

BABERGH DISTRICT COUNCIL and MID SUFFOLK DISTRICT COUNCIL

COMMITTEE: Joint Overview and Scrutiny Committee	REPORT NUMBER: JOS/18/21
FROM: Councillor Jan Osborne and Councillor Jill Wilshaw Cabinet Members with Responsibility for Housing at BDC and MSDC	DATE OF MEETING: 19 NOV 2018
OFFICER: Heather Sparrow Corporate Manager Housing Solutions	KEY DECISION REF NO. N/A

THE HOMELESSNESS REDUCTION ACT 2017 – REVIEW OF THE FIRST SIX MONTHS

1. PURPOSE OF REPORT

- 1.1 To review the first six months of the enactment of the Homeless Reduction Act (HRA) 2017.
- 1.2 To review the work being carried out and the performance of the Housing Solutions service.
- 1.3 To review the current and predicted work levels within the homelessness service.

2. OPTIONS CONSIDERED

- 2.1 This paper is for information purposes only, it provides an update on the demands placed on the Housing Solutions service. There are no options to be considered.

3. RECOMMENDATIONS

- 3.1 The Committee is asked to note the information provided.
- 3.2 The Committee is asked to provide their conclusions on the content of this report to both Babergh and Mid Suffolk District Councils Cabinets

REASON FOR DECISION

To review the first six months after the implementation of the Homelessness Reduction Act 2017 and the impact on the services provided by the Housing Solutions Team and the outcomes it has delivered to residents.

4. KEY INFORMATION

4.1 Background

- 4.1.1 The Homelessness Reduction Act 2017 (HRA) was enacted in April 2018. It placed many new statutory duties on the Councils.

4.1.2 The HRA amended part 7 of the Housing Act 1996 and included 13 new clauses, which not only amended previous duties, but also increased the duties we have to applicants.

4.1.3 The Act introduced new requirements for local housing authorities: -

- To carry out homelessness prevention work with all those who are eligible for help and threatened with homelessness. Previously this was a discretionary power and those who were likely to be in 'priority need' and owed an accommodation duty would receive a more 'in depth' advice service than those who no duty would be owed to.
- It changed the point at which a person was classed as being 'threatened with' homelessness from 28 days, to 56 days. This means cases are now open for longer and more work is required, significantly increasing the workload of the officers.
- It requires local housing authorities to carry out an assessment of the applicant's needs, and then developed a personalised housing plan, detailing the actions the applicant and the Council will take to prevent or relieve their homelessness situation. This is a new duty and we predicted it would be a significant administrative task, however, I think it was underestimated how time consuming this would be. Once a plan is produced, it then needs to be reviewed and updated on a regular basis.
- It places a new duty on local housing authorities to take steps for 56 days to 'relieve' homelessness by helping any eligible homeless applicant to secure accommodation. This could be Council accommodation or private rented but must be secure for at least 6 months.
- It places a new duty owed to certain applicants who deliberately and unreasonably refuse to co-operate with local housing authorities. The duty allows us to ensure that an applicant complies with the personal housing plan and if they fail to do so, that they are given warnings and offered further support before a potential discharge of the Councils' duties. In the first two quarters, we have not had to discharge duty for failure to co-operate.
- On 1st October, the final part of the HRA 2017 was enacted, known as the 'Duty to Refer'. It specifies that local agencies must refer those who are either homeless or at risk of being homeless to local housing authority housing teams, which potentially means another significant increase in case load.

4.2 **Preparation before enactment**

4.2.1 We redesigned our service, restructured and increased capacity within the team to enable us to manage the increased demands on workloads.

4.2.2 We ensured all staff attended relevant training courses, to enable them to meet the new duties.

4.2.3 We reviewed all our standard letters and updated them to reflect the legislative changes. There was also a need to create additional letters to meet the new duties. In total, this amounted to over 140 letters.

