

HOMELESSNESS SCRUTINY CHALLENGE SESSION REPORT – ACTION PLAN UPDATE

- Completed - where an action has been completed 100%
- Delayed – where an action has missed its deadline but is still due for completion in 2017/18
- Overdue - if completion in 2017/18 is unlikely

Recommendation 1: Improvements highlighted in this report in relation to the Homelessness Statement and Action Plan should be incorporated into the new overarching Housing Strategy to be signed off by the Mayor and Full Council.

Comments from service: The Council currently has in place a *Homelessness Statement 2013 to 2017*, which sets out our approach to preventing and reducing homelessness focused on:

- ☐ Homeless prevention and tackling the causes of homelessness
- ☐ Access to affordable housing options
- ☐ Children, families and young people
- ☐ Vulnerable adults

Many aspects of this document are still relevant but over the next 12 months we will consider what other options are available to prevent and meet homelessness demand. The document will be updated to reflect progress over the past 3 years and take into account improvements highlighted in the Overview and Scrutiny Committee (OSC) report. We will engage fully with all partners in 2017 to develop a further 4 year action plan to continue to tackle homelessness. There will be an emphasis on ensuring the most vulnerable and marginalised groups who face homelessness can continue to be assisted, linking their support into their health needs, education and employment opportunities and overall wellbeing.

Actions	Responsible Officer	Date to be completed	Status	% Completed	Comments
Update Homeless Statement and incorporate into Housing Strategy	Martin Ling	30/11/2016	Completed	100%	Updated version of the Statement was approved by Full Council on the 5 th of December 2016.
Develop Homelessness action plan with Homelessness partners	Martin Ling	31/03/2017	Overdue	25%	This was delayed for 2 key reasons: A restructure of the Homeless services in the Housing Options Service ran through most of 2017 and the new management team was not established till December

					<p>2017. It was agreed that the revised plan should not be taken forward until the new team were in place in order that they have ownership of the plan and service.</p> <p>The Homelessness Reduction Act became law in April 2017 but the final regulations are still awaited. It was agreed that the new plan should be delayed until the more detailed duties become clearer.</p> <p>Work on the new plan led by the new team will commence in January 2018.</p>
--	--	--	--	--	--

Recommendation 2: Review existing partnership arrangements and objectives on homelessness, and strengthen joint working in order to respond to threats and demands.

Comments from service: As set out above the Homeless Statement will be updated to reflect progress over the past 3 years and take into account improvements highlighted in the OSC report. We will engage fully with all partners in 2017 to develop a further 4 year action plan to continue to tackle homelessness and this will include reviving the Homelessness Partnership Board.

Action	Responsible Officer	Date to be completed	Status	% Completed	Comments
Update Homelessness Statement and incorporate into Housing Strategy	Martin Ling	30/11/2016	Completed	100%	See above
Develop Homelessness action plan with Homelessness partners	Martin Ling	31/03/2017	Overdue	25%	See above
Set up and agree Terms of Reference of a new Homelessness Partnership Board	Martin Ling	21/03/2017	Overdue	25%	A new board will be recruited in February 2018.

Recommendation 3: The Mayor and Lead Member should undertake a rolling programme of unannounced visits to all the B&Bs and hostels used as both emergency accommodation for homeless families and single people.

Comments from service: There is no reason in principle why Members should not inspect any of the temporary accommodation (TA) supplied to homeless households. However the properties are not owned by the Council and access to them is generally by agreement with the provider, which would imply visits by prior arrangement rather than unannounced. There is always the risk of entry being refused if unannounced, and, should the proprietor take exception for any reason there is a low risk of refusing future bookings from the Council. The Housing Options Service inspects all hotels before they are used, follows up any complaints about conditions made by residents and undertakes full inspections where there are grounds for concern. The service has ceased using several hotels in recent years because of the failure of proprietors to improve standards. This recommendation was discussed with the Cabinet Member for Housing Management and Performance on 22 August 2016. He agreed this was not a practical recommendation, particularly in light of the fact that the majority of hotels used are out of the borough, and therefore fall within the jurisdiction of the host authorities. It was agreed that officers should ensure they brief the Mayor and the Cabinet Member directly if any incident occurs or issue arises that is likely to have implications for the safety or security of our residents and/or the reputation of the Council.

Action	Responsible Officer	Date to be completed
None		

Recommendation 4: Housing Options Service on a quarterly basis publishes in the Members' Bulletin B&B placements data including the number of unlawful placements.

