

Report of:	Head of Housing and Partnerships
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Portfolio Leader:	Housing
Key Decision:	No
Report Track:	Cabinet: 17/10/19

CABINET
17 OCTOBER 2019
HOMELESSNESS REDUCTION ACT 2017 CALL FOR EVIDENCE

1 Purpose of Report

- 1.1 To note and endorse the Council's response to the consultation questions contained within the Homelessness Reduction Act 2017 Call For Evidence.

2 Recommendation(s)

- 2.1 That Cabinet notes and endorses the response to the Ministry of Housing, Communities & Local Government (MHCLG) consultation questions regarding the Homelessness Reduction Act 2017 Call For Evidence as set out in Appendix 2 and agreed by the Housing Portfolio Leader.
- 2.2 That as the Council needed to submit its consultation paper response by 15 October 2019 call-in procedures in relation to recommendation 2.2 shall not apply.
- 2.3 That if required, the Head of Housing and Partnerships, following consultation with the Housing Portfolio Leader, is given retrospective authorisation to make amendments to the Consultation Document prior to submission on 15 October 2019.

3 Key Issues and Reasons for Recommendations

Key Issues

- 3.1 The MHCLG have published a 'Homelessness Reduction Act 2017 Call For Evidence' to seek views on the impact of the implementation of the Act. The consultation was open to everyone but particularly local housing authorities. A copy is attached as Appendix 1.

Reason for Recommendations

- 3.2 A response to the consultation questions has been submitted to MHCLG following consultation with the Housing Portfolio Leader and is attached as Appendix 2. Views on the consultation paper needed to be received by 15 October 2019 and as a result it is proposed that call-in procedures in relation to this do not apply.

4 Relationship to Corporate Priorities

- 4.1 The implementation of Homelessness Reduction Act 2017 has implications for supporting vulnerable people which forms part of the 'Improving Community Wellbeing' PDP 2019/20.

5 Report Detail

- 5.1 The Government published the consultation 'Homelessness Reduction Act 2017 Call For Evidence' on 23 July 2019. The MHCLG have published a call for evidence to seek views on the impact of the implementation of the Act. The consultation was open to everyone but particularly local housing authorities. A copy is attached as Appendix 1.

- 5.2 The call for evidence is covers the following:

- The impact the Act has had and the outcomes that are being achieved?
- How has the Act changed the approach of local housing authorities and their partners to tackling homelessness and supporting those in need?
- The experience of people approaching their local housing authority for help?
- How the implementation of the Act has been resourced, including the level of new burdens funding to assist this?
- What elements of the Act and processes are working well, and which might need adjustment?

6 Implications

6.1 Financial

None

6.2 Legal

None

6.3 Human Resources

None

6.4 Section 17 (Crime Prevention)

None

6.5 Human Rights Act

None

6.6 Data Protection

None

6.7 Risk Management

None

6.8 Equality & Diversity

None

6.9 Best Value

None

7 Appendices to the Report

Appendix 1: Homelessness Reduction Act 2017 Call for evidence – consultation document

Appendix 2 Homelessness Reduction Act 2017 Call for evidence – consultation response

Previous Consideration

None.

Background Papers

None.

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Ministry of Housing,
Communities &
Local Government

Homelessness Reduction Act 2017

Call for evidence

Summer 2019



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If you have any enquiries regarding this document/publication, complete the form at <http://forms.communities.gov.uk/> or write to us at:

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July 2019

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Scope of the consultation

Topic of this consultation:	This consultation seeks views on the implementation of the Homelessness Reduction Act 2017.
Scope of this consultation:	<ul style="list-style-type: none"> • The impact the Act has had and the outcomes that are being achieved? • How has the Act changed the approach of local housing authorities and their partners to tackling homelessness and supporting those in need? • The experience of people approaching their local housing authority for help? • How the implementation of the Act has been resourced, including the level of new burdens funding to assist this? • What elements of the Act and processes are working well, and which might need adjustment?
Geographical scope:	These proposals relate to England only.
Impact Assessment:	The information provided will inform Government policy and any assessments required under the Government's Better Regulation Framework for this Parliament.

Basic Information

To:	This consultation is open to everyone and we would particularly value the views of those who work in, or with, local housing authorities.
Body/bodies responsible for the consultation:	The Ministry of Housing, Communities and Local Government.
Duration:	This consultation will last for 12 weeks
Enquiries:	For any enquiries about the consultation please contact: HRAreview@communities.gov.uk
How to respond:	<p>You may respond by completing an online survey at: https://www.surveymonkey.co.uk/r/homelessnessreductionactreview</p> <p>Alternatively, you can email your response to the questions in this consultation to: HRAreview@communities.gov.uk</p> <p>If you are responding in writing, please make it clear which questions you are responding to.</p> <p>Written responses should be sent to:</p> <p>Homelessness and Rough Sleeping Directorate Ministry of Housing, Communities and Local Government Second floor, South West – Fry Building 2 Marsham Street London SW1P 4DF</p> <p>When you reply it would be very useful if you could confirm whether you are replying as an individual or submitting an official response on behalf of an organisation and include:</p> <ul style="list-style-type: none"> • your name; • your position (if applicable); • the name of your organisation (if applicable); • the type of local housing authority (e.g. district council) you work in/with (if applicable); • an address (including post-code); • an email address; and • a contact telephone number.

Ministerial Foreword

Everyone deserves the opportunities and security to build a better life. The human cost in broken lives, in lives cut short, is simply unacceptable and does not reflect our values as a country. This is quite simply the defining social justice issue of our time.

