

## Establishing Guidelines for Local Authority Staff responding to families who are homeless

Local authorities are the lead statutory agency responding to the homelessness crisis, and the legal framework for their response is set down in the 1988 Housing Act. In 1988, homelessness was largely seen as a problem affecting single adults – primarily men. While the act refers to the needs of the people who would ‘normally reside’ with the homeless person, there was no real consideration of the needs of children in the legislative framework at the time.

Since 1988, our understanding of the needs of children has transformed. From the Children’s Act of 1991, through the range of abuse scandal and the decision to put the ‘rights of the child’ into our Constitution in 2012, we have tried to put our aspirations for children into a new legal and regulator framework. These laws and regulations guide our public service when dealing with children and have led to increased need for training of staff at all levels.

In addition to these changes to our attitude to children and their rights, since 2013 we have seen a massive increase in the number of children who are homeless with their families – rising from just over 700 in 2014 to almost 4,000 today.

In the face of this mounting crisis, individual officials and councils have worked to adapt the out-of-date homeless legislation to the needs of the child, but they are doing this without any real guidance or support from central Government or their own Councillors.

### There is need for national leadership

The recent Children’s Ombudsman report ‘[No place like home](#)’, while recognising its limited scope, welcomes the Housing (Homeless Families) Bill 2017 which was introduced to Dáil Éireann in July 2017 as a private members bill (by Deputy Jan O’Sullivan), and which is currently at Third Stage in the Dail. The OCO notes that the proposed legislation aims to achieve a number of ‘important’ objectives:

- to make explicit reference to and thereby make children visible in the 1988 Act
- to require local authorities when they are making a decision on a request by a family for accommodation or assistance
- to recognise the people concerned as a family unit
- to regard the best interests of the child as a paramount consideration
- to have regard to the need “by practical means” to protect and assist families, including by providing them with safe accommodation and in order to support both “the effective functioning of families” and “the development, welfare and protection of children within a family home”.

The Bill was accepted by Government but its progress is not clear and it seems unlikely to progress further without Ministerial support.

## But Councillors can also take a lead

In the absence of a national framework setting out how homeless families should be responded to, Councillors can still take a local lead in ensuring that appropriate standards are in place in their own local areas.

Key actions which could make a difference include:

- Ensuring that your Local Authority has written guidelines to staff about the issues they need to be aware of when dealing with homeless households which include children. These guidelines could cover:
  - A recognition that children facing homelessness are undergoing a trauma and that public services need to reflect this
  - Minimum quality standards for accommodation to be used
  - Guidance on the accessibility and duration of emergency arrangements, bearing in mind the need for children to have a secure living environment (some local authorities consider a night-by-night or three night arrangement to be appropriate)
  - Guidance on how to escalate any concerns about well being
  - Guidance of how to balance the needs to protect public funds and the needs of children
  - Awareness of child protection issues – and their responsibilities under the Children First legislation
  - Contact details for other relevant state and voluntary agencies
- Ensuring that that appropriate training is in place for all staff who will come into contact with children who are homeless with their families. This would include:
  - Awareness of statutory responsibilities under Children First legislation
- Ensuring that arrangements are in place to ensure that families who are provided with emergency accommodation far from their children's schools have support to afford transport to school.
- Ensuring that your local authority collects and publishes regular, reliable statistical information covering: the number of families becoming homeless each month, the length of time homeless families are remaining in homeless accommodation, the ages of children, etc
- Ensuring that your Local Authority has a suitably qualified voluntary sector partner (or partners) to support their work with homeless families.