

Everyone should have a home

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Scope of presentation

- Legislation
- Context
- What are children's 'best interests'?
- Draft guidance
- How to meet children's best interests?
- How could the best practice legislation impact on your work with homeless young people and families with children?

Best interests of children

Section 32(8) of the Housing (Scotland) Act 1987 was amended by the 2001 and 2003 Acts. It says:

In meeting homelessness duties towards families with children the local authority shall have regard to the best interests of children; AND shall ensure that accommodation is suitable for occupation by children, so far as consistent with their best interests.

What was the rationale for this provision?

- Concern about children being given inappropriate temporary accommodation
- Concern about children being given inappropriate permanent accommodation
- Possibility of families being split
- Continuity of education and other services / development needs of children.

What are children's best interests?

‘children's best interests shall be a primary consideration in all decisions affecting them’ (UNCRC, 1989: Article 3)

- Complicated to define
- Perspectives and priorities will differ between sectors
- Will differ from child to child and even siblings
- Useful tool for improving outcomes for children, but can be misused
- Taking a child's standpoint – how will a decision impact on them?

Draft Guidance: Meeting the Best Interests of Children Experiencing Homelessness

- Children and homelessness cuts across all services
- Requires a multi-agency, holistic approach and shared information systems
- Uses *Getting It Right For Every Child* well-being principles: ensure all children are safe, healthy, achieving, nurtured, active, respected, responsible and included
- Outlines some of the issues homeless children may face or experience

Working from a child's or children's standpoint...

- Safe and secure environment
- Close to friends, relatives, school, family doctor
- Access to necessary additional support
- Space for privacy, play and homework
- Play opportunities
- Involved in the decision-making
- Supportive, trusted adults

Good practice: how to meet the best interests of children?

- Joint training and meetings for housing and social work (Argyll & Bute)
- Integrated, creative services specifically for homeless children and families (East Ayrshire)
- Practical and emotional support to homeless children to address their concerns and needs (Shelter Families Projects)

Discussion

How could the best interests of children legislation/guidance impact on your work with young people and families with children experiencing homelessness?