- 4.2.4 We developed a number of templates for personalised housing plans to minimise duplication for officers and enable them to tailor them more easily for the clients they are working with.
- 4.2.5 We have developed a 'toolkit' of resources for officers to try and increase positive preventative work within the private rented sector. The toolkit includes letter templates for officers to use when negotiating with landlords to withdraw a notice, which has been issued as an example.
- 4.2.6 We engaged with all staff internally and external organisations to make them aware of the changes and how the service we delivered would be different.
- 4.2.7 We sent a briefing note to all Members to notify them of the changes and how the service would be changing and held Member and Officer briefing sessions with a key note speaker.
- 4.2.8 We upgraded our computer system to ensure it was able to capture the information we needed to meet our new duties and provide us with the data needed to complete the quarterly government returns.
- 4.2.9 We prepared a business case for increasing temporary accommodation capacity at Mid Suffolk, this would enable us to meet our duties of minimising the use of Bed and Breakfast accommodation.
- 4.2.10 We developed a comprehensive projects approach to managing the implementation and split it into phases, to ensure the most important work was completed first. This has worked well. All actions are recorded on a comprehensive action plan, risks identified, and both are reviewed at regular 'Programme Board' meetings.
- 4.2.11 We held a telephone conference with MHCLG to discuss the preparations we had undertaken, who were happy with our approach and did not feel there was any need to visit us and the telephone conference was sufficient.
- 4.2.12 Cabinet members of Housing have followed the team, shadowing them in their duties

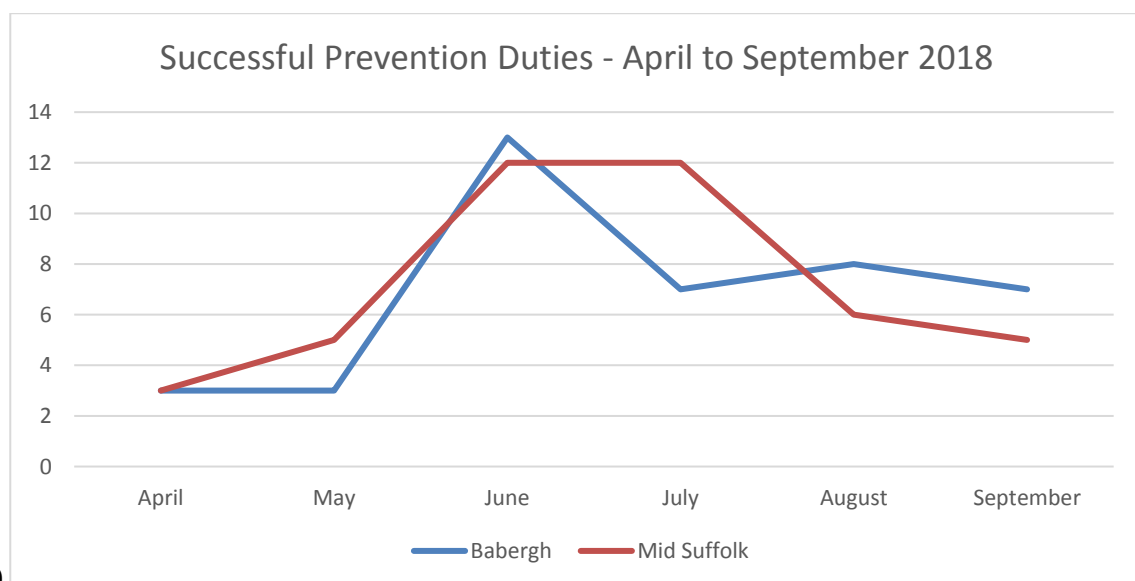
4.3 **Headlines since enactment (All data below relates from 1st April – 31st October)**

- 4.3.1 We have developed pathway plans for specified vulnerable groups including young people, those leaving care, leaving prison, being discharged from hospital, victims of domestic abuse, those with a learning disability or those suffering with a mental health condition. These pathway plans ensure a tailored, joined up approach and have been developed alongside the other agencies involved with these vulnerable groups.
- 4.3.2 We have taken 379 homeless applications, compared to 184 in 2017/18. This is in part due to the requirement under the new Act to take an application from everyone *eligible* and *homeless or threatened with*. Previously, an application would only be taken if it was likely the person was owed a temporary accommodation duty under s.188 of the Housing Act 1996.
- 4.3.3 We have prevented homelessness in 84 cases and relieved homelessness in 38 cases, a total overall of 122 cases. This is higher than the number of cases prevented 'like for like' in 2017/18.

