homelessness and housing sector and supported by the*

Welsh Government. It also of course has a very human cost for the young care experienced person who is threatened with homelessness".

32. EYHC also point to a lack of accessibility within the homelessness system in relation to neurodivergence. They raise concerns that the intentionality test is an area where a young neurodivergent person may be disadvantaged by the system and fall through the cracks into homelessness. They raise similar issues for young LGBTQ+ people.

33. The Bill abolishes the intentionality test. It is likely that this will have positive impacts for children and young people as it will remove a barrier to services that some young people experience.

Local connection

34. Care experienced young people welcomed our proposal to include them in a list of exempt groups from local connection referrals. However, during detailed development of the Bill, which has included ongoing engagement with stakeholders, it has become clear that a local connection test is necessary to ensure the overall delivery of our policy intentions and a progressive Welsh homelessness system. Welsh local authorities must be able to make best use of local and national resource for those most in need in Wales. The Bill will, therefore, introduce a local connection test to determine entitlement to the section 75 (main homelessness) duty.

35. The Bill does not introduce any new exemptions to the local connection test but Ministers will have a power to further define local connection in regulations, in order to offer clarity around the test, which is currently set out in guidance. Pending further consultation and engagement with stakeholders, this power provides an opportunity to better address any needs of care leavers in relation to local connection.

System access and the role of the wider public service

36. Some young people describe difficulties in accessing help from their local council and emphasise the value of local services in helping them to navigate the homelessness system. There is therefore broad support for our proposals to widen responsibilities across the public service for the prevention of homelessness.

37. We received some feedback that the education sector and the private rented sector should be included in the public service duties. We have engaged extensively with education unions and schools to consider their role within the public service duties.. There is broad agreement between Government and unions with our aim to end homelessness and agreement that school staff are well positioned to identify learners' needs and play a role in homelessness prevention.

38. We have identified a number of areas through which we can deliver an enhanced role for education within homelessness prevention. Sufficient legal powers are in place to do this, particularly section 175 of the Education Act 2002. In order to provide for effective implementation, we will also work with the education functions of local authorities to develop local referral pathways,

develop practice guidance and support the development and rollout of a simple learning and development offer around the identification of homelessness. This work will build on the substantial early identification and prevention work which is being led by Youth Homelessness Coordinators (funded by the Welsh Government) across Wales.

40. At this stage we will also not be including tertiary or higher education within the public service duties as further policy development is required. It is important to note that the list of specified public bodies subject to the duty to "ask and act" included on the face of the Bill can be amended over time and this provides an opportunity to add additional specified public bodies in time.

41. In relation to the request related to private landlords; we do not consider it appropriate to apply the duties to this cohort. The duties are aimed at public services, not individuals or organisations outside of the public sector. The Welsh Government prescribed landlord's notice of termination (Form RHW1698) already signposts the contract-holder to seek support from relevant third sector agencies and to contact the local housing authority should they identify a contract holder is at risk of homelessness. The Rent Smart Wales licensing training, as well as the statutory Code of Practice for landlords and letting agents, provide that the landlord should, (following service of a notice to end the occupation contract), as best practice, provide details of relevant third sector agencies to contract-holders who do not have accommodation to move into, or are struggling to find alternative accommodation. The Housing Loss Prevention Advice Service also provides government funded legal advice to someone from the point they receive a possession notice or similar. The Welsh Government has issued guidance to contract-holders on the possession process.

42. The proposed "ask and act" duty will improve earlier intervention and access to the homelessness system. Whilst education institutions will not be subject to the duty, we will use existing legislation to support the education sector to identify individuals at risk of homelessness and seek help from their local housing authority. In so doing we will build on existing practice, including the safeguarding system and the Youth Engagement and Progression Framework, developing an approach that is deliverable and supported by key education stakeholders. It is likely that this will have positive impacts for children and young people as it will support early identification and prevention of child homelessness.

