



REPORT TO SAFER NEIGHBOURHOODS AND ACTIVE COMMUNITIES SCRUTINY BOARD

25 January 2018

Subject:	Preparing for the Homelessness Reduction Act
Cabinet Portfolio:	Councillor Kerrie Carmichael - Cabinet Member for Housing
Director:	Director - Housing and Communities - Alan Caddick
Contribution towards Vision 2030:	 
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DECISION RECOMMENDATIONS

That the Safer Neighbourhoods and Active Communities Scrutiny Board:

1. Consider and comment on the preparations being made for the introduction of the Homelessness Reduction Act that will take effect from 3 April 2018.

1 PURPOSE OF THE REPORT

- 1.1 The introduction of the Homeless Reduction Act, which is due to be implemented on 3rd April 2018, represents a significant change to the way the Council will tackle homelessness in future. In summary, the Act places far greater emphasis on the prevention of homelessness, early intervention and for the first time a clear responsibility on the part of those

affected to take appropriate actions to help resolve their homelessness. This report sets out how officers are preparing to implement the Act for when it takes effect in April.

2 **IMPLICATIONS FOR SANDWELL'S VISION**

- 2.1 Preventing and reducing homelessness in all its forms contributes to improving a wide range of health and well-being cohorts that have a direct impact on Sandwell's Vision. In particular it will impact on Ambitions Two and Five.

3 **BACKGROUND AND MAIN CONSIDERATIONS**

- 3.1 The Homelessness Reduction Bill became an Act of Parliament on the 27th April 2017. The Act will take effect from 3rd April 2018 and introduces three major new duties on local authorities, namely to:
1. **assess** all eligible applicants and agree an individual Personal Housing Plan
 2. take reasonable steps to **prevent** homelessness
 3. **relieve** homelessness by helping the applicant to secure accommodation.
- 3.2 Local authorities (LAs) must **assess** and provide meaningful assistance to everyone who presents as either homeless or is threatened with homelessness, regardless of any priority need. The applicant must be notified in writing of the outcome of the assessment and the LA must seek to gain agreement from the customer on the reasonable steps to be taken by both the customer and the Council within the personal housing plan.
- 3.3 The **Prevention Duty** applies to applicants threatened with homelessness within 56 days instead of the current 28. This duty itself lasts for 56 days and only ends if the prevention assistance works, the 56 days has elapsed (though this period can be extended) or if the applicant becomes homeless – in which case the Relief Duty applies.
- 3.4 The **Relief Duty** also lasts for 56 days with the option to extend. Unless referred to another authority the LA must take reasonable steps to help the applicant ensure that accommodation becomes available to them for at least six months' duration. Of note reasonable steps in the prevention duty and relief duty are limited to 'help secure' accommodation, rather than to ensure. Local authorities are still responsible for securing accommodation for homeless households owed the 'main duty', i.e. those who are eligible, unintentionally homeless and in priority need.
- 3.5 For the first time the Act places a specific duty on the part of the customer to take steps to either prevent or relieve their homelessness as detailed in

their personal housing plan. In addition, and not legislated before, the 'Duty to Refer' requires public authorities specified in the regulations to notify a housing authority of service users they consider may be homeless or threatened with homelessness provided they have the relevant consent from the individual concerned. This part of the legislation however will not take effect until October.

3.6 The Homelessness Reduction Act clearly represents a significant change to the way in which the Council will tackle homelessness. In particular, the Council will need to take the following into consideration in order to adapt and to comply with the forthcoming legislative requirements:

- A significant cultural change, with associated realignments of service provision and recruitment
- Respond to the likely increase in demand on services in both the number of presentations and additional time/resource needed for each case
- Meet the additional costs incurred in service delivery although limited Government funding has been allocated via the New Burdens Funding as detailed in Section 7.
- Ensure that the necessary IT is in place to administer the day to day operation of the Act
- Deliver Member training and wider Council staff training of the new approach
- Design new Personal Housing Plans. It is estimated that upwards of 10 variations will be required and will cover specific groups of people outlined in the new Code of Guidance including:
 - People released from prison or youth detention accommodation
 - Care leavers
 - Former members of the regular armed forces
 - Victims of domestic abuse
 - People leaving hospital
 - People suffering from a mental illness or impairment
- Train partner organisations to assist customers including completion of Personal Housing Plans (PHPs)
- Review current Council website
- Develop a more formal and structured outreach provision
- Review and design a distinct set of protocols aimed at specific client groups as identified in the Code of Guidance as outlined above.