- 4.3.4 Prior to enactment, performance was reported via the 'P1E' system, but in April MHCLG changed it to 'H-Clic'. This means some of the performance we used to report, we are no longer able to. For example, all Discretionary Housing Payments (DHP's) awarded, used to be counted as a prevention figure. This is why our performance looks lower.
- 4.3.5 However, when I have compared 'like for like' (i.e. removing the historic statistics around the DHP's we can no longer report on), we have actually achieved the performance from 2017/18, in the first six months of 2018/19. Given the significant additional demands on the service, this success should not be underestimated.
- 4.3.6 This table at 4.3.8 shows the 'like for like' performance jointly at the Councils over the past five years and shows the significant improvement in performance during the first six months of 2018/19.
- 4.3.7 Under the previous legislation, 'Preventions' of Homelessness were where we had prevented someone from losing their home and enabled them to remain living in it. If we were able to find them alternative accommodation, then it would be classed as a 'relief'.
- 4.3.8 Under the new Act, if someone is accepted under a *Prevention Duty*. It means they are at risk of homelessness within 56 days. If someone is accepted under a *Relief Duty*, it means they have already lost their accommodation and become homeless. This may mean they are 'sofa-surfing' been placed into temporary accommodation, staying with a friend or relative or street homeless.

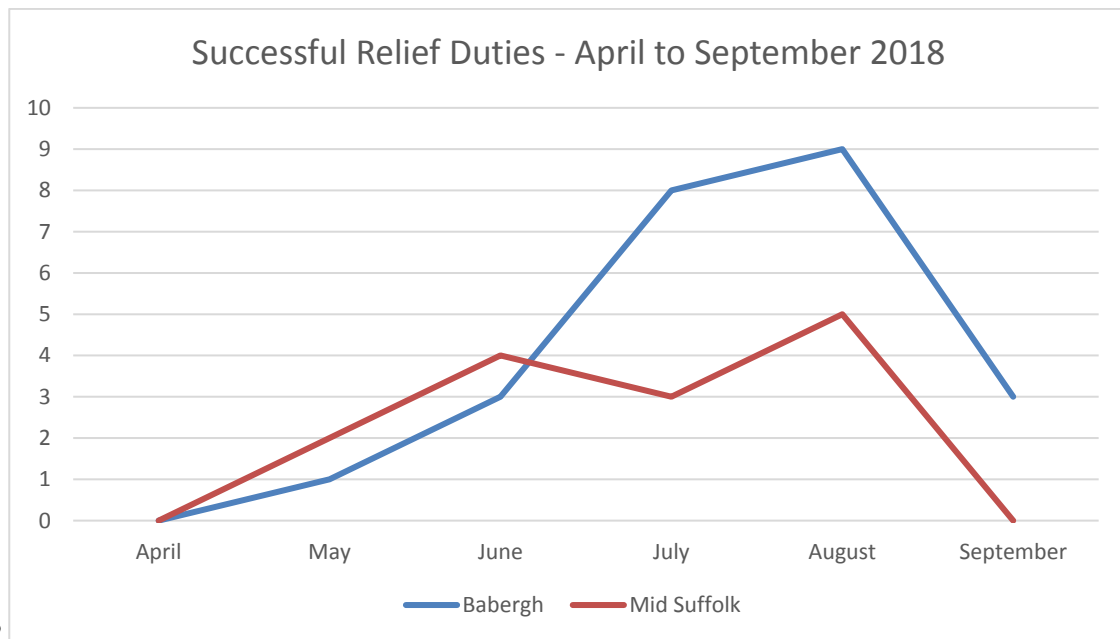
	13/14	14/15	15/16	16/17	17/18	18/19 (Q1/2)
Preventions	15	31	20	25	44	84
Reliefs	98	105	88	73	64	38
	113	136	108	98	108	122

- 4.3.9 The graph below (4.3.6) shows the number of cases where homelessness has been successfully *prevented* within each Council area.