Comments from service: The Council provides weekly and monthly reports to the Cabinet Members, providing; a breakdown of activity in the Housing Options Service which includes numbers in TA; numbers of placements in and out of borough; numbers in B&B including number of unlawful placements over 6 weeks. There is no reason in principle why the monthly report could not be included in the Members' Bulletin, and the service would be happy to give a briefing to Members on the monitoring it undertakes and how to interpret the data that is supplied.

Action	Responsible Officer	Date to be completed	Status	% Completed	Comments
D&R SPP to provide data to Democratic Services to be included on the Members' Bulletin	Abidah Kamali	31/09/2016	Completed	100%	Performance on homeless preventions, temporary accommodation placements and families in B&B for more than 6 weeks is reported to Members via quarterly strategic plan performance reports and Cabinet Member dashboards. There have been no families in B&B for longer than 6 weeks from September 2016 – Jan 2018, so the Council has

					achieved legal compliance on this indicator for 16 months in succession.
--	--	--	--	--	--

Recommendation 5: The P1E return needs to be available in a reader friendly format on the Council website					
Comments from service: P1E returns have been published on the website by the Business Support Team in Housing Options. Existing and future reports will be reconfigured and re-published in a format which is much more accessible and printer friendly.					
Action	Responsible Officer	Date to be completed	Status	% Completed	Comments
P1E reports currently posted on the external site will be reconfigured into a readable and printable format, as will future reports	Jamie Jackson	31/09/2016	Completed	100%	The P1E report has been reconfigured as far as possible into a readable and printable format and posted on the external website.

Recommendation 6: The Mayor should not authorise officers to discharge the Council's main homelessness duty through a Private Rented Sector offer.
<p>Comments from service: The ability to discharge the homelessness duty by way of a PRSO is a power introduced under the Localism Act 2012. A compulsory PRSO can only be made to families for whom a homelessness duty was accepted after the introduction of the Localism Act in November 2012. The Service implemented the use of PRSOs following the adoption of the Homelessness Statement under the previous administration in 2013. In the period to November 2014 a total of 72 households had a homelessness duty discharged by way of a PRSO; 53 went to households who were unlawfully accommodated in B&B. The remainder went to people who had either been placed out of the borough and needed or wanted to return, or who were in TA within the Borough that was under notice from the landlord. All these offers were to households where the homelessness duty had been accepted since the implementation of the Localism Act, unless they voluntarily accepted the PRSO in preference to being transferred out of the Borough. Only four of these households were made offers outside the borough, at least two of these were 'restricted duty' cases with no recourse to public funds, which were only entitled to receive a private sector offer and could not afford a property in the Borough.</p> <p>All properties procured were obtained at the Local Housing Allowance (LHA) rate and were assessed for their suitability for each of the applicants who were offered them, including an assessment of the affordability of the property. They were all let at LHA on a minimum two-year Assured Short-hold tenancy. This included 20 leasehold buy-backs in Carradale House, let at LHA on 5-year assured short-hold tenancies (AST) by Poplar Harca.</p> <p>Following concerns raised by OSC in late 2014 the service suspended the use of compulsory PRSOs, and since then there have been two voluntary PRSOs where the applicant chose to accept a private sector offer in the borough rather than face several years in temporary accommodation outside Tower Hamlets. Since January 2015 there have been a total of 20 PRS properties accepted by families at risk of homelessness in order to prevent becoming homeless, and 19 single people have similarly accepted PRS properties. The family-sized</p>

accommodation could have been used either for families unlawfully accommodated in B&B or where the Council was under threat of legal action from landlords for failing to return their properties. Of course, by using them to prevent homelessness this meant those 20 families did not need to go into B&B in the first place, but the 'prevention' option is voluntary.

The availability of affordable PRS properties has substantially reduced, either for the prevention or relief of homelessness, and has become particularly difficult for family-size accommodation. The Council has received further offers of Poplar Harca buy-backs, which have been let either as non-secure tenancies, or ASTs, but as TA rather than discharging the homelessness duty. Had the Council discharged the homelessness duty on these cases, this would have resulted in a reduction in the number of families listed as being in TA. All PRS properties offered to either prevent homelessness or end the homelessness duty are assessed for their suitability, must be supplied by accredited landlords and must be affordable. For PRSOs this means they must be at or below LHA rate and the household must not be subject to the benefit cap. The Service would not discharge the duty unless an AST is available for a minimum of two years.