This is why this Government has made reducing homelessness and rough sleeping such a priority.

We want to ensure that as many people as possible are prevented from becoming homeless and those who do find themselves homeless are helped as soon as possible. This is why we introduced the Homelessness Reduction Act (the Act) - the most ambitious legal reform to homelessness legislation in decades.

This Government has committed significant resources to tackling homelessness and rough sleeping, with more than £1.2 billion of funding over the spending review period.

I want to make sure that this legislation is working in the way it was intended and that local housing authorities have the resources and support they need to deliver this ambitious legislation.

Ensuring that local housing authorities can intervene early before people reach crisis point and are working with other partners to actively stop a broader range of people from losing their homes will ensure that this is the case.

This call for evidence seeks to gather evidence on how local housing authorities have implemented the Act, the initial impact the Act is having and the experience of homeless people approaching their local housing authority for help. We want to make sure the Act is working for all.

I also want to ensure that the partnership working, that we all know is vital to reducing homelessness and which was strengthened by the duty to refer, is working.

This call for evidence is a chance for local housing authorities, voluntary sector organisations and other statutory agencies to have their say on the Act and to help inform future policy decisions.

Rt Hon James Brokenshire MP
Secretary of State for Housing, Communities and Local Government.

1. Introduction

1.1. Everyone deserves a decent, affordable and secure place to call home, yet too many people live without this comfort and security. We are committed to reducing all forms of homelessness and ending rough sleeping. This is why we have:

- Committed over £1.2 billion of funding by 2020-21 to tackle homelessness;
- Implemented the Homelessness Reduction Act putting prevention at the heart of our response to homelessness, making sure that people get earlier support to prevent or relieve their homelessness, and providing support to a broader range of people than ever before;
- Introduced key initiatives like Housing First, the Rapid Rehousing Pathway and the Private Rented Sector Access Fund to help people access and stay in sustainable accommodation; and
- Published the Rough Sleeping Strategy in August 2018, setting out an ambitious £100 million package to help people who sleep rough now and put in place the structures that will end rough sleeping.

1.2. Underpinning our work is the Homelessness Reduction Act, the most ambitious reform to homelessness legislation in decades. It is a key lever for reducing homelessness and helping to halve rough sleeping by 2022 and ending it altogether.

1.3. The Act introduced new prevention and relief duties, each of which last for 56 days, meaning local housing authorities must now take reasonable steps to try to prevent and / or relieve people of their homelessness if they are eligible. The local housing authority will work with the applicant to develop a personalised housing plan. The plan will identify the reasonable steps that the service user and the local housing authority will take to ensure the applicant has and is able to retain or obtain suitable accommodation. Any accommodation that they secure at prevention or relief stage must be available to the individual for a period of at least six months.

1.4. The Act also introduced a new duty on [certain named public authorities](#) to refer users of their service, who they have reason to believe are homeless or threatened with homelessness, to a local housing authority of the service user's choice.

1.5. We want to ensure that this new legislation is working for all and that local government and its partners have the tools and support to effectively implement and operate the Act.

1.6. We know that for many local housing authorities the Act requires a significant system change, and work is still underway to embed and improve the delivery of the new duties. This call for evidence forms part of the review that the Government has committed to undertake of the Act and seeks evidence of:

- The impact the Act has had and the outcomes that are being achieved?
- How has the Act changed the approach of local housing authorities and their partners to tackling homelessness and supporting those in need?
- The experience of people approaching their local housing authority for help?
- How the implementation of the Act has been resourced, including the level of new burdens funding to assist this?
- What elements of the Act and processes are working well, and which might need adjustment?

1.7. Alongside this call for evidence we have commissioned an external piece of field research to gain a better understanding of how different local housing authorities have implemented the Act. We will be reviewing all evidence collected through this research and the responses to the consultation to develop future policy proposals. A report will be published by March 2020 setting out these findings and our recommendations going forward.

2. The impact the Act has had and the outcomes that are being achieved

2.1. The Act has been in place since April 2018. There are many different factors at play in determining its impact.

2.2. The reforms brought in by the Act mean that support is offered to all eligible people who are threatened with homelessness or who are homeless, providing support to a broader range of people than ever before. The Act shifts the focus of services from crisis intervention to prevention, meaning that services will intervene earlier and help more people to avert crisis. The Act also strengthened the duty on local housing authorities to provide free advice and information designed to meet the needs of certain vulnerable groups, including those who are not eligible for further assistance. This means that people at risk of homelessness will receive more meaningful information earlier, to help prevent their homelessness.

2.3. Experimental statistics have now been published for the first 3 quarters (April 2018 - December 2018) of the Act. A total of 105,230 households were owed a prevention duty; and of cases where the prevention duty has ended:

- 59% were prevented from becoming homeless;
- 66% moved into alternative accommodation; and
- 34% retained existing accommodation

A total of 84,530 households were owed the relief duty; and of cases where the relief duty had ended, 45% secured accommodation to relieve homelessness.

2.4. Types of households owed a prevention or relief duty

Lone parent and children	26%
Couple and children	8%
3+ adults and children	1%
Single male	36%
Single female	23%
Couple	5%
3+ adults no children	1%
Total families	35%
Total single person households	65%

2.5. In the three quarters since the Act has been in operation, single homeless people have been the largest group to seek help. This is encouraging because previously this group has been underrepresented in the reported statistics and it has been hard to determine what assistance has been provide to them.

2.6. We are interested in your views on the impact of the Act so far, including your perspective on the delivery of homelessness services pre and post the Act, where that is applicable. We are keen to understand what elements of the Act are most effective, and which work less well. We also want to understand the outcomes achieved for individuals approaching their local housing authority for homelessness assistance. For example, if they are being helped to relieve their homelessness if they are already homeless, or whether they are being prevented from becoming homeless in the first place.

