

The background of the slide is a photograph of a fountain at night. The fountain has several tiers. The top tier has a single, tall, central jet of water. The lower tiers have multiple jets of water that arc outwards. The water is illuminated from below, creating a bright, shimmering effect against the dark background of the fountain's structure and the surrounding environment.

# Draft Corporate Rent Guarantor Policy for Care Experienced Young People

Full results summary

Data, Intelligence & Insight Team – November 2023



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# Introduction and Methodology



Southampton City Council undertook public consultation on the proposed Draft Corporate Rent Guarantor Policy for Care Experienced Young People

- The consultation took place between **27/09/2023 – 07/11/2023**.
- The aim of this consultation was to:
  - Hear thoughts on the proposals and any impacts or alternative suggestions regarding the policy that would enable the Council to act as a corporate guarantor for young people who have experienced care. This would help young care leavers to rent accommodation in the private rented sector.
- This report summarises the aims, principles, methodology and results of the public consultation. It provides a summary of the consultation responses both for the consideration of decision makers and any interested individuals and stakeholders.
- It is important to be mindful that a consultation is not a vote, it is an opportunity for stakeholders to express their views, concerns and alternatives to a proposal. This report outlines in detail the representations made during the consultation period so that decision makers can consider what has been said alongside other information.



Southampton City Council is committed to consultations of the highest standard, which are meaningful and comply with *The Gunning Principles (considered to be the legal standard for consultations)*:

1. Proposals are still at a formative stage (a final decision has not yet been made)
2. There is sufficient information put forward in the proposals to allow 'intelligent consideration'
3. There is adequate time for consideration and response
4. Conscientious consideration must be given to the consultation responses before a decision is made



New Conversations 2.0  
LGA guide to engagement



## Rules: The Gunning Principles

They were coined by Stephen Sedley QC in a court case in 1985 relating to a school closure consultation (R v London Borough of Brent ex parte Gunning). Prior to this, very little consideration had been given to the laws of consultation. Sedley defined that a consultation is only legitimate when these four principles are met:

- 1. proposals are still at a formative stage**  
A final decision has not yet been made, or predetermined, by the decision makers
- 2. there is sufficient information to give 'intelligent consideration'**  
The information provided must relate to the consultation and must be available, accessible, and easily interpretable for consultees to provide an informed response
- 3. there is adequate time for consideration and response**  
There must be sufficient opportunity for consultees to participate in the consultation. There is no set timeframe for consultation,<sup>1</sup> despite the widely accepted twelve-week consultation period, as the length of time given for consultee to respond can vary depending on the subject and extent of impact of the consultation
- 4. 'conscientious consideration' must be given to the consultation responses before a decision is made**  
Decision-makers should be able to provide evidence that they took consultation responses into account

These principles were reinforced in 2001 in the 'Coughlan Case (R v North and East Devon Health Authority ex parte Coughlan<sup>2</sup>), which involved a health authority closure and confirmed that they applied to all consultations, and then in a Supreme Court case in 2014 (R ex parte Moseley v LB Haringey<sup>3</sup>), which endorsed the legal standing of the four principles. Since then, the Gunning Principles have formed a strong legal foundation from which the legitimacy of public consultations is assessed, and are frequently referred to as a legal basis for judicial review decisions.<sup>4</sup>

<sup>1</sup> In some local authorities, their local voluntary Compact agreement with the third sector may specify the length of time they are required to consult for. However, in many cases, the Compact is either inactive or has been cancelled so the consultation timeframe is open to debate

<sup>2</sup> BAILII, [England and Wales Court of Appeal \(Civil Decision\) Decisions](#), Accessed: 13 December 2016.

<sup>3</sup> BAILII, [United Kingdom Supreme Court](#), Accessed: 13 December 2016

<sup>4</sup> The information used to produce this document has been taken from the Law of Consultation training course provided by The Consultation Institute



- The agreed approach for this consultation was to use an online questionnaire as the main route for feedback. Questionnaires enable an appropriate amount of explanatory and supporting information to be included in a structured questionnaire, helping to ensure respondents are aware of the background and detail of the proposals.
- Respondents could also write letters or emails to provide feedback on the proposals. Emails or letters from stakeholders that contained consultation feedback were collated and analysed as a part of the overall consultation.
- The consultation was promoted in the following ways by:
  - Through council communications – email bulletins and social media channels.
  - Shared with key contacts at other organisations e.g. Care Leavers Forum.
  - Southampton City Council website.
- All questionnaire results have been analysed and presented in graphs within this report. Respondents were given opportunities throughout the questionnaire to provide written feedback on the proposals. In addition, anyone could provide feedback in letters and emails.