It is arguable that refusing to permit the use of PRSOs in circumstances where the Council is struggling to accommodate homeless households lawfully could amount to a fettering of its discretion. While the numbers are low the Service has lost the opportunity to discharge the homelessness duty on around a further 20 homeless households who are in properties owned and managed by a partner registered provider. In addition to those private sector properties offered at LHA rate, including some which the landlord is required to make available for a period of 5 years at LHA rate as a condition of receiving an empty property grant from the Council. Officers would recommend instead reinstating the discretion to utilise PRSOs in light of the requirement to ensure that all offers are

suitable, taking into account affordability, size, condition, location and the fitness of the landlord. *This policy decision is being reviewed as part of the Housing Strategy.* This matter was discussed with the Lead Member on 22 August who agreed that the PRSO option should be available for use, where appropriate and subject to any offer being suitable as defined by legislation, case law and statutory regulations.

Action	Responsible Officer	Date to be completed	Status	% Completed	Comments
Policy decision on PRSO to be agreed as part of the new Housing Strategy	Lorraine Douglas/ Rafiqul Hoque / Martin Ling	30/11/16	Completed	100%	The Mayor in Cabinet in November 2016 agreed a number of changes to the Common Housing Register Allocation Scheme including the use of private rented accommodation to discharge its homelessness duties in limited circumstances. This was incorporated into the 2016 – 21 Housing Strategy.

Recommendation 7: Develop and publicise a plan to meet the demands on temporary accommodation.

Comments from service: The Service each year provides an estimate of the number of new properties it requires to meet new demand and replace stock lost as a result of private landlords taking back their properties, or the need to return properties earmarked for regeneration and redevelopment. The Service has also made a number of strategic proposals to increase the Council's own portfolio of TA, consider alternative ways of procuring and managing private sector accommodation and to increase the rate of permanent offers to households in TA in order to reduce reliance on and the cost of TA in the private rented sector; and to prevent an unmanageable increase in numbers of homeless households in TA. The work being undertaken on this issue will be incorporated into the Housing Strategy.

Actions	Responsible Officer	Date to be completed	Status	% Completed	Comments
Final Temporary Accommodation Strategy to be included as part of the Housing Strategy	Lorraine Douglas Rafiqul Hoque	30/11/16	Completed	100%	Measures included developing the Council's owned temporary accommodation portfolio and developing the use of modular housing.

Recommendation 8: Ensure the future strategy on homelessness adopts an approach to limiting the use of bed & breakfast for families.

Comments from the service: The Service has worked hard to reduce the number of families in B&B and achieving legal compliance on B&B placements remains an overriding priority. There is also work underway to look at improving the throughput of single people from B&B and this will be incorporated into the Housing Strategy.

Actions	Responsible Officer	Date to be completed	Status	% Completed	Comments
Policy approach to B&B & hostel use to be included in the new Housing Strategy	Lorraine Douglas/ Rafiqul Hoque / Martin Ling	30/11/16	Completed	100%	Policy was to reduce B&B use to within statutory limit to zero and this has been successful.

Recommendation 9: A summary of all those cases in which a family with children or vulnerable single person has been deemed intentionally homeless should be reported monthly to the Mayor and Lead Member.

Comments from the service: This recommendation seems to be predicated on the assumption that those evicted from private rented sector tenancies due to rent arrears will be found to be intentionally homeless (IH). If a tenancy becomes unaffordable, or was not affordable in at the outset and the tenant signed it in good faith unaware that it was unaffordable, then a Council is statute barred from and we do not find them as IH. The Preventing Intentional Homeless Protocol operated internally for those in temporary accommodation has resulted in a marked reduction in IH decisions for this client group. There are data protection issues to be considered where the client has not authorised sensitive personal and financial information to be disclosed to a third party. It is unclear as to the purpose of providing this information and although it could be anonymised it would help to know to what end the information could be used. The additional resources required to do this would impact on service delivery when the proposal under the organisational change is to reduce the number of officers involved in these complex cases. The figures for numbers of households found to be IH are published on the P1E. This recommendation was discussed with the Lead Member on 22 August 2016. It was agreed that there is no need for summaries of IH cases to be provided given the resource implications of so doing, and the lack of clarity of purpose. Data is publicly available on the number of IH decisions issued each quarter; Members are able to seek information regarding this data at any time.