Temporary accommodation

43. According to Cymorth Cymru, young people describe very mixed experiences of temporary accommodation. Those who had been placed in specialist young people's temporary supported housing tend to speak very highly of their experiences there, with a particular focus on help to develop independent living skills, the quality of support and activities provided. However, young people placed in unsuitable temporary accommodation describe harrowing experiences: A quote taken from a participant in End Youth Homelessness Cymru research illustrates this well:

"I was actually 16 (when) they moved me into the night shelter and that's too young to be in somewhere like the night shelter. I was in a pod. That is not a room that is floor space… I've been at the night shelter about six times now and I have been there twice between the time I was 16 and 18 and that's the worst place I have been, to be honest. I have been to jail and the night shelter is worse than that. I would like to put in a complaint that people can't stay in the night shelter when they are 16 years old"

44. There was strong support for the White Paper proposal to prohibit the placement of 16-17 year olds in unsupported, adult accommodation. The children's sector also agreed with the proposal to prohibit the placement of under-25s in unsupported accommodation, whilst appreciating that local authorities will need support, both in guidance and financial resource, to make this reality. Broader responses to the proposal in relation to under 25-year-olds strongly indicated an inability to implement, given the current supply issues and the lack of available good standard temporary accommodation. Concerns were also raised that age alone is not an appropriate criterion to determine vulnerability, risk or capacity to live without support and that those under 25 were not a homogeneous group with a cohesive range of needs and experiences.

45. Given the strong implementation concerns associated with the proposal that unsuitable temporary accommodation, including bed and breakfasts, should not be used for people aged 25 and under, this proposal has not been taken forward in the Bill. However, Bed and Breakfasts, hotels and other adult focussed accommodation are not an appropriate setting for children to live. The 2014 Act provides powers for Welsh Ministers to specify in secondary legislation the circumstances in which accommodation is or is not to be regarded as suitable and matters that must be taken into account or disregarded, when considering whether a property is suitable. We intend to amend the Homelessness (Suitability of Accommodation) (Wales) Order 2015 ("the Suitability Order") to ensure that unsupported accommodation is not suitable for young people aged 16-17 and will work with local authorities in relation to the timing of this change, in recognition of the supply issues which will inhibit implementation. This will have positive impacts for children and young people.

Allocations

46. Feedback from care experienced young people to the White Paper called for care-experienced young people to receive reasonable preference in the allocation process. We also received some feedback that all young people, more generally, who are threatened with homelessness, should be given additional preference and reasonable preference in relation to social housing allocation.

47. The Bill will require local authorities, when framing their allocation schemes, to award reasonable preference to those to whom local authorities owe duties under new section 108A of the Social Services and Well-being (Wales) Act 2014, to take reasonable steps to secure accommodation is available for their occupation, regardless of whether they are experiencing homelessness. This duty focusses specifically on the transition of a young person from care into

independent living. Awarding reasonable preference will ensure wider housing options and solutions are provided for this group and is complementary to the other areas of the Bill intended to ensure care leavers do not have to enter the homelessness system wherever possible. This will have a positive impact for these care leavers; prioritising them for access to social housing without becoming homelessness, with no upper age limit.

48. We have not gone further to create an additional or reasonable preference group for all young people. Young people, who are threatened with or experiencing homelessness will already be provided with reasonable preference, as they will be subject to a homelessness duty, and those not-owed a homelessness duty, but who are in urgent housing need for other reasons, such as residing in insanitary housing conditions or a need to move for welfare grounds, may also be awarded reasonable preference (subject to the unacceptable behaviour test). According to the 2021 census, around 20% of homeless people in Wales are under the age of 25. Over half of females experiencing homelessness are aged between 15 and 29 years and whilst men experiencing homelessness tend to have a wider spread of ages, almost 60% are aged 15 to 39 years.[21] In order to be effective, the reasonable preference groups must be limited, to prioritise housing need. To provide young people in general with reasonable preference would undermine the ability of local authorities and housing associations to prioritise social housing and may have unintended consequences for other groups, who would experience very long stays in temporary accommodation as a result. Young people, who are threatened with or experiencing homelessness will maintain reasonable preference as they will be subject to a homelessness duty. This will have a positive impact for children and young people experiencing homelessness.