- 4.3.10

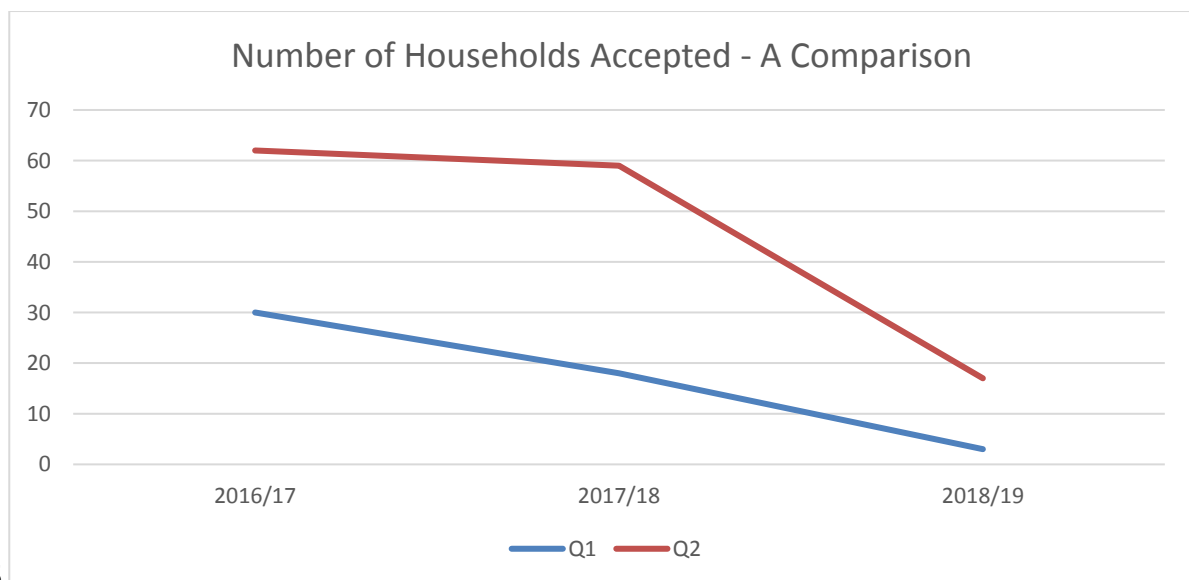
4.3.11 The graph below shows the number of cases where homelessness has been successfully *relieved* within each Council area.



4.3.12

4.3.13 The graph below shows the number of cases who have been *accepted* under s184 of the Housing Act 1996, as being owed the *Main Homeless Duty* compared to the same two quarters in the previous two years.

4.3.14 As you can see, despite a significant increase in caseload, the team are not only preventing and relieving more homelessness than in previous years but they are also accepting less people as homeless, which shows performance is high.



4.3.15

4.3.16 We have held 239 face to face appointments, which take on average 90 minutes each.

4.3.17 We have conducted 130 telephone appointments, which take on average over an hour to complete.

- 4.3.18 We have developed a procedure for managing 'Duty to Refer' cases, including an online form on our websites (<https://www.babergh.gov.uk/housing/homeless-advice/duty-to-refer/>) and set up a dedicated email address for all providers to use when referring clients to us (dutytorefer@babermidsuffolk.gov.uk). In the first month, we have received 28 referrals under the Duty to Refer. Not all of these referrals will result in a full application being taken but so far the majority have required a full homeless application, duty letter and personalised housing plan.
- 4.3.19 We have produced a five-year Homelessness Reduction Strategy, which is currently being consulted on. The Strategy has six key priorities, each of which have a minimum of five outcomes, we will aim achieve by the end of the 2024. The strategy will be published in early 2019 alongside an Action Plan for meeting the priorities. The progress of the action plan will be reviewed yearly.
- 4.3.20 We successfully acquired *The Foyer* in Stowmarket, which comprises 17 units of accommodation, enabling us to more than double our Temporary Accommodation provision within Mid Suffolk, from 15 to 32 units.
- 4.3.21 We have provided MHCLG with honest updates when requested on how we are coping with the requirements of the Act and what challenges we are facing. It is worth noting that MHCLG have not raised any concerns about the way we are managing.
- 4.3.22 It quickly became apparent that more management support was required to support the team effectively to deliver the demands of the new Act. There was also a significant amount of project work to be completed, which needed adequate resourcing. Therefore, in June/July, we created an additional Professional Lead role. This is a fixed term post until the end of March 2019. An experienced Housing Solutions Officer was appointed to the post and has made significant progress in completing the required project work and supporting the team including making changes to some of the processes to reduce the demands on their time.
- 4.3.23 In June, we submitted a bid to the Local Government Association's Housing Advisors Programme, for funding to provide expert help on delivering the private rented sector project, which we want to undertake. Unfortunately, our bid was unsuccessful, so we have made the decision to fund a project officer role part-time for five months to deliver this project through the Homelessness Reserves Accounts. The cost will be split equally between the two Councils.