Question 1: Since implementation of the Act in April 2018 can you identify:

- A. What has improved in service and outcomes for families and individuals who are homeless or at risk of homelessness?
- B. What has not improved/ got worse?
- C. What are the enablers or barriers to achieving positive outcomes?
- D. What impact has the Act had on the use of temporary accommodation for your local housing authority?

Question 2: In relation to processes of the Act:

- A. Please identify any elements of the Act that you believe work or do not work well in assisting you and any partner agencies (both statutory and non-statutory) to prevent and relieve homelessness.
- B. Please provide any suggestions of areas of the Act that you feel should be amended, being as specific as possible as to what alteration you would recommend.
- C. Has your local housing authority amended its allocations scheme to reflect the duties in the Act, and if so what changes have been made?
- D. If you have amended the policy, how has this affected lettings to homeless households?
- E. How could the data generated from H-CLIC help you to inform policy/ resources?
- F. What more could be done to assist you in submitting and making use of the data for your area?
- G. Please add any further comments on the Act or the context in which it has been implemented that you think will be useful.

3. How has the Act changed the approach of local housing authorities and their partners to tackling homelessness and supporting those in need?

- 3.1. For the Act to be effective it requires a new way of working. Local housing authorities will have taken different approaches to this, and what works for one local area may not work in another.
- 3.2. One of the objectives of the Act was to foster stronger working between different agencies, whether with statutory or non-statutory agencies. The duty to refer, the final part of the Act that came into force in October 2018, requires named public authorities to refer users of their service, who they consider to be homeless or threatened with homelessness, to a local housing authority of the service user's choice. The duty to refer is intended to ensure that those who face the threat of homelessness are identified earlier so they can receive the support they need to tackle their homelessness.
- 3.3. To aid partnership working we are aware that some local housing authorities have updated or developed protocols with statutory and non-statutory partners. Examples include developing protocols with prisons to ensure there is a housing pathway for people leaving custody or working with a local Citizens' Advice Bureau to improve collaboration to prevent homelessness. Protocols and partnerships are not always limited to local housing authority boundaries and may involve several areas or the whole county.
- 3.4. We are aware of local housing authorities involving partners to help deliver their homelessness services, including by contracting out some statutory duties.
- 3.5. We are interested in your views about whether the Act has enabled, changed or hindered partnership working between local housing authorities, statutory and non-statutory agencies. We are also interested in understanding if partnership working has led to better outcomes for people who are homeless or at risk of homelessness, and if the Act has led to a change in the way local housing authorities help this cohort

Question 3: Has your area developed or updated protocols and/ or referrals arrangements with statutory and non-statutory agencies in relation to the duty to refer?

Question 4: Have pathways been developed or reviewed and updated to help specific cohorts of people? Please describe what these are.

Question 5: In relation to the public authorities subject to the duty to refer, please name any you would add (and why) and /or remove (and why).

Question 6: For public authorities with the duty to refer, has the new duty helped to prevent homelessness for your service users? If no, please say what the barriers have been to making the duty effective.

Question 7: Has the duty to refer led to an improvement in outcomes for any particular groups, and if so which?

Question 8: Have there been any public authorities which have been successful in implementing the duty to refer - what have been the defining success criteria?

Question 9: What, if any, further legislative or government-led changes would improve partnership working to prevent and relieve homelessness?

Question 10: Has the Act led to more scrutiny and involvement from elected members? If so, what has the impact of this been?

Question 11: Has your local housing authority commissioned any external agencies to deliver part or all of the homelessness services in response to the Act? If so, please indicate any benefits in terms of outcomes for customers?

Question 12: In what ways has the Act influenced the strategic direction of your local housing authority? If so, has it been effective?

Question 13: For local housing authorities, has the Act led to an increase in quality of partnerships working with internal (within the authority) or external partners?

Question 14: For (non-local housing authority) partner agencies, has the HRA led to an increase in your contribution to preventing and relieving homelessness?

4. The experience of people approaching their local housing authority for help

- 4.1. The Act was intended to enable a more person-centred approach to delivery of homelessness services, through which applicants and local housing authorities work together to identify solutions to prevent or relieve homelessness.
- 4.2. The Act extended the duties that local housing authorities owe to eligible homeless households, so that people who are not vulnerable or do not have children in their care receive more help from their local housing authority.
- 4.3. Local housing authorities must now provide free advice and information on homelessness and how to prevent it. This information must be available to all people in the local housing authority area, including those who are not eligible for assistance, and must include tailored information for named vulnerable groups, including victims of abuse, care leavers, veterans and people leaving hospital or prison.
- 4.4. Local housing authorities are required to assess the circumstances and needs of applicants, including their support needs, and work with them to produce a Personalised Housing Plan (PHP). The plan sets out the steps that the individual and the local housing authority will take to prevent or relieve homelessness.
- 4.5. We want to gather evidence on the experience of people approaching their local housing authority for homelessness assistance. We are interested in your views on whether the Act has changed the ways in which local housing authorities engage with applicants, and whether service delivery has become more person centred.

Question 15: From the perspective of a homeless applicant in your area or from your experience:

What has changed most for:

- A. Single people / households without children?
- B. Families?

Question 16: Do you feel that the Act has enabled a more person-centred approach to the delivery of homelessness services?

Question 17: Has the Act resulted in earlier intervention and support to prevent or relieve homelessness where an applicant has been served with a valid S21 notice?