Affordability

49. Feedback to the White Paper in relation to young people highlighted the challenges this group face in relation to affordability. Young people often struggle to find housing in the private rented sector because Local Housing Allowance (LHA) does not cover the cost of the majority of rents in Wales. Young people are generally only entitled to the 'shared accommodation rate' Housing Benefit which applies even if there is no shared accommodation in the area in which the young person will live. Some stakeholders have called for legislation that explicitly protects young people against exploitation and discrimination from private landlords, letting agents, as well as RSLs and LAs.

50. As set out above, the private rented sector is outside of the scope of the Bill. However, we believe our broader proposals strengthen the accessibility of social housing for many young people, offering some mitigation to the challenges related to affordability.

[21] People experiencing homelessness, England and Wales - Office for National Statistics

Maximal housing options

51. There was general support for the White paper proposals to utilise a broader range of housing options to meet the main homelessness duty. However, some stakeholders called for safeguards to protect young people from being pressured to take a solution that isn't right for them or facing outright discrimination.

52. The Bill aims to maximise the options available to local housing authorities to relieve homelessness in their local area. To mitigate the concerns raised by stakeholders, the Bill ensures that the accommodation is likely to be available to occupy for a period of 12 months to ensure the same security of tenure as with other housing options. For individuals who take up these offers of alternative accommodation, the Bill requires the local housing authority to contact them around six months after the main homelessness duty has come to an end with a view to identifying whether they are at risk of homelessness and in need of additional support. We believe that this responds to constructive feedback provided during the consultation and will provide an additional safeguard to those whose duty is ended via an accommodation option that is not social or private rented sector housing. It acknowledges that these options are likely to include shared living arrangements which merit an additional check in with the applicant. It is intended that these check ins will identify any problems early, enabling swift action to address them and reduce repeat homelessness. We believe that this proposal will have a positive impact for children and young people, opening up a broader range of affordable accommodation to them whilst ensuring support remains in place as they take up those options.

16 and 17 year olds

53. During the White Paper consultation, stakeholders raised questions in relation to which part of the public service has responsibility in law for 16-17- year-olds at risk of homelessness. A small number of stakeholders called for the corporate parenting charter to be embedded into Welsh law.

54. The Bill will introduce a new statutory duty on a local authority to establish joint protocols between the officers of the authority who exercise its social services functions and those who exercise its functions as the local housing authority. Joint protocols will be required for handling cases involving 16 and 17-year-olds who are homeless or threatened with homelessness, the accommodation and support needs of care leavers, and 16 and 17-year-olds leaving youth detention, prison, or approved premises. These joint protocols should set out clear, practical arrangements for providing services that are centred on young people and their families, preventing young people from being passed around the authority. It is expected that in most cases, the lead agency will be children’s social services.

55. This proposal, which is a direct response to the experience of children and young people at risk of homelessness will have a positive impact for this group; joint protocols enable partners to understand their roles and engage more effectively in joint working, leading to increased transparency and better outcomes for young people.

Young people leaving care

56. Care leavers are overrepresented in homelessness figures. According to Public Health Wales, more than one in four of all young homeless people are estimated to have been in care, with 26% of care experienced individuals having slept on friends or family's sofas, and 14% having slept rough on the streets.22 The Bill contains a range of provisions which aim to ensure that no young person leaves care to homelessness.

57. There is already a breadth of legislation and guidance in place which seeks to ensure the planning and arrangement of suitable accommodation for young people leaving care. However, as the White Paper highlighted and ongoing engagement has confirmed, there is an implementation gap between legislation and practice, where it is still commonplace for a young person to be discharged from the care system directly to the homelessness system. There is also evidence that unsupported transitions from care directly causes homelessness for many young people. Some young people find it difficult to access help from their local authority and some describe levels of uncertainty and conflict between local housing and social services departments around which part of the organisation should take lead responsibility.

58. In addition to the new statutory duty on a local authority to establish joint protocols, the Bill will require an authority to take reasonable steps to secure that suitable accommodation is available for occupation of a young person leaving care if the young person's well-being requires it. An initial duty is triggered when a care leaver turns 18 and is owed until they turn 21 or, in relation to a category 3 young person, during a subsequent period when there is an existing duty towards the young person under the Social Services and Well-being (Wales) Act 2014. A further duty will respond to any additional homelessness risk emerging at the end of a period of education and when social services duties come to an end. Our policy intention for this duty is to ensure that early preparation is made to plan for the transition from care into independent living and to ensure that no care leaver has to present as homeless to access suitable accommodation, as such this will have a ositive impact for children and young people.