Rough Sleeping

- 4.3.24 In December 2016, we were successful in a joint bid with West Suffolk Councils to fund a Rough Sleeping Prevention and Support Worker Role to work with those who are sleeping rough or at risk of spending their first night on the street.
- 4.3.25 In November this year, we will be taking part in our annual rough sleeper estimate as part of the Homeless Link rough sleeping count. In 2017, we reported there was 1 rough sleeper in Babergh and 2 rough sleepers in Mid Suffolk.
- 4.3.26 We continue to have isolated incidences of rough sleepers, which we engage with as soon as we become aware of them to prevent them from becoming entrenched.
- 4.3.27 The Rough Sleeper Prevention and Support Worker (RSP&SW) has successfully worked with a number of clients to end rough sleeping and secure alternative accommodation for them.

4.3.28 The RSP&SW has recently resigned from their post. We are currently working with partners at West Suffolk who were allocated the finance for the successful bid which funds this post, to look at the most cost-effective way to spend the remaining money to ensure successful outcomes for those sleeping rough or at risk of.

4.4 **The Future of the Housing Solutions Service**

4.4.1 We are continuing with our 'projects approach' to managing the development of the service.

4.4.2 We are producing a new 'Homeless Prevention Fund Policy' to reflect the changes of the new Act. It is intended this will be presented to Cabinets in January 2019. A draft is available for Committee's consideration as part of this report.

4.4.3 There is a new project which commenced in October 2018, which focusses on improving our access to the Private Rented Sector. This project will focus on: -

- Reviewing use and expenditure on temporary accommodation
- Considering the effectiveness of the current scheme in terms of take up and cost to the Councils
- Researching similar schemes in other areas
- Gaining an understanding of the private rented market in the two districts
- Making recommendations to amend and improve the current Rent Deposit Scheme
- Looking at opportunities to work with other local authorities in Suffolk
- Developing appropriate policies, procedures and documentation
- Private Sector Leasing

4.4.4 It is expected the work involved in reviewing the current rent deposit scheme and developing a new scheme with all the relevant documentation will take up to five months to complete. The leasing part of the project will commence in April once the rent deposit work has been completed. This will need to be resourced, for which we intend to use existing funds within the Homelessness Reserves Account.

4.4.5 We are currently re-writing all of the content on our website to provide much more comprehensive advice. There will be downloadable 'fact sheets' for applicants, which they will be able to print out. There will also be 'tools' they can use, for example, budgeting forms, to help them manage their money and consider what type of accommodation may be affordable. This will be published by the end of December 2018.

4.4.6 The website will contain information on a wide range of advice areas including:

- Accessing the Private Rented Sector
- Lodgings and Shared Accommodation
- Disrepair
- Rent Arrears
- Mortgage Arrears
- Housing Benefit
- Budgeting Advice
- Gateway to Homechoice
- Supported Housing
- Different types of Tenure
- What is a 'Prevention' Duty?
- What is a 'Relief Duty'?

- What happens when you move into Temporary Accommodation?
- What is a 'Personalised Housing Plan'?

4.4.7 It will also contain links to other websites where there is more detailed information rather than reproduce information that is already available.