Action	Responsible Officer	Date to be completed	Status	% Completed	Comments
None					

Recommendation 10: Implement a package of support for families placed out of borough in order to help households settle into a new borough.

Comments from service: This already happens. The Service provides detailed information on the local area for all out of borough placements. All new placements into TA receive a settling in visit within 2 weeks of their placement. If support needs are identified then the service will allocate the case to a Tenancy Sustainment Officer or the Family Intervention Programme (FIP) team. Where large numbers of placements are made in a single block then on-site support is provided at the point of sign-up and moving in to the address. All are provided with any relevant information about their new homes, and any issues to do with multiple people moving away at the same time are addressed.

Action	Responsible Officer	Date to be completed	Status	% Completed	Comments
The Service already supports residents placed out of borough and will continue to do so.	Lorraine Douglas/ Janet Slater Rafiqul Hoque	On going	Ongoing	On going	On going

Recommendation 11: Ensure that the policy for Determining the Suitability of Temporary Accommodation/Private Rented Sector Offers is published and publicly available on the Council's website and intranet site.

Comments from the service: This has now been placed on the website at http://www.towerhamlets.gov.uk/ignl/housing/housing_options_service/housing_and_homelessness_publi.aspx

Action	Responsible Officer	Date to be completed	Status	% Completed	Comments
Place the link to the policy on the LBTH external site	Lorraine Douglas Rafiqul Hoque	Complete	Completed	100%	

Recommendation 12: Explore the potential of prioritising a move back to the borough for homeless families who have been placed out of borough for a long period of time when local temporary accommodation becomes available, which is consistent with the Council's legal duties.

Comments from service: The policy for prioritising households for an offer of an in-borough property is set out in the procedure for allocating temporary accommodation (see previous recommendation). Only around 10% of all properties currently offered to the Council are in the borough and therefore it is necessary to ensure that this resource is used in accordance with the published procedure. 90% of all new placements are now out of the borough, the point is largely moot and in reality the majority of in-borough properties we do get are allocated to families who are already in the borough and occupying properties that are under notice of hand-back or which have been found to be unsuitable, for instance on medical grounds. We have recently had a supply of non-secure and leasehold properties within the borough; the smaller units have primarily gone to families unlawfully accommodated in B&B, while larger family units have been used primarily for transfer cases, all in accordance with the published policy & procedure. Implementation of this policy will have legal implications and could fetter the Council's discretion, request is noted but no action is proposed.

Action	Responsible Officer	Date to be completed	Status	% Completed	Comments
None					

Recommendation 13: Create awareness amongst hard to engage Registered Providers (RP) on the implications of evictions, and explore what is required to engage with RPs on evictions, including sharing the analysis with all RPs of tenant engagement work undertaken with Poplar Harca on rent arrears and evictions.

Comments from service: It is not this Service's experience that any of the RPs are particularly 'hard to engage'. The Preventing Intentional Homelessness Protocol has been well-received at the Common Housing Register Forum. The pilot with Poplar Harca has identified a number of

operational and process issues across this service. The RP and the Housing Benefit Department are all working to resolve for the benefit of all partners and vulnerable tenants. We have found there is a strong appetite among partners to achieve joint working to prevent social housing tenancies breaking down.

Actions	Responsible Officer	Date to be completed	Status	% Completed	Comments
Review and revision of current SLA between RPs and Housing Benefit	Janet Slater Rafiqul Hoque / Steve Hill	31/09/2016	Completed	100%	Draft revision of SLA complete
Discuss draft SLA at THHF and agree final version	Janet Slater Rafiqul Hoque / Steve Hill	31/10/2016	Delayed	95%	Awaiting sign off and distribution to/approval and approval from THHF
Preventing IH protocol roll out to all RPs	Team Manager LP team	31/03/2017	Delayed	40%	An officer has been appointed to work on this initiative and enhance joint working with RP partners in the borough, DWP/HB team, money advisors and relevant support agencies to prevent homelessness.
Full implementation of protocol	Team Manager LP team	31/05/2017	Delayed	60%	All the large partner RPs operating in the borough have had communication in December explaining the project and requesting appropriate referrals to Housing Options before they initiate any court action. Where necessary, the project officer is attending team meetings and doing presentations to further explain the project and its benefits - preventing homelessness and maximising rental income for the landlord. Housing Options is currently working with roughly 10 RPs who have made referrals. The protocol will be rolled out with all partner RPs and the Service will ensure partners understand the protocol and are engaged

					in this valuable work.
Review of protocol and referrals	Team Manager LP team	30/09/2017	Delayed	70%	Initial review of the protocol following work with HARCA is complete. A further review of the Protocol will take into consideration any additional feedback received from new partners involved in this initiative in approximately 6 months.