5. How has implementation of the Act been resourced and what has been the impact of new burdens funding to assist this?

5.1. To help local housing authorities to deliver the new duties introduced by the Act, the Ministry of Housing, Communities and Local Government (MHCLG) provided £72.7 million in new burdens funding and £5.6 million to help local housing authorities upgrade their IT systems for the introduction of H-CLIC.

5.2. The new burdens funding was calculated in consultation with the Local Government Association (LGA) and local housing authorities. The assessment assumed a 26 per cent increase in caseload, which was similar to that experienced in Wales when they introduced comparable legislation. The analysis also assumed that in the first three years the number of those owed the main housing duty would fall by 10, 20 and 30 per cent respectively. This is a more cautious assessment than initial results in Wales, which saw a 67 per cent reduction in year 1 in those owed the main housing duty. This variation is because of the very different nature of the housing market in England.

5.3. The new burdens funding was specifically for administering the new duties and sits alongside a wider package of support for local housing authorities. The Government has now committed over £1.2 billion to tackle homelessness and rough sleeping over the spending review period. The funding provided to local housing authorities is comprised of five key funding streams:

- £316 million of core funding for local housing authorities to prevent homelessness
- £617 million in Flexible Homelessness Support Grant which local housing authorities can use strategically to prevent and tackle homelessness in their areas
- £215 million to fund central government programmes. This is comprised of a variety of innovative solutions to tackle homelessness and rough sleeping.
- £100 million for Move On accommodation which supports people to be in stable accommodation while receiving the support and help they need to prepare themselves for independent accommodation.
- £100 million investment to tackle rough sleeping over the next 2 years. This money is reprioritised from savings and underspends. £55 million of this money is new money for rough sleeping – reflecting the priority attached to our plan to end rough sleeping for good.

- 5.4. In addition to the new burdens funding for the Act, MHCLG established the Homelessness Advice and Support Team (HAST). HAST is made up of expert advisors from across the homelessness sector and provides local housing authorities with bespoke support to ensure the Act is effective on the ground.
- 5.5. MHCLG fund the National Homelessness Advice Service (NHAS) which provide a range of free specialist services to local housing authority housing options teams, voluntary sector advice agencies and public authorities with a duty to refer. Since April 2017, NHAS have provided specific training and roadshows that focus on new duties under the Act. Alongside this, NHAS also offer free information resources and provides an advice line, which offers second tier housing, homelessness, debt and welfare benefit advice for front line staff. The advice line is accessible via telephone, email and online webchat.
- 5.6. MHCLG also funded the London Training Academy, delivered by Southwark Council and several training providers. The Academy trained over one thousand housing options staff in local housing authorities in London and the South East. This training package was in place in the first year of the Act to help frontline staff and managers through the culture change, to develop the leadership required and to bring in apprentices with lived experience of homelessness to strengthen the workforce.
- 5.7. We want to gather evidence on the cost of delivering the new duties to local housing authorities. We are also keen to understand how other funding streams interact with local housing authority work to deliver the HRA, and to prevent and relieve homelessness.

Question 18: **For local housing authority respondents**, please identify what additional costs you have incurred in implementing the HRA, broken down by financial year, for*:

* Please specify if these costs are ongoing or one- off.

A. Staffing**

(total cost of current FTE staff load in housing options service minus total cost of FTE staff load in housing options service pre-HRA = total)

**if you have created additional posts through new burdens funding, do you expect to continue these roles from April 2020 onwards?

B. IT

(total cost of introducing new IT systems to cope with administrative burden of HRA + cost incurred transferring legacy cases into H-CLIC.)

C. temporary accommodation

(gross cost of TA - any HB contributions and tenant contributions)

D. Accessing the private rented sector (e.g. incentives paid to landlords)

(cost of incentive payments made to landlords to help applicants access the private rented sector to fulfil prevention or relief duties – not including PRSO's to end the main housing duty)

E. Legal

(costs incurred on legal challenges to any new duty introduced by the Homelessness Reduction Act – including legal advice)

F. Training

G. Other (please list)

Question 19: Would you be willing to provide more information on cost data if required?

Question 20: **For non-local housing authority respondents**, please comment on whether you consider sufficient resources have been deployed for implementation of the Act in your area

Question 21: Beyond funding for the Act, are there resource or funding stream considerations which impact (positively or negatively) on the ability to prevent and relieve homelessness, and if so, please describe these.

Please only answer the following questions if you're from a local housing authority, public authority with a duty to refer or a voluntary sector advice agency

Question 22: Which of NHAS services have you or your team used since April 2017 (ability to tick multiple):

- a. Training
- b. Roadshows
- c. Advice Line
- d. Online information/resources (e.g. toolkits, webinars, factsheets or legal updates)
- e. None

Question 23: How effective have you found the services delivered by NHAS in supporting you or your team to carry out the new duties brought in by the Act?

6. Equalities

- 6.1. We have a duty to promote equality in accordance with the Equality Act 2010. When making decisions, public bodies must have due regard to the need to eliminate discrimination, harassment and victimisation; advance equality of opportunity; and foster good relations, with respect to relevant protected characteristics.
- 6.2. The purpose of this section is to ask for your views on whether the HRA has had a positively or negatively disproportionate impact on any individuals with relevant protected characteristics under the Equality Act 2010.

Question 24: Do you think that the Act has had a disproportionate impact, either positive or negative, on any individuals, in particular those with 'relevant protected characteristics' (i.e. age, disability, gender reassignment, marriage and civil partnership, pregnancy, maternity, paternity, race, religion or belief, sex, sexual orientation)? Please provide evidence to support your response.