[22] ENGLISH-PHW-Preventing-homelessness-in-care-experienced-individuals.pdf

How does your proposal enhance or challenge children's rights, as stipulated by the UNCRC articles and its Optional Protocols?

UNCRC Articles or Optional Protocol	Enhances (X)	Challenges (X)	Explanation
Article 27: Every child has the right to a standard of living that is good enough to meet their physical and social needs and support their development. Governments must help families who cannot afford to provide this.	X		The Homelessness and Social Housing Allocation (Wales) Bill aims to ensure that, whether children experience homelessness as a dependent child or on their own, they are provided with assistance, including access to suitable accommodation.
Article 4: Governments must do all they can to make sure every child can enjoy their rights by creating systems and passing laws that promote and protect children's rights.			The Homelessness and Social Housing Allocation (Wales) Bill places particular focus on the experience of children and young people and contains specific provision to address issues raised by children, young people and the stakeholders who represent them.
Article 6: All children have the right to life. Governments should ensure that children survive and develop healthily			The Homelessness and Social Housing Allocation (Wales) Bill focuses on prevention so that children and young people can remain in their home. However, the Bill will ensure that whether children experience homelessness as a dependent child or on their own, they are provided with assistance, including access to suitable accommodation.
Article 12: Every child has the right to express their views, feelings and wishes in all matters affecting them, and to have their views considered and taken seriously.			The Welsh Government provided opportunities for young people to express views on the Bill working with Cymorth Cymru and EYHC to do so. Specific research to meet an evidence gap on children under 16 is underway.

Article 20:If a child cannot be looked after by their immediate family, the government must give them special protection and assistance. This includes making sure the child is provided with alternative care and having due regard to the desirability of continuity in the child's upbringing and to the child's ethnic, religious, cultural and linguistic background. Article 22: If a child is seeking refuge or has refugee status, governments must provide them with appropriate protection and assistance to help them enjoy all the rights in the Convention. Governments must provide, as they consider appropriate, co-operation in efforts to help refugee children who are separated from their parents to be reunited with them. Article 34: The Government should protect children from sexual abuse			The Children's Commissioner has recently published research which sets out a range of concerns related to the suitability of accommodation on offer in Wales, including access to schools and space for children to engage in play and education. It remains a commitment of the Welsh Government to address these concerns. Welsh Ministers retain existing powers to make amendments to the Suitability Order, sufficient to address the issues outlined above. We intend to make amendments to the Suitability Order to improve the standards of accommodation provided under homelessness functions. Care leavers are overrepresented in homelessness figures. The Bill contains a range of proposals which aim to ensure that no young person leaves care to homelessness. Unaccompanied asylum seeking children are looked after and when they cease to be looked after, are care leavers. The Bill contains a range of proposals which aim to ensure that no young person leaves care to homelessness. Unaccompanied asylum seeking children are looked after and when they cease to be looked after, are care leavers and will therefore be supported by the same proposals. We intend to amend the Suitability order under powers in the 2014 Act so that 16&17 years are not put into unsupported temporary accommodation. Placing young people into adult accommodation puts them at increased risk.

Communicating with Children and Young People

59. As set out above, we have commissioned specific research to address an evidence gap relating to the experience of dependent children under the age of sixteen, experiencing homelessness. This research will be led by Dr Nia Rees and involve participatory methodology. This methodology includes follow up engagement with participants to share how their feedback is influencing ongoing policy and the development of child-friendly outputs to aid accessible communication.

60. This research will help us understand the needs of children experiencing homelessness and how information can and should be shared with them. Broad engagement with stakeholders will take place and look at how we communicate the impact of the legislation on children and young people.

Monitoring and Review

61. This impact assessment has been revised and re-visited throughout the development of the Homelessness and Social Housing Allocation (Wales) Bill and we will continue to do so as we move through the scrutiny process and into implementation.

62. Implementation of policy aims associated with the Bill will also rely on secondary legislation and we will publish additional CRIAs to consider how future Regulations or guidance may affect children.