Recommendation 14: Explore customer empathy training for relevant front line staff in the wider Housing Options Advice Service.					
Comments from service: As part of the organisational change proposal there will be a programme of training for officers who will be required to undertake additional and/or new duties. This recommendation will be incorporated into this training which is timetabled in the action plan for implementation and embedding for August and September. It is proposed to use Cardboard Citizens (training provider) who's training Housing Options Singles Team (HOST) found useful and innovative.					
Action	Responsible Officer	Date to be completed	Status	% Completed	Comments
Training programme for new structure to be drawn up and implemented	Janet Slater/Lorraine Douglas Rafiqul Hoque	31/10/2016	Completed	100%	The detailed training programme was devised and has now been implemented as part of the new structure which came into effect in September 2017. The training covered all aspects of the job roles of employees within the new structure including policies and procedures, finance/procurement, IT, legal and customer services.

Recommendation 15: Consider a mentoring scheme between HOST trained frontline staff and frontline staff in the wider Housing Options Advice Service.					
Comments from service: This recommendation follows on from the above. Mentoring is a particular skill which would require					

some training of officers in order for this to be effective and the recommendation assumes that there is capacity and capability within HOST to do this. Shadowing has been undertaken as part of PDRs in the past in order that staff working in different areas gain an appreciation of the different challenges and responsibilities within the Service. This had some effect but did not break down the 'silo' effect of working with different client groups and in different teams. The proposed organisational change will address this, in that officers in the generic lead professional team will deal with all clients at first point of contact ensuring a consistent approach to service delivery.

Action	Responsible Officer	Date to be completed	Status	% Completed	Comments
Training programme for new structure to be drawn up and implemented	Janet Slater/Lorraine Douglas Rafiqul Hoque	October 2016	Completed	100%	All staff have had relevant training in their job role. They will receive on-going training and, where appropriate, be offered shadowing opportunities within other teams to develop their skills and knowledge base further.

Recommendation 16: Undertake an analysis of the recommendations identified in the diagnostic peer review report and implement those that would benefit the service.

Comments from service: This recommendation is incorporated into the Service Manager's PDR and work has already started on this. It will be programmed to include a Steering Group of Team Managers and Team Principals in HOS and an action plan will be drawn up. Negotiations with Facilities Management will also be required to address recommendations regarding a refresh of the reception area.

Update:

This has been put on hold given the urgent need to implement changes required as part of the Homelessness Reduction Act, which comes into effect in April 2018.

Action	Responsible Officer	Date to be completed	Status	% Completed	Comments
Analysis of the recommendations	Janet Slater Rafiqul Hoque	June 2016	Completed	100%	Complete and action plan devised.
Convene meeting with FM	Janet Slater Rafiqul Hoque	June 2016	Delayed	85%	Work to reception area complete although not all PCs are working.
Convene working group in HOS	Team Manager LP team	October 2016	Delayed	30%	Some work has been completed but remaining actions are on hold pending implementation of the Homelessness

					Reduction Act work which is very urgent.
--	--	--	--	--	--

Recommendation 17: A future full scrutiny review looks into homelessness					
Comment from service: The new Housing Scrutiny Sub-Committee has been established this municipal year. The Committee held its work planning session on 27th June 2016 and identified a range of issues that they would like to consider during the current year which includes homelessness and a review of actions to implement the recommendations from this challenge session.					
Action	Responsible Officer	Date to be completed	Status	% Completed	Comments
This will carry forward as a recommendation to the 17/18 work programme	Kevin Kewin Afazul Hoque	31/07/2017	Delayed	0%	A full review of homelessness will be carried out by the Housing Scrutiny Sub Committee as part of their work programme for 2018/19. The review has been delayed due to other more pressing priorities areas for action such as the Homeless Reduction Act (HRA) which comes into effect in April 2018 and its implementation, and the fire safety review of high rise residential buildings, following the Grenfell tower fire.
Housing Scrutiny Sub Committee to be provided an update on the progress of the delivery of actions from the homelessness challenge session	Kevin Kewin Afazul Hoque	31/07/2017	Completed	100%	Action plan updates on track for consideration at the HSSC on 29 January 2018.