7. Full list of questions.

Question 1: Since implementation of the Act in April 2018 can you identify:

- A. What has improved in service and outcomes for families and individuals who are homeless or at risk of homelessness?
- B. What has not improved/ got worse?
- C. What are the enablers or barriers to achieving positive outcomes?
- D. What impact has the Act had on the use of temporary accommodation for your local housing authority?

Question 2: In relation to processes of the Act:

- A. Please identify any elements of the Act that you believe work or do not work well in assisting you and any partner agencies (both statutory and non-statutory) to prevent and relieve homelessness.
- B. Please provide any suggestions of areas of the Act that you feel should be amended, being as specific as possible as to what alteration you would recommend.
- C. Has your local housing authority amended its allocations scheme to reflect the duties in the Act, and if so what changes have been made?
- D. If you have amended the policy, how has this affected lettings to homeless households?
- E. How could the data generated from H-CLIC help you to inform policy/ resources?
- F. What more could be done to assist you in submitting and making use of the data for your area?
- G. Please add any further comments on the Act or the context in which it has been implemented that you think will be useful.

Question 3: Has your area developed or updated protocols and/ or referrals arrangements with statutory and non-statutory agencies in relation to the duty to refer?

Question 4: Have pathways been developed or reviewed and updated to help specific cohorts of people? Please describe what these are.

Question 5: In relation to the public authorities subject to the duty to refer, please name any you would add (and why) and /or remove (and why).

Question 6: For public authorities with the duty to refer, has the new duty helped to prevent homelessness for your service users? If no, please say what the barriers have been to making the duty effective.

Question 7: Has the duty to refer led to an improvement in outcomes for any particular groups, and if so which?

Question 8: Have there been any public authorities which have been successful in implementing the duty to refer - what have been the defining success criteria?

Question 9: What, if any, further legislative or government-led changes would improve partnership working to prevent and relieve homelessness?

Question 10: Has the Act led to more scrutiny and involvement from elected members? If so, what has the impact of this been?

Question 11: Has your local housing authority commissioned any external agencies to deliver part or all of the homelessness services in response to the Act? If so, please indicate any benefits in terms of outcomes for customers?

Question 12: In what ways has the Act influenced the strategic direction of your local housing authority? If so, has it been effective?

Question 13: For local housing authorities, has the Act led to an increase in quality of partnerships working with internal (within the authority) or external partners?

Question 14: For (non-local housing authority) partner agencies, has the HRA led to an increase in your contribution to preventing and relieving homelessness?

Question 15: From the perspective of a homeless applicant in your area or from your experience:

What has changed most for:

- A. Single people / households without children?
- B. Families?

Question 16: Do you feel that the Act has enabled a more person-centred approach to the delivery of homelessness services?

Question 17: Has the Act resulted in earlier intervention and support to prevent or relieve homelessness where an applicant has been served with a valid S21 notice?

Question 18: For local housing authority respondents, please identify what additional costs you have incurred in implementing the HRA, broken down by financial year, for*:

* Please specify if these costs are ongoing or one- off.

- A. Staffing**

(total cost of current FTE staff load in housing options service minus total cost of FTE staff load in housing options service pre-HRA = total)

**if you have created additional posts through new burdens funding, do you expect to continue these roles from April 2020 onwards?

- B. IT

(total cost of introducing new IT systems to cope with administrative burden of HRA + cost incurred transferring legacy cases into H-CLIC.)

- C. temporary accommodation

(gross cost of TA - any HB contributions and tenant contributions)

D. Accessing the private rented sector (e.g. incentives paid to landlords)

(cost of incentive payments made to landlords to help applicants access the private rented sector to fulfil prevention or relief duties – not including PRSO's to end the main housing duty)

E. Legal

(costs incurred on legal challenges to any new duty introduced by the Homelessness Reduction Act – including legal advice)

F. Training

G. Other (please list)

Question 19: Would you be willing to provide more information on cost data if required?

Question 20: For non-local housing authority respondents, please comment on whether you consider sufficient resources have been deployed for implementation of the Act in your area

Question 21: Beyond funding for the Act, are there resource or funding stream considerations which impact (positively or negatively) on the ability to prevent and relieve homelessness, and if so, please describe these.

Please only answer the following questions if you're from a local housing authority, public authority with a duty to refer or a voluntary sector advice agency

Question 22: Which of NHAS services have you or your team used since April 2017 (ability to tick multiple):

- a. Training
- b. Roadshows
- c. Advice Line
- d. Online information/resources (e.g. toolkits, webinars, factsheets or legal updates)
- e. None

Question 23: How effective have you found the services delivered by NHAS in supporting you or your team to carry out the new duties brought in by the Act?

Question 24: Do you think that the Act has had a disproportionate impact, either positive or negative, on any individuals, in particular those with 'relevant protected characteristics' (i.e. age, disability, gender reassignment, marriage and civil partnership, pregnancy, maternity, paternity, race, religion or belief, sex, sexual orientation)? Please provide evidence to support your response.

About this consultation

This consultation document and consultation process have been planned to adhere to the Consultation Principles issued by the Cabinet Office.

Representative groups are asked to give a summary of the people and organisations they represent, and where relevant who else they have consulted in reaching their conclusions when they respond.

Information provided in response to this consultation, including personal data, may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 2018 (DPA), the General Data Protection Regulation, and the Environmental Information Regulations 2004).