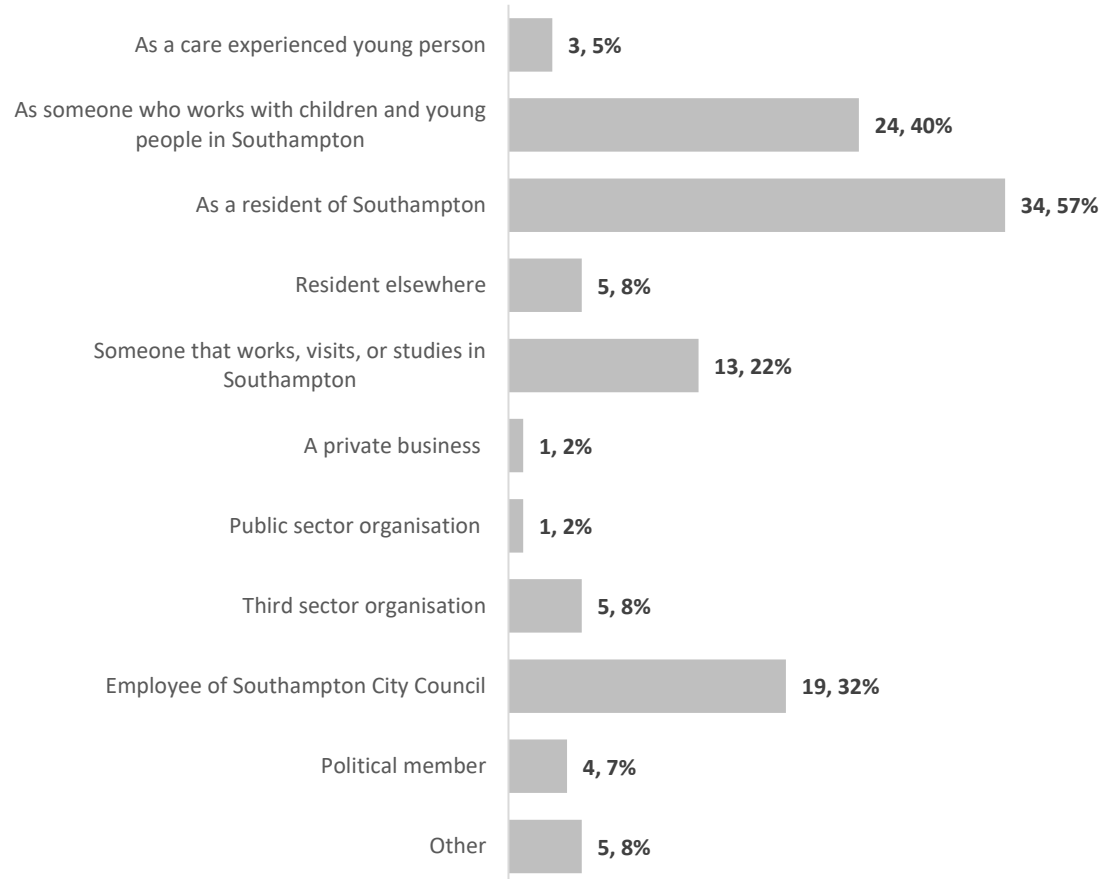
# Who were the respondents?

## Total respondents:

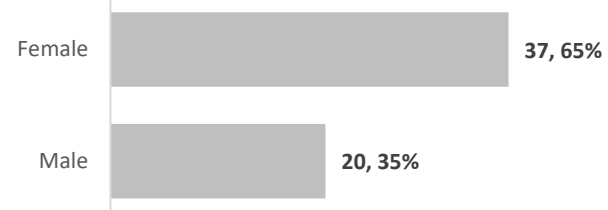
	Total number of responses
Questionnaire	60
Emails / letters	0
<b>Total</b>	<b>60</b>

*The following graphs are shown in respondent count and percentage .*

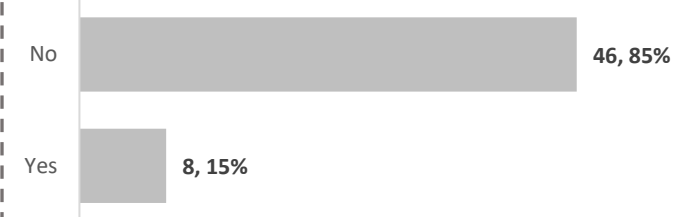
## Interest in the consultation:



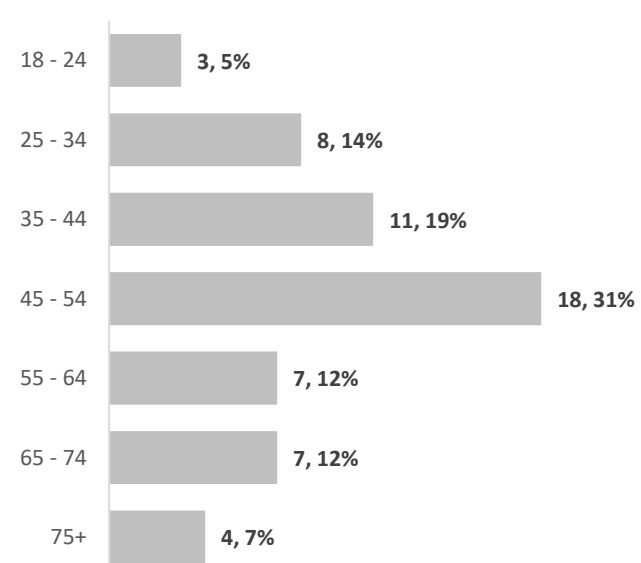
## Sex:



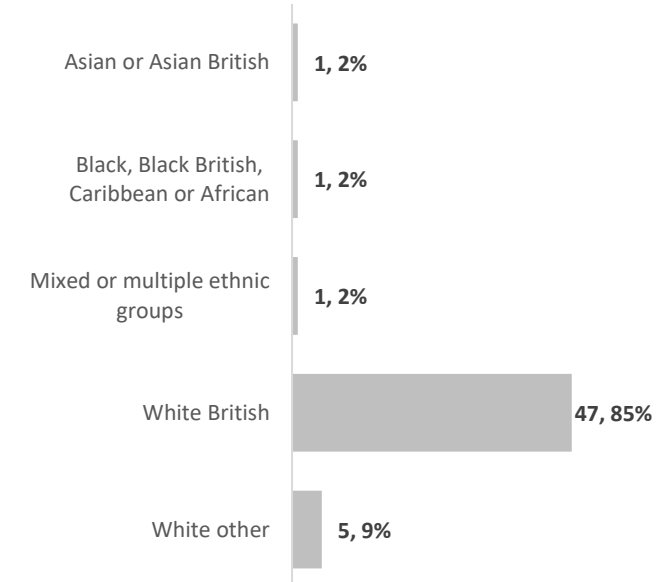
## Disability:



## Age:



## Ethnicity:





## Proposed policy





## The questionnaire outlined the following background information:

A child or young person who has been removed from their families is placed in local authority care. The local authority is responsible to protect and support these young people with accommodation, education, employment and so on. When the young person in care reaches the age of 18, they are at a stage in their lives where they can become more independent. This may include moving into accommodation on their own or with others.

To rent in the private rental sector, landlords or letting agents may ask for a rent guarantor.

- A rent guarantor is a financial term describing an individual who promises to pay a tenant's debt if the tenant is unable to pay their loan obligation.
- A corporate rent guarantor is an organisation, rather than an individual, that agrees to be responsible for paying the debts mentioned above.

The aims of this draft policy are to:

- Enable the Council to act as a corporate rent guarantor for young people who have experienced care and where there is no family member willing or able to do so;
- Help young people access private rented accommodation and support them in becoming more independent.

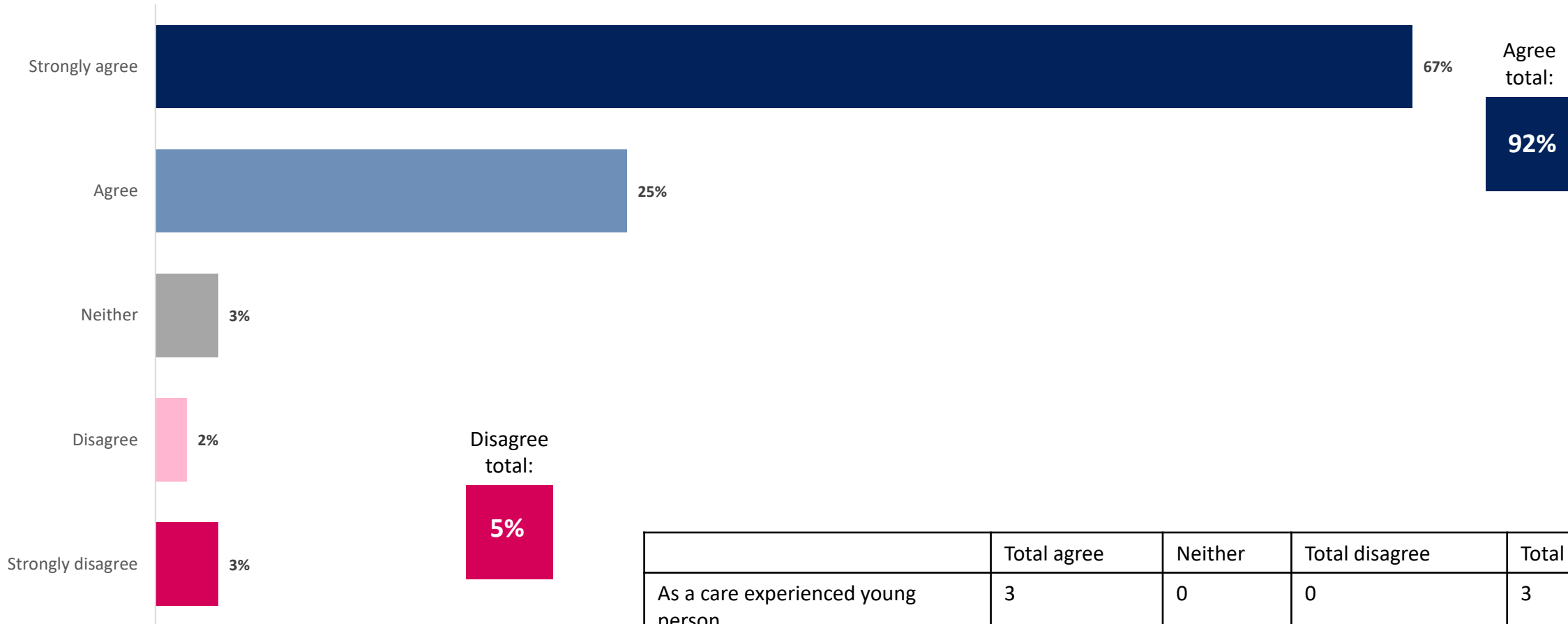
We are proposing to trial this for 12 months. Following this, a decision will be made going forward to implement the policy permanently, where more eligible young people experiencing care will have the opportunity to apply.



# Council acting as Corporate Rent Guarantor

**Question:** To what extent do you agree or disagree with the Council acting as a Corporate Rent Guarantor for care experienced young people?