4 THE CURRENT POSITION

4.1 Over the last three years the number of approaches to the Housing Choice Service and subsequent cases opened has remained steady, with 4,163 opened in 2014/15, 4,220 in 2015/16 and 4,215 in 2016/17. Current trends for this financial year suggest a similar level of presentations. From cases opened during this time, just under three-quarters of the main causes for approach to the service were:

- Parents/relatives no longer willing to accommodate (27%)
- Termination of assured shorthold tenancy (20%)
- Relationship breakdown non-violent (11%)
- Relationship breakdown violence from partner (11%)
- Loss of National Asylum Seeker Support (NASS) (5%)

4.2 Exactly half of all households presenting in 2016/17 were single persons, with a further 38% of households containing at least one child aged 16 or under. Based on 2016/17 figures, the Council's Housing Choice Service assists and succeeds in enabling around a third of all households who present to the service to either remain in their existing home or obtain alternative accommodation.

4.3 With these figures in mind combined with the likely increase in service user presentations and increased resource allocation for each case following the introduction of the Act, officers have undertaken a number of actions to ensure the Council is ready to fulfil the forthcoming legislative requirements. Supported by a project board that meets weekly to monitor progress, a detailed Delivery Plan (attached as Appendix One) has been drawn up. The plan is enclosed as part of this report and covers:

- Strategic development
- Partnership working, joint protocols & resources
- Service realignment & channel shift
- Consultation, marketing & communication
- ICT & systems redesign
- Provision of accommodation
- Workforce development & channel shift
- Performance management & monitoring & review

4.4 Further afield the Council has also been successful in bidding and subsequently securing funding for a Local Government Association Housing Advisor. The advisor is currently providing a critical eye and assisting in the development of a revised front-line service. The Council has also benefitted from National Practitioner Support Service HRA Training that has involved two HRA training sessions for staff from Local

Service Centres, Housing Choice, Adults and Legal service areas of the Council.

- 4.5 Engagement with wider housing sector partners including the third sector is also a key component in preparing for the Act and to that end a Homelessness Partner event was held on 14 December. From this event a steering group is being developed to deliver a holistic 'whole borough' approach to tackling homelessness. Member training is clearly very much part of the 'whole borough' approach and as such a Cabinet workshop dedicated to the HRA is being prepared for with a date yet to set. From this workshop wider Member training will commence so that all Members are familiar with the components of the legislation, in particular the implications of customer responsibilities incorporated within their individual housing plans.
- 4.6 Under the 2002 Homelessness Act, local authorities are required to produce on a five-year cycle (as a minimum) a homelessness review and a Homelessness Strategy that sets out the strategic direction that the local authority will take to tackle homelessness. The Council has recently produced a Homelessness Needs Assessment as required by the Act and from this it has produced a revised draft Homelessness Prevention Strategy that incorporates the requirements of both the Homelessness Reduction Act and the new code of guidance that takes effect in the early part of 2018.
- 4.7 The revised draft strategy (enclosed as Appendix Item Two) has benefitted from input by CRISIS operating as a critical friend, and is due to be considered by Cabinet in March of this year. The strategy's impact will be measured by four key statistical headline outputs, namely;
- 1) A reduction in the number of homeless acceptances by demonstrating a year on year reduction for the next three financial years set against the data outlined for 2016/17
 - 2) An increase in the number of homeless cases prevented from becoming homeless set against the data outlined for 2016/17
 - 3) A decrease in the use of Bed and Breakfast accommodation by demonstrating a year on year reduction for the next three financial years set against the data outlined for 2016/17
 - 4) To keep the level of rough sleeping below the England Rough Sleeping Rate (0.16per 1,000 households - excluding London)
- 4.8 From a Regional perspective, members of the West Midlands Combined Authority (WMCA) Homelessness Taskforce have committed to work together to design out homelessness across the WMCA area. The intention is for the region to become an exemplar in implementing the