4.4.8 We will be carrying out a review of our Temporary Accommodation provision across the two Districts. We expect demand and cost of Bed and Breakfast in Mid Suffolk to significantly reduce as a result of acquiring The Foyer. However, there is a potential need to invest in more temporary accommodation within Babergh's District. The review will consider the demand and costs, what alternative accommodation is available within the District and then if necessary a business case will be produced for Cabinet to secure additional accommodation. The review will take place in early 2019 and is likely to be completed in Summer 2019.

4.4.9 In 2019, we will publish our *Homelessness Reduction Strategy* and associated Action Plan. This plan will guide the development of the service over the next five years.

4.4.10 MHCLG have recently announced an opportunity to bid for funding to help support rough sleepers through the *Rapid Rehousing Pathway*. We do not have enough demand to bid alone but we have agreed to work alongside West Suffolk and submit a bid for Resettlement Support. West Suffolk have submitted the initial expression of interest and the bid will be finalised over the next few weeks.

4.4.11 Following a housing Corporate Manager retiring earlier in the year, some of the Housing Register functions moved into the Housing Solutions Team and other parts into Tenant Services. The Housing Management Team have reflected and feel that 'splitting' the service may not have had the impact we desired. Therefore, we have discussed at length the move and have agreed that there are a number of benefits to co-locating Allocations and Voids, within the Housing Solutions Service.

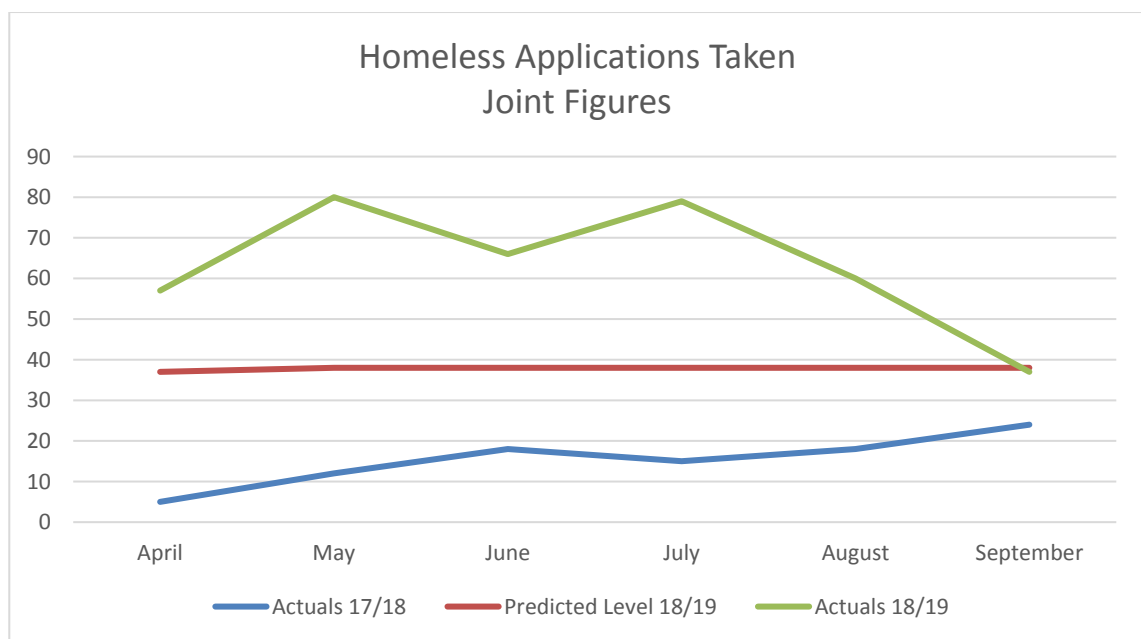
4.4.12 The reasons for co-locating the service include: -

- We have listened to the views of staff who have expressed an opinion that this would be a more effective way of managing the business
- No material cost of the change
- Quick win, no significant upheaval
- Builds upon phase one of the Voids Project to reduce void times and supports phase 2 of the project to reduce void times further
- Supports Housing Solutions having responsibility for 'everyone', those either homeless or on the housing register and in need of a home
- Removes the duplication between lead officers for specific parts of the allocations and assessments process including Gateway to Homechoice
- A mutual respect and understanding that previous changes may have not had the level of impact that was desired
- Will improve the levels of customer service we provide
- Supports the Housing Solutions team to provide roles and responsibilities in the most effective way – economies of scale which leads to greater job satisfaction through undertaking other tasks/work