**Overall:**



Base respondents: 60

	Total agree	Neither	Total disagree	Total
As a care experienced young person	3	0	0	3
As someone who works with children and young people in Southampton	23	0	1	24



**Question:** If you disagree, or have any comments, impacts, suggestions or alternatives you feel we should consider, please provide details:

**Comments | 15**

*"I do not believe that a young person should be placed in unsupervised accommodation - it puts too much responsibility on "green shoulders". They are not experienced in living alone, budgeting, paying rent, cooking for themselves. I feel a better solution would be an HMO with a Warden in charge, who could assist a young person with all the above problems when they face the daunting prospect of living in the wider 'real' world."*

*"This is a fabulous idea - I have previously worked with these young people and it is a real struggle to get decent places for them to live without this type of support - well done Southampton !"*

*"I think it is a fantastic idea as some young people are very independent and have all of the life skills to succeed living privately however, they do not always have the connections to have a guarantor to support them."*

*"Private rent is not appropriate for our most vulnerable 18-year-olds. 18-year-olds have their parents as guarantors when they are accessing student accommodation, but they are not "on their own" here. They return to the family home for Christmas, Easter and the long summer break. If they are relatively local, they will be home more frequently to have their laundry done and restock from their parents' fridge. We do not expect our own 18-year-olds to live totally independently so why should we expect those from dysfunctional families to manage it?."*

*"We should definitely provide this as an option, it's just how this is implemented is the key to its success. In my experience, paying rent is a challenge for many young people and this often isn't down to affordability but more about prioritising essential spends such as rent and bills. I feel that eligibility for this scheme should be very carefully considered and sufficient support for those who fall behind with rent payments. What is their incentive to pay, if they know that the council will cover them? It has the potential to be too much of a safety net that prevents them from actually developing independence. However, I'm sure in many cases it removes a huge barrier for those who are ready for this next step in their journey. One suggestion is that the pre-tenancy questionnaire that is currently completed for additional quota points on the council register should also be completed for this scheme too, as a bare minimum."*

*"I strongly agree as many care experienced young people are estranged from all family members and are predominantly from economically deprived families. However, my concern is that providing a guarantor only is not sufficient. In order to be able to support young people fully to manage a tenancy in their own right, they need extensive support to understand their rights and responsibilities. The current support available (Personal Advisor and No Limits Floating Support) is not effective. As a result this is likely to be extremely costly to the Local Authority and would impact other services further with spend cuts."*

*"Who would cover the costs the council has to pay if a tenant defaults on their rent?"*

*"Will this system also address the observed behaviour of letting agents asking for increased amounts of upfront rents from benefit claimants, which does apply to a significant portion of our young people."*

*"This is an incredibly difficult transition for our young people, and I would fully support this initiative."*

*"I assume this is because LA housing supply is inadequate. I'm concerned that young people may end up in unsuitable or unsafe accommodation. And there is a risk of exploitation by landlords"*

*"If the LA/taxpayer has contributed to a young person's care and they have access to support that could be ongoing to add to 'corporate guarantor' makes perfect sense as a continued investment in that person's future and society."*

*"I think it's a good idea which will help young people in care find their own place, however I'm concerned if the council do need to cover the rent for a month, will you impose interest fees?."*

*"This sounds like a brilliant idea - I've had friends who've really struggled to find housing because they're not from middle class backgrounds so don't have family or connections who can do this for them"*

*"The young people need to know that this is not an alternative to them paying their rent and work completed to help them understand this and the costs involved with independence. Communication is the main key here and is reflected in the policy well."*

*"The council can't afford to pay rent for people who can't/won't pay it themselves."*



**The questionnaire outlined the following background information:**

**Eligibility:**

**For care leavers to be eligible for the scheme, they must:**

- be between 18 and 24 years of age;
  - be willing to pay their own rent each month and hold a tenancy in their name;
  - agree to pay all benefits issued for the purpose of payment towards rent costs in full towards their rent each month;
  - be either in paid employment (at least 8 hours per week) OR in full-time, higher education;
  - be responsible with money and able to manage the variety of costs involved in running a home, including bills and Council Tax;
  - not have any significant level of debt (less than 20% of their income should be used for debt repayment);
  - engage regularly and meaningfully with supporting professionals (with the intention to continue) to ensure relevant support is in place for them;
  - have the skills to live alone, to avoid placing themselves at risk of failing to maintain an independent tenancy.
- The eligible applicant will then go through a series of internal processes, outlined within the full draft policy:

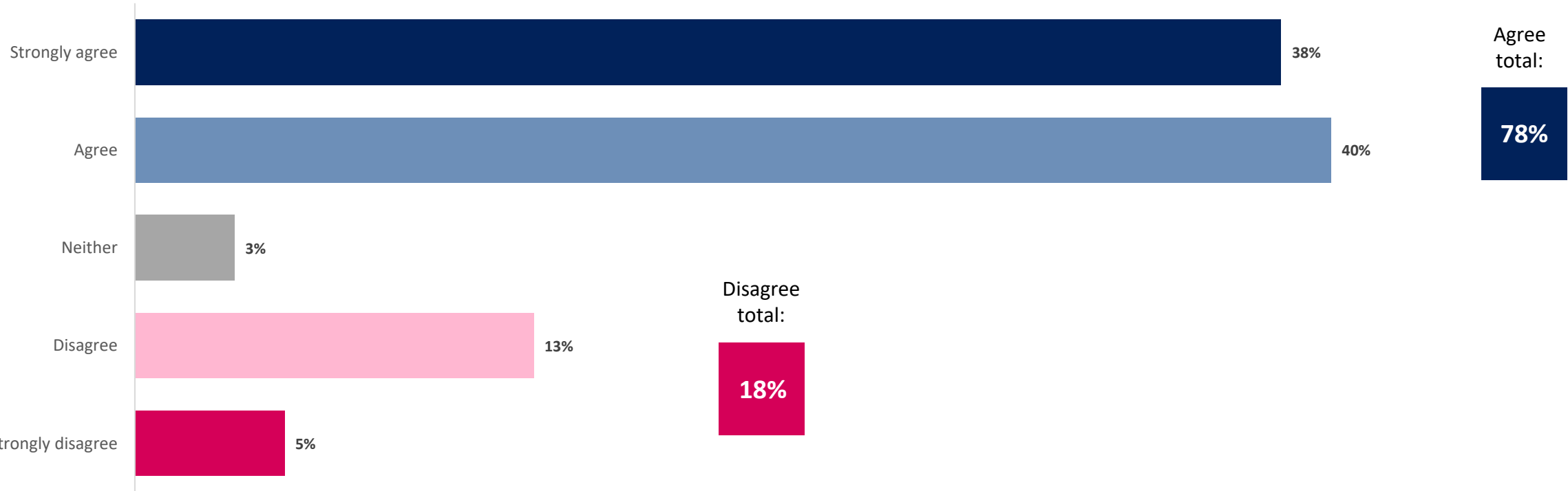
[www.southampton.gov.uk/consultations](http://www.southampton.gov.uk/consultations)