spirit and letter of the Act by coordinating system change, enhanced collaborative working, connecting mainstream strategies and facilitating a people centred approach. To date WMCA has received notification of securing £1.7m for a Housing First pilot to operate across the WMCA area and has also launched a alternative giving scheme and public information scheme – entitled *Change Into Action*.

5 CONSULTATION (CUSTOMERS AND OTHER STAKEHOLDERS)

- 5.1 This is detailed in both the Delivery Plan and in part in section 4.5 above. A separate action plan has been formulated covering consultation and informing all stakeholders of the forthcoming impacts connected to the Act.

6 ALTERNATIVE OPTIONS

- 6.1 There are no alternative options, the Council is required to comply with legislation.

7 STRATEGIC RESOURCE IMPLICATIONS

- 7.1 Increased pressures will be placed on service budgets. This has been acknowledged by central government and as part of this the Council has received £464k New Burdens Funding over a three-year period. The Council is also continuing to look at ways of reducing service costs such as continuing to reduce Bed and Breakfast usage.

8 LEGAL AND GOVERNANCE CONSIDERATIONS

- 9 From 3 April 2018, the Council will be required to comply with the Homelessness Reduction Act. To accompany the Act a revised Prevention of Homelessness Statutory Code of Guidance will be released in the early part of next year that will have to be complied with. Officers have received the current draft copy and are ensuring that all preparations are in compliance with the code.

9 EQUALITY IMPACT ASSESSMENT

- 9.1 An equality impact will be completed as part of the Prevention of Homelessness Strategy review

10 DATA PROTECTION IMPACT ASSESSMENT

- 10.1 The Council is considering using an additional I.T. system that is specifically tailored to the requirements of the Homelessness Reduction Act in preparation for its' implementation. Officers are currently working with the Information Management Unit to ensure that all data protection issues are covered should the Council take up this option.

11 CRIME AND DISORDER AND RISK ASSESSMENT

- 11.1 None required

12 SUSTAINABILITY OF PROPOSALS

- 12.1 The proposals outlined in the delivery plan are to enable the Council to comply with the requirements of the forthcoming Act. All actions will be met within current budget limits.

13 HEALTH AND WELLBEING IMPLICATIONS (INCLUDING SOCIAL VALUE)

- 13.1 The broad range of health inequalities brought about by homelessness in all its forms are well documented. If delivered successfully and the four key measures of the revised homelessness strategy are met then positive health and wellbeing determinants will also be achieved.

14 IMPACT ON ANY COUNCIL MANAGED PROPERTY OR LAND

- 14.1 None.

15 CONCLUSIONS AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

- 15.1 The introduction of the Homeless Reduction Act, which is due to be implemented on 3rd April 2018, represents a significant change to the way the Council will tackle homelessness in future. In summary, the Act places far greater emphasis on the prevention of homelessness, early intervention and a responsibility on the part of those affected to take responsibilities to help resolve their homelessness.
- 15.2 The Act takes effect from 3 April 2018 and will significantly change the way in which the Council delivers its homelessness related services. Supported by a project board that meets weekly to monitor progress, a detailed Delivery Plan (attached as Appendix One) has been drawn up. The plan is enclosed as part of this report and covers:

- Strategic development
- Partnership working, joint protocols & resources
- Service realignment & channel shift
- Consultation, marketing & communication
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- Provision of accommodation
- Workforce development & channel shift
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16 **BACKGROUND PAPERS**

16.1 None

17 **APPENDICES:**

ONE: Homelessness Reduction Act Delivery Plan

TWO: Draft revised Prevention of Homelessness Strategy

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