If you want the information that you provide to be treated as confidential, please be aware that, as a public authority, the Department is bound by the Freedom of Information Act and may therefore be obliged to disclose all, or some, of the information you provide. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

The Ministry of Housing, Communities and Local Government will process your personal data in accordance with the law and, in the majority of circumstances, this will mean that your personal data will not be disclosed to third parties. A full privacy notice is included at Annex A.

Individual responses will not be acknowledged unless specifically requested.

Your opinions are valuable to us. Thank you for taking the time to read this document and respond.

Are you satisfied that this consultation has followed the Consultation Principles? If not, or you have any other observations about how we can improve the process, please contact us via the complaints procedure.

Annex A

Personal data

The following is to explain your rights and give you the information you are be entitled to under the Data Protection Act 2018.

Note that this section only refers to your personal data (your name address and anything that could be used to identify you personally) not the content of your response to the consultation.

1. The identity of the data controller and contact details of our Data Protection Officer

The Ministry of Housing, Communities and Local Government (MHCLG) is the data controller. The Data Protection Officer can be contacted at dataprotection@communities.gov.uk

2. Why we are collecting your personal data

Your personal data is being collected as an essential part of the consultation process, so that we can contact you regarding your response and for statistical purposes. We may also use it to contact you about related matters.

3. Our legal basis for processing your personal data

The Data Protection Act 2018 states that, as a government department, MHCLG may process personal data as necessary for the effective performance of a task carried out in the public interest. i.e. a consultation.

4. The length of time for which we will keep your personal data, or criteria used to determine the retention period.

Your personal data will be held for two years from the closure of the consultation.

5. Your rights, e.g. access, rectification, erasure

The data we are collecting is your personal data, and you have considerable say over what happens to it. You have the right:

- to see what data we have about you
- to ask us to stop using your data, but keep it on record
- to ask to have all or some of your data deleted or corrected
- to lodge a complaint with the independent Information Commissioner (ICO) if you think we are not handling your data fairly or in accordance with the law. You can contact the ICO at <https://ico.org.uk/>, or telephone 0303 123 1113.

6. Data you provide directly will be stored by Survey Monkey on their servers in the United States. We have taken all necessary precautions to ensure that your rights in terms of data protection will not be compromised by this

7. Your personal data will not be used for any automated decision making

Your personal data will be stored in a secure government IT system. (If using a third party system such as Survey Monkey to gather the data, you will need to state clearly at which point the data will be moved from there to our internal systems.)

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Appendix 2

Homelessness Reduction Act 2017 – Call For Evidence

Question 1: Since implementation of the Act in April 2018 can you identify:

- A. What has improved in service and outcomes for families and individuals who are homeless or at risk of homelessness?

Performance information has not identified any major fluctuation in the overall numbers of cases presenting as homeless or threatened with homeless.

- B. What has not improved/ got worse?

A dramatic decrease in the number of landlords and as a result number of referrals of homeless families into the private rented sector. In Q1 2018 the Housing Options Team made 21 referrals to landlords on the Council's Private Property Register. In Q1 2019 the Housing Options Team made only 1. However, this can be attributed to a number of landlords disposing of their portfolio's due to other legislative and financial changes and not related to HRA 17.

- C. What are the enablers or barriers to achieving positive outcomes?

The majority of barriers to preventing and relieving homelessness are unchanged from prior to HRA17:

Prevent:

The ending of AST's is still a major reason for homelessness which cannot be prevented when landlords are selling portfolios and as stated above whilst the cause is not related to HRA17 there is no prevention action to stop the ending of the tenancy. The tenant's only option is to obtain alternative accommodation.

Rent arrears – loss of private rented and social housing tenancies as result of rent arrears is still a major cause of homelessness. Prior to HRA17 the Council had developed a service level agreement with Citizens Advice for the provision of budgeting and debt advice and which is continuing.

Many applicants present with complex issues e.g. mental health, drug and alcohol abuse. Whilst referrals can be made to relevant services such as adult safeguarding, mental health service the criteria for support is often too high for assistance to be provided and in many cases particularly surrounding mental health applicants are difficult or unwilling to engage.

Relief:

There are a very limited range housing options available within the district other than social housing.

Obtaining Private rent – There is a small private rented section within the district. Demand for market rent remains high and many landlords do not want to rent to low income

households who are in receipt of universal credit or housing benefit. In addition, the requirement for a guarantor and the associated criteria also limit access to the PRS.

Affordability: Despite assistance with budgeting skills and debt advice being freely available together with tenancy support the number of tenants who are homeless due to rent arrears from either private sector or social housing still remains high and is becoming increasingly difficult to secure alternative housing. Registered Provider's affordability checks can in some instances result in refusal to assist.

Documentation – In particular, young single people have difficulties with the provision of the requisite documentation for person identification such as birth certificate but also for current address. This is not only a continuing barrier for private rent but also for social housing.

The enablers remain as prior to HRA17:

Due to the retention of the Council's housing stock the Council's Housing Options Team and Allocations Team work seamlessly to discharge the Council's rehousing duty either through the Council's stock or via nomination to Registered Providers.

The Council has a small development programme to provide new Council housing and together with RP's who are developing in the District the stock of affordable housing whilst not meeting the annual numbers required going some way to addressing this .

The Council has set up a pilot project to explore the demand for shared accommodation through conversion of low demand family accommodation (2-bedroom flats).

The provision of the Governments Homelessness Grants have enabled as stated above

- Budgeting and debt advice
- Tenancy Support
- Rent Deposits
- Rough Sleeping Project

However all these projects and services are funded on short-term basis and limited based on the funding stream available.