# Eligibility Criteria

Question: To what extent do you agree or disagree that the eligibility criteria is fair?

Overall:



	Total agree	Neither	Total disagree	Total
As a care experienced young person	3	0	0	3
As someone who works children and young people in Southampton	21	0	3	24

Base respondents: 60



## The questionnaire outlined the following background information:

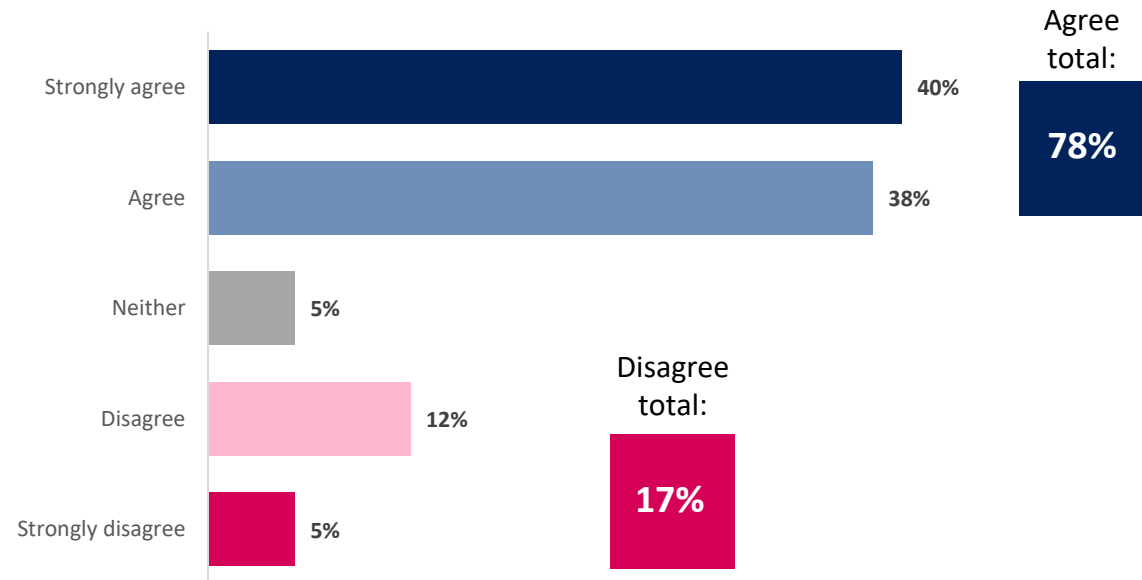
- The successful applicant would be provided with a corporate guarantor who can stand as an official guarantor for the initial 12 months of their tenancy (provided the young adult remains under 25 years of age throughout).
- If the young person has been unable to pay their rent due to an unforeseen change in their circumstances, the Council would cover the rent costs whilst in this initial 12-month period of their tenancy. The Council would cover a maximum of £850 per month per young person.
- The Council would be a guarantor for rent only and will not cover the cost of other breaches of the tenancy agreement, for example, damages.
- The Council would act as an advocate and single point of contact for issues around the young adult's accommodation.



# Commitments of the draft policy & Impact on care experienced young people

Question: To what extent do you agree or disagree with the commitments of the draft policy?