4.5 **Current Challenges**

4.5.1 **Demand**

- 4.5.1.1 We expected demand to increase as a result of the new Act. This is largely due to the need to take an application from anyone who is *eligible* and *homeless* or *threatened with homelessness*. Historically, we would offer advice, but not need to take a full application or complete any of the additional paperwork we now need to complete.
- 4.5.1.2 We used a formula based on how workloads had increased within Wales as a result of the Housing (Wales) Act to try and estimate as far as practicably possible what increased demands might be on our service.
- 4.5.1.3 The table below shows the level of applications taken in the first six months of 2017/18, the predicted application numbers for 2018/19 (spread evenly over the twelve months), and the actual number of applications received so far, in Quarter's 1 and 2. The figures are for both Babergh and Mid Suffolk combined.



- 4.5.1.4
- 4.5.1.5 As you can see from the graph above, the level of work is significantly greater than we had expected. If we continue to take the same level of applications that we have in the first six months, then we will have taken more than four times the amount we took in 2017/18 at the end of the 2018/19.
- 4.5.1.6 To provide some context, this is a list of some of the tasks an officer will carry out when dealing with a case: -
- Initial 'triage' of case (30-60 Minutes)
 - An interview including notes, decision letter of duty owed and Personal Housing Plan (90-120 Minutes)
 - Negotiation with Housing Benefits, (time dependent on complexity)
 - Negotiation with Private Landlord, (30-60 Minutes)
 - Negotiation with Housing Association (60 Minutes)
 - Liaison with Social Workers, Mental Health or Support Workers (60-120 Minutes)
 - Officers often arrange face to face meetings with professionals (60 Minutes)

- There is also re-contact in relation to Rent Deposit Guarantee Scheme applications which are time consuming. For example,
 - Assessing income and expenditure, (60 Minutes)
 - Negotiating with landlord, (15-30 Minutes)
 - Completing paperwork, loan agreement and requesting funds (60 Minutes)

4.5.1.7 Not all cases will require each of these actions, but Officers have said that they are regularly spending a minimum of four and a half hours on each case.

4.5.1.8 Officers would like to spend more time reviewing Personal Housing Plans and monitoring progress, but at present, due to the demands on their time, this is impossible.

4.5.2 Impact on Staff, Health and Wellbeing

4.5.2.1 The increase in workload is having an impact on staff. So far, they have coped well under the circumstances so far, but the current demands on them is not sustainable. They are working at capacity and although performance is good and they have continued to provide a good service to clients, we could provide a better service if there was more capacity.

4.5.2.2 We have increased support for the officers by taking on an additional Professional Lead to enable more dedicated resource to supporting them. Alongside speaking to the team daily, the professional lead holds regular one to one's with each member of the team, regular huddles with the team and manages a rota to try and as far as practicably possible evenly share the workload. Also, the whole team try to meet up weekly at either Endeavour House or a Touchdown Point for a 'Team Day' to offer support to each other.

4.5.2.3 If workload increases, it will be unmanageable for staff to continue at their current level of performance and we risk being unable to meet our statutory duties.

4.5.3 Administrative Time

4.5.3.1 Prior to the implementation of the Act, we had tried to prepare ourselves for the additional administrative work that would be required. However, the time it takes is longer than we had expected and the increased administrative tasks should not be underestimated.

4.5.3.2 The administrative tasks are not something that can be delegated, as they are legal duty letters, the development of personalised housing plans, the review of the plans and the discharge of duty letters.

4.5.4 Lack of B&B availability

4.5.4.1 There is currently an extremely high demand for Bed and Breakfast accommodation. Historically, we have predominantly used B&B in Ipswich. Although this is not ideal as it is out of the District and may impact on our clients with less support networks available, we have previously had few B&B's within the Districts willing to take our clients.