Tenancy Support is provided by the Council's Tenancy Sustainment Service, funded by the FHSG (Flexible Homelessness Support Grant) and the additional posts have been offered on a fixed term basis. As a result, turn over of staff is higher than in permanent positions and often difficult to recruit as a result.

The Council has worked with a neighbouring Council, Lichfield DC to commission a Homeless and Rough Sleeper Housing Pathway Project based on Housing First principles utilising initially FHSG but also RSI(Rough Sleeping Initiative)and Rapid Rehousing Pathway funding following successful application. However, should this project be successful the project will require additional funding for it to be extended beyond its initial 2-year term. In addition, the project will only be successful provided the wider support services can be accessed as and when required.

- D. What impact has the Act had on the use of temporary accommodation for your local housing authority?

There was no immediate increase in the use of temporary accommodation. Whilst there has been an increase in the first quarter of 2019/20 this is within the range of natural fluctuations experienced prior to HRA17. However, if the increase continues further into quarters 2 and 3 then the Council would be experiencing a significant increase.

Question 2: In relation to processes of the Act:

- A. Please identify any elements of the Act that you believe work or do not work well in assisting you and any partner agencies (both statutory and non-statutory) to prevent and relieve homelessness.

Public Sector Duty to Refer – Referrals are made, received and investigated but the majority are not threatened with homelessness/do not want assistance/referral not completed with sufficient detail to contact client. As a result only a small proportion are taken forward for a homelessness assessment.

Whilst it is believed that the revised assessment and decision letters are providing an enhanced clarity for applicants the PHP(Personal Housing Plan) whilst completed and issued does not appear to be providing any added value to the process. Applicants, when contacted to discuss progress in relation to actions within the plan, have on numerous occasions, taken no regard to the document, relying mainly on advice given at interview or determining their own course of action.

- B. Please provide any suggestions of areas of the Act that you feel should be amended, being as specific as possible as to what alteration you would recommend.

It is not the Act that requires amendment to significantly improve outcomes but structural changes including:

- Improved access to social and health support and services such as mental health (substance and alcohol) which will require a reduction in the criteria for assistance in many services and adequate funding to ensure service provision
- Improved Tenancy Support which is provided through short-term homelessness funding
- Improved access to welfare benefits including increasing rates for local housing allowance, review of the rollout and of suspensions of universal credit
- Review of PRS by restructuring the market to long-term tenancies with no option to sell with vacant possession i.e. properties to be sold with sitting tenants.

- C. Has your local housing authority amended its allocations scheme to reflect the duties in the Act, and if so what changes have been made?

Not required

- D. If you have amended the policy, how has this affected lettings to homeless households? N/A

E. How could the data generated from H-CLIC help you to inform policy/ resources?

Current data is useful as a form of benchmarking, not just in relation to performance but it may indicate where other local authorities may be managing cases with an alternate or different range of solutions.

F. What more could be done to assist you in submitting and making use of the data for your area?

Further analysis of the data to indicate where prevention tools are being effective. This would need to analyse similar authorities (size and other characteristics) to identify solutions that might be transferable.

G. Please add any further comments on the Act or the context in which it has been implemented that you think will be useful.

Question 3: Has your area developed or updated protocols and/ or referrals arrangements with statutory and non-statutory agencies in relation to the duty to refer?

A general protocol for all agencies has been developed for use with the online application.

The existing Leaving Care protocol is currently under review to improve access to social housing prior to the young person leaving care..

A joint working with other Staffordshire local authorities to review and improve the referral process for Adult Social Care and Mental Health assessment. However this will not address the issue that a proportion of homeless and threatened with homelessness do not meet the criteria for any support.

A revised protocol with Probation service is also under development.

Other existing protocols and working relationships have not required specific review as most local partners were already making any necessary referrals

Question 4: Have pathways been developed or reviewed and updated to help specific cohorts of people? Please describe what these are.

In partnership with a neighbouring authority, Lichfield DC a Homeless and Rough Sleeper Housing Pathway Project based on Housing First principles has been commissioned. This is an initial two-year contract with the option to extend for a further two-years. It is anticipated that the provider will work with entrenched rough sleepers and provide and manage up to 5 properties within the district.

Question 5: In relation to the public authorities subject to the duty to refer, please name any you would add (and why) and /or remove (and why).

Police – in particular with families fleeing violence where this may be gang related, county lines. Cases have occurred where families have been told by their local police forces to leave but have been left to contact a local authority for assistance.

GP's – as they may be the first point of call for many homelessness cases.

Question 6: For public authorities with the duty to refer, has the new duty helped to prevent homelessness for your service users? If no, please say what the barriers have been to making the duty effective.

As stated above Public Sector Duty to Refer – Referrals are made, received and investigated but the majority are not threatened with homelessness/do not want assistance/referral not completed with sufficient detail to contact client. As a result only a small proportion have been taken forward for a homelessness assessment. As these are not necessarily within our district a review will be undertaken to identify any public authority where a protocol may be developed.

Question 7: Has the duty to refer led to an improvement in outcomes for any particular groups, and if so which?

N/A

Question 8: Have there been any public authorities which have been successful in implementing the duty to refer - what have been the defining success criteria?

N/A

Question 9: What, if any, further legislative or government-led changes would improve partnership working to prevent and relieve homelessness?

In relation to most services the issue is not the referral process but eligibility criteria for assistance.

Question 10: Has the Act led to more scrutiny and involvement from elected members? If so, what has the impact of this been?

At ward level Members are dealing with and referring more cases although this is not as a result of HRA17 but due to the concern with the increased, although still small, numbers of rough sleepers within the district. As a result revised procedures for Members reporting cases have been issued.