**Overall:**

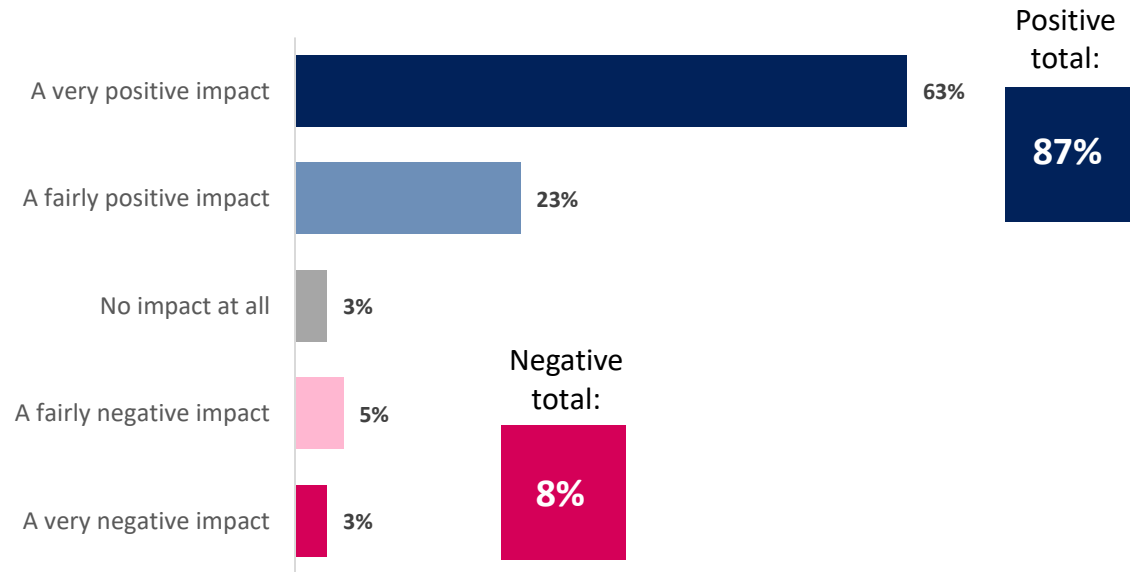


	Total agree	Neither	Total disagree	Total
As a care experienced young person	3	0	0	3
As someone who works children and young people in Southampton	20	0	4	24

Base respondents: 60

Question: What impact do you feel this may have on care experienced young people?

**Overall:**



	Total positive	No Impact	Total negative	Total
As a care experienced young person	3	0	0	3
As someone who works children and young people in Southampton	21	1	2	24

Base respondents: 58



# Free text comments on the commitments of the draft policy

Question: If you disagree, or have any comments, impacts, suggestions or alternatives you feel we should consider, please provide details:

Comments | 20

*"I think the 'have the skills to live alone' may exclude many young adults at the lower age range (18), given they are unlikely to have developed the daily living skills to live their life independently. As such, inserting a caveat along the lines of... 'or a commitment to accepting [professional] support to gain independent living skills' may be more realistic and therefore appropriate."*

*"The Council would be a guarantor for rent only and will not cover the cost of other breaches of the tenancy agreement, for example, damages. as above normal guarantors are expected to cover everything. On the criteria part. What if they are unemployed as so many are... is this not penalising them?"*

*"If the council are to act as a guarantor, it needs to be the full spectrum of normal guarantor commitments which includes damages, otherwise there bound to be significant restrictions put in place by the letting agents/landlords. Also, if they are required to under 25 for the entirety of the tenancy, we are basically excluding everyone from the day after the 24th Birthday for a twelve-month rental agreement. We need to take into account the young people who are unable to work due to medical conditions, or periods of unemployment where they may not be eligible for supported accommodation or other council provided provision for housing."*

*"What landlord is going to agree to a guarantor only covering the first 12 months, with the threat of section 21 being outlawed and the courts being very slow with evicting problem tenants? The alternative is supported housing with a communal kitchen, laundry facilities and living room with a "house parent" who lives in. Think YHA hostel but with everyone having their own comfortable en-suite bedroom/study area. The "normal" 18-24-year-old experience is flying the nest gradually, as they feel ready. Not an almighty shove sometime after their 18th birthday."*

*"The eligibility criteria entitle a very small percentage if care experienced young people. Many of which are already in the position to privately rent without the support of the Local Authority. The proposed offer should look to support those working towards independence, these are the young people we know to be struggling to develop their independence because their basic need of stable housing hasn't been achieved. This offer doesn't address the vast majority of care experienced young people who sit somewhere between not having significant enough support needs to require supported accommodation and those who have more stability and are able to remain with carers or rent successfully on their own. The policy hits the mark as it doesn't target those most at need."*

*"I strongly agree with both of the above - however, if anything they are too restrictive. To be realistic, they probably need to be less restrictive. i.e. the Council should be responsible for deposits as well."*

*"Eligibility - they should be working at least 20 hours week, not 8! (if not in education). The proposed offer: far too long. 4 months payment only."*

*"If you are having to pay up to £850 per month it would demonstrate that that person is not tenancy ready and would need a life skills project and feel that a life skills project to enable them to hold a tenancy would be more provident use of money."*

*"By law the guarantor is responsible for damages and the landlord can sue the guarantor to cover these costs. How would the council get out of this clause?"*

*"How do you measure a person's responsibility with money?."*

*"I think the young person should have less debt. Perhaps less than 10% of their wages go on debt not 20%."*

*"Does 'significant level of debt' include student loans? I would assume not."*

*"A landlord will not accept these terms so what is the point. To be a guarantor you accept the landlord's conditions, you do not dictate them."*

*"I understand that there needs to be criteria for eligibility. However, some appear unduly stringent especially for those at the lower end of the age range"*

*"I do not believe that the majority of young people are initially capable of following the Council's brief. They need help, guidance and practice before taking on such responsibility."*

*"I worry that this policy might exclude the most marginalised people who need this kind of help!"*

*"I feel more council housing needs to be available to young people and families. A place they can make into a home with a secure affordable tenancy."*

*"I would suggest you consider having an agreement with the landlord which is robust as you would not want to start trying to make claims when rent is a few days late."*

*"Debt can be looked at on a case-by-case basis. Some may have high levels of debt because they are starting a business or paying for student loans."*