- 4.5.4.2 Ipswich B&B's are generally full these days and we have struggled to secure rooms on occasions. However, we do now have a number of B&B's willing to take clients within our Districts, but they cost significantly more than the Ipswich ones we have used previously, which is having a significant impact on the budget.
- 4.5.4.3 We have been working closely with our Private Sector Housing colleagues to ensure that all temporary accommodation is inspected and meets the necessary health and safety requirements.
- 4.5.4.4 We will be conducting a review of temporary accommodation in early 2019. This will look at usage and demand, including the demand for Bed and Breakfast accommodation. This review will inform our plans for increasing additional temporary accommodation units, particularly within the Babergh District.

5. LINKS TO JOINT STRATEGIC PLAN

- 5.1 Making best use of our housing stock
- 5.2 Being clear about what housing is needed
- 5.3 Managing housing assets effectively
- 5.4 Networked and agile organisation
- 5.5 Continued support for Health and Wellbeing Outcomes
- 5.6 Digital by Design

6. FINANCIAL IMPLICATIONS

GRANT FUNDING - BABERGH	2018/19	2019/20	2020/2021
FLEXIBLE HOMELESS SUPPORT GRANT	-£131,126	-£106,334	AWAITING SPENDING REVIEW
NEW BURDENS FUNDING	-£28,118	-£32,315	EXPECTED TO END
TOTAL	-£159,244	-£138,649	

GRANT FUNDING – MID SUFFOLK	2018/19	2019/20	2020/2021
FLEXIBLE HOMELESS SUPPORT GRANT	-£65,630	-£77,337	AWAITING SPENDING REVIEW
NEW BURDENS FUNDING	-£26,301	-£30,226	EXPECTED TO END
TOTAL	-£93,931	-£107,563	

Please see *Appendix M* for restricted financial data relating to contracts and The Foyer.

7. LEGAL IMPLICATIONS

7.1 If we fail to accurately assess applications and carry out our duties, then we are at risk of legal challenge. A court case would lead to significant costs.

8. RISK MANAGEMENT

8.1 The Housing Solutions Service has an Operational Risk Register (ORR), which is regularly updated. A copy of the ORR can be found in *Appendix E*.

9. CONSULTATIONS

9.1 The Homelessness Reduction Strategy is currently part of a six-week consultation process, ending 7th December. Following consultation, any appropriate amendments will be made, prior to it being presented to Full Councils early in 2019.

10. EQUALITY ANALYSIS




10.1 Equality Impact Assessment (EIA) not required because we already tailor our service to meet the needs to the most vulnerable groups. An example of this, is the 'pathway plans' we have created.










10.2 The Homelessness Reduction Act already supports those with protected characteristics.

11. ENVIRONMENTAL IMPLICATIONS

11.1 There are no environmental implications in this report.

12. APPENDICES

Title	Location
(a) Homeless Prevention Fund Policy	TO FOLLOW RESTRICTED
(b) Homelessness Reduction Strategy	 DRAFT HRS 2019-2024
(c) 'Sample' Personal Housing Plan	 Sample PHP.docx
(d) 'Sample' Pathway Plan	 Mental Health Pathway Plan

<p>(e) Housing Solutions Operational Risk Register</p>	 Restricted Operational Risk Regi RESTRICTED (Contains Sensitive Data)
<p>(f) Case Studies</p>	 RESTRICTED Case Studies.docx RESTRICTED
<p>(g) Statistical / Performance Data</p>	 Statistics.docx
<p>(h) Newspaper Article on Foyer</p>	 Foyer EADT Article.docx
<p>(i) Newspaper Article on Homelessness Reduction Strategy</p>	 EADT Article on Strategy Sept 2018
<p>(j) Team Structure</p>	 Team Structure October 2018
<p>(k) HRA 2017 Implementation Plan (Phases 1-3)</p>	 RESTRICTED Action Plan.xlsx RESTRICTED
<p>(l) Service Plan 2018/19 (Update in progress to reflect staff changes)</p>	 Restricted Service Plan 1819 Updated N RESTRICTED (Contains Sensitive Financial Information)
<p>(m) Restricted Financial Information</p>	 Restricted Financial Info.docx RESTRICTED (Contains Sensitive Financial Information)

13. BACKGROUND DOCUMENTS (*Papers relied on to write the report but which are not published and do not contain exempt information*)

13.1 None