The Council has following a restructure of the HRA (Housing Revenue Account) set up a HRA Housing Investment Fund of £12m for a development programme to increase the Council's housing

stock. One of the Council's key priorities is to reduce the numbers on the Council's housing waiting list.

Question 11: Has your local housing authority commissioned any external agencies to deliver part or all of the homelessness services in response to the Act? If so,

please indicate any benefits in terms of outcomes for customers?

In partnership with a neighbouring authority, Lichfield DC a Homeless and Rough Sleeper Housing Pathway Project based on Housing First principles has been commissioned. This is an initial two-year contract with the option to extend for a further two-years. It is anticipated that the provider will work with entrenched rough sleepers and provide and manage up to 5 properties within the district.

The Council has set up a pilot project to explore the demand for shared accommodation through conversion of low demand family accommodation (2-bedroom flats).

Question 12: In what ways has the Act influenced the strategic direction of your local housing authority? If so, has it been effective? N/A

Question 13: For local housing authorities, has the Act led to an increase in quality of partnerships working with internal (within the authority) or external partners?

Good working relationships have been developed with all partners through the Local Strategic Partnership and at the frontline through the Community Safety Hub.

Question 14: For (non-local housing authority) partner agencies, has the HRA led to an increase in your contribution to preventing and relieving homelessness?

Question 15: From the perspective of a homeless applicant in your area or from your experience:

What has changed most for:

A. Single people / households without children?

B. Families?

Question 16: Do you feel that the Act has enabled a more person-centred approach to the delivery of homelessness services?

The Housing Options Team focus was been on prevention prior to the HRA17. However, the New Burdens Funding and FHSG has enabled the Housing Options Team to re-structure to provide a faster route to Homelessness Assessment Interview.

Question 17: Has the Act resulted in earlier intervention and support to prevent or relieve homelessness where an applicant has been served with a valid S21 notice?

As above, the New Burdens Funding and FHSG has enabled the Housing Options Team to re-structure to provide a faster route to Homelessness Assessment Interview particularly in relation to S21 Notices.

Question 18: For local housing authority respondents, please identify what additional costs you have incurred in implementing the HRA, broken down by

financial year, for*:

* Please specify if these costs are ongoing or one- off.

A. Staffing**

(total cost of current FTE staff load in housing options service minus total cost of FTE staff load in housing options service pre-HRA = total)

	2018/19	2019/20
	Actual	Budget
Grant Funded	£ 58,583.05	£ 66,470.00

**if you have created additional posts through new burdens funding, do you expect to continue these roles from April 2020 onwards?

	2020/2021	2021/2022
FTE	2.2	2.2

Homeless Reduction Act commenced April 2018

B. IT

(total cost of introducing new IT systems to cope with administrative burden of HRA

+ cost incurred transferring legacy cases into H-CLIC.)

As the Council is a stock owning authority Housing Options and Homelessness modules had been purchased within the Housing Management System. The IT provider was able to provide a

reporting system upgrade which enables the Team to upload information to Delta on a quarterly basis. This did involve substantial work by the Housing System Administration Team as well as the Housing Options and Homelessness Team to configure and test the system to enable the upload to be successful.

C. temporary accommodation

(gross cost of TA - any HB contributions and tenant contributions)

The council's initial gross full-year temporary accommodation budget for 2019/20 22,670.00

The council's currently forecast gross full-year spending on temporary accommodation for 2019/20 34,580.00

The gross full-year temporary accommodation expenditure for:

2015/16	28,281.30
2016/17	28,237.37
2017/18	45,527.43
2018/19	36,281.49

The council's initial net full-year temporary accommodation budget for 2019/20 4,990.00

The council's currently forecast net full-year spending on temporary accommodation for 2019/20 10,000.00

The net full-year temporary accommodation expenditure for:

2015/16	14,894.43
2016/17	3,887.19
2017/18	11,928.45
2018/19	9,185.89

D. Accessing the private rented sector (e.g. incentives paid to landlords) (cost of incentive payments made to landlords to help applicants access the private rented sector to fulfil prevention or relief duties – not including PRSO's to end the main housing duty)

N/A

E. Legal

(costs incurred on legal challenges to any new duty introduced by the Homelessness Reduction Act – including legal advice)

N/A

F. Training

£

G. Other (please list)

Question 19: Would you be willing to provide more information on cost data if required?

Question 20: For non-local housing authority respondents, please comment on whether you consider sufficient resources have been deployed for implementation of the Act in your area

Question 21: Beyond funding for the Act, are there resource or funding stream considerations which impact (positively or negatively) on the ability to prevent and relieve homelessness, and if so, please describe these.

Please only answer the following questions if you're from a local housing authority, public authority with a duty to refer or a voluntary sector advice agency

Question 22: Which of NHAS services have you or your team used since April 2017

(ability to tick multiple):

a. Training YES

b. Roadshows YES

c. Advice Line YES

d. Online information/resources (e.g. toolkits, webinars, factsheets or legal updates) YES

e. None

Question 23: How effective have you found the services delivered by NHAS in supporting you or your team to carry out the new duties brought in by the Act?

Events attended have been found to be motivational for the Housing Options Team.

Ensuring that the processes and procedures that the Council is following are meeting the requirements of the HRA17 has been essential. Information especially in relation to decision making has been particularly welcomed.

Question 24: Do you think that the Act has had a disproportionate impact, either positive or negative, on any individuals, in particular those with 'relevant protected characteristics' (i.e. age, disability, gender reassignment, marriage and civil partnership, pregnancy, maternity, paternity, race, religion or belief, sex, sexual orientation)? Please provide evidence to support your response.