*"I disagree with be either in paid employment (at least 8 hours per week) OR in full-time, higher education; Opening up this opportunity to those who are claiming UC and look to go to work or education would give them a stable base for them to be able to achieve this. A room in a shared house is affordable to someone on benefits and they would be able to pay a small top up as bills are usually included. The opportunity should also be open to those who are on UC and claiming disability benefits. They may not be in work due to ill health and this is discriminating against them. I am aware this is only a trial however, an individual on benefits in a shared house is less of a risk than someone in their own flat so I am unsure why individuals claiming UC or UC and PIP have been excluded. - not have any significant level of debt (less than 20% of their income should be used for debt repayment) - with the current cost of living a debt of 20% of their income could make it difficult for them to afford outgoings. I feel this figure should be less."*





# Free text comments on the impact this may have on care experienced young people

Question: Please use the following space to tell us more about the potential impact the draft strategy and if there is anything else we should consider:

Comments | 20

*"This will have a real tangible positive impact on care experienced young people. One of the most important need is accommodation and the stability this affords. Without which, other needs are more problematic to meet, and the instability often exacerbates an already difficult period of transition for a vulnerable young adult. Moreover, interim accommodation, where a statutory duty applies, is expensive for the council in so many ways."*

*"There are so many young people being placed into vulnerable homes of multiple occupation which poses a safety risk for these young people. If the council are the corporate parent then they should be looking after these young people who do not get the same backing as others would from their family"*

*"Being able to solve the issues a significant portion of care experienced young people experience with access to private rented accommodation, especially given the serious shortage of social housing provision, would have an enormously positive effect on these young people."*

*"As a Former care leaver who was supported through pathways whilst undertaking higher education, I feel this is a really positive and supportive thing for Southampton city council to pursue. I hope they will inform and liaise with services such as Pathways so they could work together to support young care leavers with aspirations and be sure they fully understand the terms and that they have all the support they need in place. If this is rolled out, it will definitely have a very positive impact for young care leavers building their independence and future, as having a safe home is imperative for their mental well-being which is of great importance for them to be able to achieve. I hope this works and is able to be rolled out in the future to reach more young people leaving care thus preventing them from falling into unstable house shares without support and/or potential homelessness."*

*"Providing the eligibility criteria and management of those who are successful is managed well, this will have a very positive impact on care experienced young people. If the eligibility criteria is too simple and this isn't managed well, it could have a very negative impact on young people getting into debt and/or not being able to manage debt, which is a very important life skill. One thing I don't know enough about this scheme is if the young adult will still need to pay back the council, if they cover unpaid rent? How does that work?"*

*"This initiative could provide the young person with an opportunity to find more appropriate accommodation. Unfortunately, at this moment in time the housing options for young carers without a guarantor are limited. This means that the majority of young carers are having to accept and live in sub standard rooms in sub standard accommodation."*

*"From experience of working with young persons that have been through local authority care services I would average that 90% are NO tenancy ready and that all would choose to have their own accommodation rather than having to engage with services to learn those skills."*

*"Care Leavers have struggled for years to gain decent suitable accommodation - as Corporate parents we should be doing what any parent would do for their own child."*

*"Again this would really impact those who are NEET"*

*"This would support young people to successfully gain independence"*

*"This is a wonderful idea. It will really support young people to get set up with housing in the city. More support is needed for young people in general."*

*"Young people going to university or living on their own have to learn budgeting skills and how to live successfully on their own."*

*"No landlord will accept your conditions. They give you a legal get out. Being rejected by landlords/agents will have a negative effect on the young person"*

*"A vulnerable 18 year old alone in a flat, or worse, an HMO. What could possibly go wrong?"*

*"There will always be young people who may and will fail, but they might reflect at some point and use the skills learnt at a later date and or when they as an individual have emotionally matured. We all deserve a chance."*

*"Many would just be overwhelmed by the level of responsibility required."*

*"If there was more council housing the money wouldn't need to be available to go into the private sector. This can help young people to have a permanent home and settle in one address. They may have moved multiple times in a very short space of time."*

*"Limited impact simply due to the target group of care experienced young adults. Criteria is too high and doesn't address the highest proportion of the cohort that the LA support."*

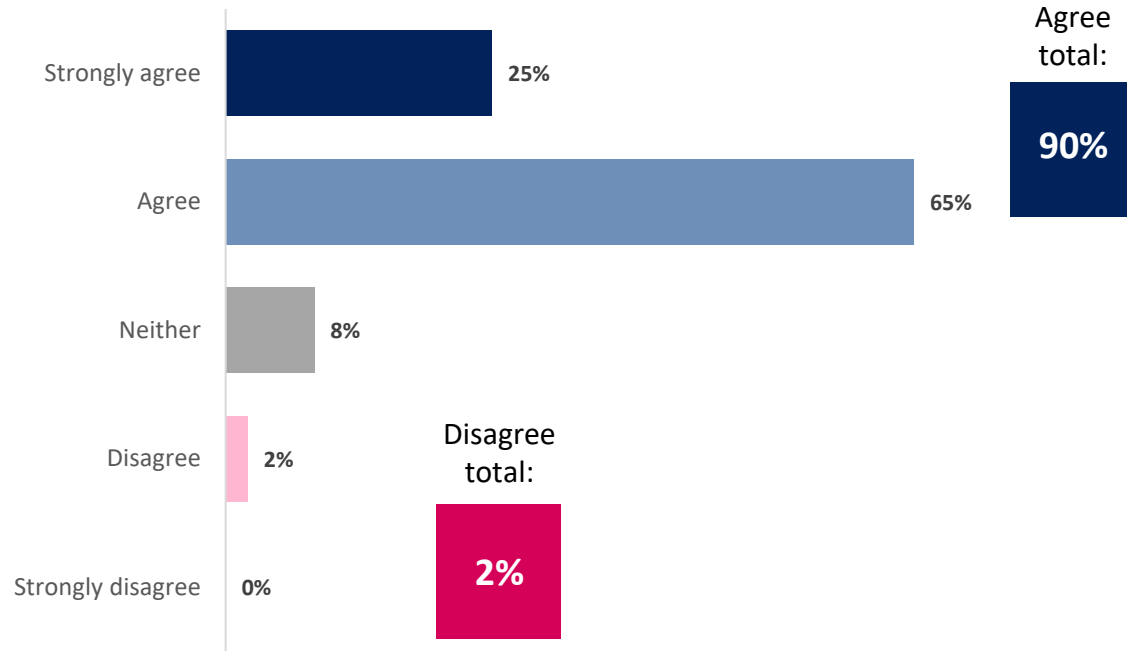
*"Makes sense to be a Corporate Guarantor, as these young adults do not have able parents to do this for them."*

