

# The Homelessness Reduction Act

**Presentation to OSC**

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# Background

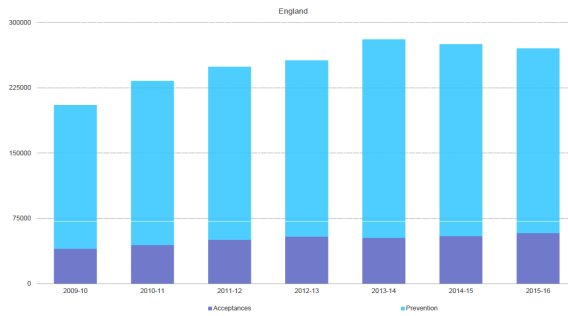
- In 2015, Wales implemented new homeless legislation with a focus on prevention
- Following this, the homeless charity Crisis carried out a mystery shopping exercise to understand rising homeless numbers in England, particularly rough sleepers
- From the findings, 16 Local Authorities showed that the quality of housing advice available to homeless households was generally poor, and often unlawful
- Additionally, the treatment of homeless people by councils was found to be unacceptable
- House of Commons Select Committee undertook an inquiry, with the final report containing far-reaching recommendations published July 2016
- Alongside the report, a Homelessness Reduction Bill (HRB), which aimed to improve the support and advice offered to all homeless people, was produced

# Why change is proposed

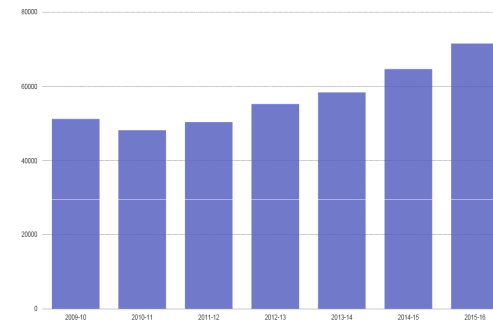
- Nationally, 50% of homeless applicants owed a homeless duty by the local authority (DCLG)
- Current Homelessness legislation does not help a substantial proportion of those people seeking accommodation who are homeless. The main focus is people in **priority need; with a local connection; who are not intentionally homeless**
- Frustration - many local authorities adopt approaches of 'gate-keeping' rather than proactive demand management and prevention
- Increasing visibility of rough sleeping in the UK
- Temporary accommodation use is increasing; 10% national increase in 12 months

# Background – the national picture

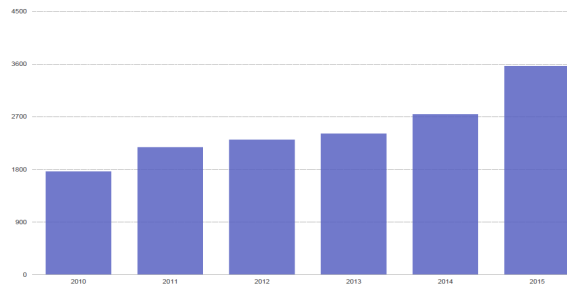
## Homelessness Levels



## Temporary Accommodation



## Rough Sleeping



## Homelessness Reduction Act 2017

2017 CHAPTER 13

An Act to make provision about measures for reducing homelessness; and for connected purposes [27th April 2017]

**B**E IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

- Became an Act of Parliament on 27 April 2017, but is not likely to be enacted until 1 April 2018
- Sets out a framework for the biggest changes to homelessness legislation since the enactment of the Housing (Homeless Persons) Act 1977
- Amends Part 7 of the Housing Act 1996. There are 13 clauses that amend many of the existing duties and bring in a substantial number of new duties many of which will require a change in working practices and additional resources
- Shelter estimates homelessness applications will rise by up to 50% as a result
- The government is making funds available for local authorities to be able to introduce the new act

# Main changes (1)



- Focus on homeless prevention: earlier and more proactively (i.e. casework)
- New Duty to Prevent; and new duty to Relieve (within 56 day period)
- 'Threatened with Homelessness' within 56 days rather than 28 days
- 'Not reasonable to continue to occupy' after expiry of Section 21 notice
- New 'Duty to Refer' on statutory agencies. Police, Hospitals, will be referring more cases to CBC
- Duty to produce Personal Housing Plans; and Duty to Co-operate with applicant – more paperwork!
- New Duties owed regardless of priority need - no longer just families with children and vulnerable adults

## Main changes (2)



- New Duties owed regardless of intentionality
- Some new Duties owed regardless of Local connection
- “...*extend homelessness prevention so that help is provided at an earlier stage to all eligible households regardless of priority need status, intentionality and whether they have a local connection...*”
- New abilities to request Review (11 stages)
- Duty to help to secure accommodation for 56 days. However, the new duty to ‘help secure accommodation’ is unclear and is likely to mean more TA needed in the absence of alternatives in such a strong PRS housing market, mindful of the likely cost implication
- Care Leavers – very specific new duty related to ‘choice’

# Local impact

- Changes will increase the workload of the HOT by at least 50%, which is unachievable with the current staffing resource
- Increase in the use and cost of temporary accommodation
- Number of homeless cases owed the new duties will increase
- Critical shortage of affordable housing options in the private rented sector and social housing
- Restraints of frozen Local Housing Allowance
- Out of London placements
- Increased legal challenge and costs – no case law

## *Other contributory factors:*

- Impact of welfare reform: Benefit Cap and Universal Credit increasing households presenting as homeless – we're seeing people we don't usually expect to see...



# SDC response: Implementation plan

- Member and corporate understanding of impacts
- Ensure robust strategies, policies and procedures are in place (East Kent Homelessness Strategy, Shepway Housing Strategy and Allocations Policy)
- Review Case Management processes and systems – new IT system essential, Personal Housing Plans, establish clear pathways
- Ensure staff are given the tools and training to be able to deliver their job effectively
- Consider the wider publicity of the Council's homelessness policies
- Plan for the demand and supply of accommodation more effectively
- Further enhance the customer experience of homeless applicants
- Clarify the service's approach to how it will deliver its objectives - enabling, advice, solutions, independent living, housing standards
- Work with partners to tackle the issues raised (review protocols with statutory authorities – Police, Health, Mental Health etc.)

# Funding

- The Flexible Homelessness Support Grant (FHSG) replaces the Temporary Accommodation Management Fee (TAMF) awarded to local councils
- DCLG confirmed funding allocation to SDC over two years as:
  - £128,068.50 for 2017/18
  - £147,355.24 for 2018/19
- Transitional Funding from DCLG will also be awarded to recognise the new burden the HRA places on local authorities. It is estimated to be between £50,000 to £70,000 per annum over 2 years, commencing 2018/19. The exact figure will not be confirmed until later in 2017
- Funding can be used to support some additional staffing roles and prevention work. However, the Communities service structure has been reviewed to support the staffing resource required to meet the demands of the HRA within existing budgetary constraints

# Mitigating the costs of the HRA

- Invest in property/properties to provide temporary accommodation - reduce TA spend/generate income
- Use vacant Council land or sites with planning permission, but start dates not imminent, for portable, modular homes for TA
- Continue Social Lettings Agency, incentivising landlords in the private sector to offer properties to the Council at affordable rent
- Lobby for changes in the Local Housing Allowance rate, frozen until April 2020. Freeze continues to make difficult for councils to find affordable private rented properties to prevent and relieve homelessness