

# ACCOMMODATING 16/17-YEAR-OLD CARE LEAVERS POLICY

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EIA Required?	<input type="checkbox"/>
EIA Completed?	<input type="checkbox"/>
Revision number:	4
Lead officer:	Rebecca Cullen

## 1 INTRODUCTION

1.1 Legally, anyone under the age of 18 years old is not entitled to hold a tenancy. Stockport Metropolitan Council (The Council) and Stockport Homes Group (SHG) recognise there will be occasions where it is necessary to grant a lease agreement to a person under the age of 18 years old, for example where a minor leaves care. In such a circumstance an equitable tenancy will be granted.

1.2 An equitable tenancy is not a legal tenancy, but is an undertaking by The Council and SHG to provide a minor (16/17 year-olds) with a tenancy that is held in trust until they reach the age of 18 years old. This will occur for minors leaving care where there is still a responsibility for the Local Authority.

1.3 Tenancies can be held in trust for minors until they reach the age of 18 years old. In the case of succession by a minor, please refer to the Tenancy Changes Policy.

## 2 STRATEGIC LINKS

2.1 The Accommodating 16-17 year old Policy links to:

- Tenancy Agreement
- Allocations Policy
- Sign-up Policy
- Tenancy Visit Policy
- Tenancy Changes Policy
- Allocations Policy
- SHG Safeguarding Policy
- Anti-Social Behaviour Policy.

## 3 KEY FEATURES OF THE POLICY

3.1 SHG will only provide accommodation for 16/17 year-olds via referrals from Children's Social Care.

3.2 Other 16/17 year-old applicants can register on Homechoice and accrue points for time on list but are not able to bid for properties through the choice based letting system until they reach the age of 18 years old.

3.3 For those referred via Children's Social Care, an appropriate adult who can act as a trustee will be identified by the Property Management Team who are responsible for making the offer of accommodation.

3.4 The trustee cannot be an employee of The Council. If no trustee can be found, The Council will become the trustee by default. An equitable tenancy would then be granted to the minor until they reach the age of 18 years old.

3.5 The agreement for a lease which creates an equitable tenancy contains all of the tenancy conditions found in a normal introductory or assured short hold tenancy.

3.6 The equitable tenancy will be in place until the 18th birthday of the minor. Upon their 18th birthday, the minor will become an introductory tenant or assured short hold tenant and they will be issued the relevant new tenancy agreement.

3.7 The period of the equitable tenancy will count towards the 12-month introductory/ starter tenancy period. If the period of the equitable tenancy is 12 months or more, the minor will become a secure or assured tenant on their 18<sup>th</sup> birthday and will be issued with a secure or assured tenancy agreement.

3.8 The Neighbourhood Housing officer (NHO) will carry out tenancy visits in line with visits that are undertaken with introductory or starter tenants. This includes the six weeks visit and nine-month visit where appropriate.

3.9 The nine-month visit will be carried out in circumstances where the equitable tenant will become a secure tenant at the 12-month anniversary of the tenancy. In addition, further support visits will also be carried out within three-six months to ensure the equitable tenant is maintaining the property condition and has no additional support needs.

3.10 An equitable tenancy does not have the security of an introductory or assured short hold tenancy. Where the equitable tenant has appointed a trustee and any of the terms of the tenancy are broken, SHG can take action to recover the property, however in most circumstances it is unlikely possession would be granted against a minor. Any action taken will be on an individual basis. If there is no trustee and The Council become the trustee by default no action can be taken.

## **4 EQUALITY IMPACT ASSSSMENT**

4.1 An Equality Impact Assessment screening has been completed. A full EIA is not required.

## **5 OWNERSHIP, MONITORING & REVIEW**

5.1 This policy is owned by the Operations Directorate. The policy will be monitored by the Operations Management Team and reviewed in line with the Policy Review Group and Operations Management Policy and Procedure Review schedule.