*"It will make it much easier for young people to access the private rented market and landlords more likely to take a risk on housing a young person."*

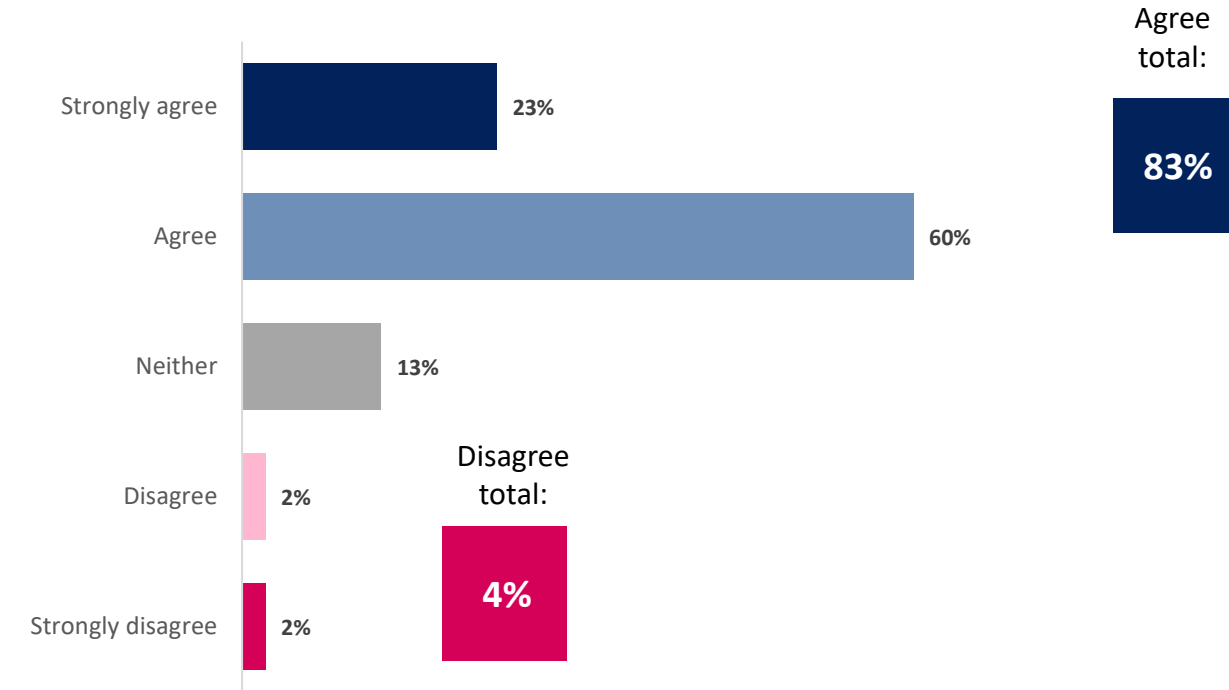


Question: If you have read the proposed draft policy, to what extent do you agree or disagree with the following statements?

## The draft policy is easy to understand



## The draft policy provides sufficient information



	Total agree	Neither	Total disagree	Total
As a care experienced young person	2	1	0	3
As someone who works children and young people in Southampton	19	1	1	21

	Total agree	Neither	Total disagree	Total
As a care experienced young person	2	1	0	3
As someone who works children and young people in Southampton	19	1	1	21

Base respondents: 48

Base respondents: 48



# Free text comments on the understanding of the draft policy

Question: If there were parts of the draft policy that you did not understand or you feel need more information, please provide further details:

Comments | 7

*"Save my suggestions herein."*

*"The various criteria will exclude a significant portion of our care leavers and therefore not significantly reduce the load for all other housing provisions in the Southampton area."*

*"I am a person with a high level of education or may be difficult to read and understand for a young person!"*

*"This scheme can be used for student accommodation. What happens in the summer? In some areas student accommodation is rented out to holiday makers in the summer. Cousins of mine used to holiday in Portsmouth (I know, why?) staying in Portsmouth student halls of residence. This is a good plan for student accommodation, but only if the student has somewhere to return to when everyone else leaves the campus."*

*"Hopefully, I have covered this in the previous questions about the need for more information."*

*"At this moment in time I have yet to read the draft policy, however, it will be my intention to read it. If possible, I will provide further feedback"*

*"The draft policy does not provide much information regarding the type of young person the Council have in mind. The experience covers a very wide group and what do you do with the ones who do not qualify?"*