


<p style="text-align: center;">Non-Executive Report of the:</p> <p style="text-align: center;"><b>Housing Scrutiny Sub-Committee</b></p> <p style="text-align: center;">26 February 2019</p>	
<p><b>Report of:</b> Rafiqul Hoque, Head of Housing Options</p>	<p><b>Classification:</b> Unrestricted</p>
<p><b>Housing Needs – Preventing Homelessness</b></p>	

## Executive summary

The Homelessness Reduction Act (HRA) 2017 came into effect on 3<sup>rd</sup> of April 2018. It significantly impacts on how services are provided to homeless people or those threatened with homelessness within 56 days.

This sub-committee posed a number of questions relating to HRA, homelessness, temporary accommodation (T/A) and rough sleeping, which have been addressed in this report. The report gives members an insight on current status, challenges and potential opportunities.

## Recommendations:

The Housing Scrutiny Sub Committee is recommended to:

- Note the report and answers provided to questions posed by the committee.

### 1. REASONS FOR THE DECISIONS

- 1.1 This report provides an update on the HRA and answers a number of questions posed by members about the impact of the new legislation on Housing Options service.

### 2. DETAILS OF REPORT

- 2.1 The Homelessness Reduction Act 2017 puts more emphasis on prevention activities by placing new legal duties on local authorities to provide meaningful support to everyone who is homeless or at risk of homelessness, regardless of whether they are in priority need, intentionally homeless or have a connection with Tower Hamlets.
- 2.2 A new Homelessness Code of Guidance has been published after a period of consultation which provides practical guidance on the legislation and related policies.
- 2.3 Local Authorities are required to prevent homelessness and work closely with eligible applicants and devise a Personalised Housing Plan (PHP) to address their housing need and to help them secure suitable accommodation for at least 6 months. Making sure they are sign-posted to relevant support so that they can sustain their tenancies and remain in their accommodation.
- 2.4 A number of questions were posed by members as detailed below, which have been answered.

## **2.5 Implementation of the Homelessness Reduction Act - What are the statistics for reductions in homelessness since the Act was introduced? How are the provisions within the Act being used? Successes and challenges.**

The statistics below shows an increase in the number of applicants approaching the service. This has consequently resulted in higher number of applicants placed in temporary accommodation. The application process is significantly more administratively burdensome and interviews on average are taking at least a couple of hours.

The increase in footfall is not surprising because the expectation, in the short term, was that the numbers approaching and offered temporary accommodation would be higher than in the past. Obviously, impact is due to the Council's new legal obligation at the 'prevention stage' to offer advice and assistance to applicants regardless of whether they have a local connection, are in priority need, or intentionally homeless.

Once the legislation is fully embedded and the Council is able to develop further housing options for applicants, especially, more effective work with landlords/tenants, parents, for example, in dispute resolution, addressing affordability issues etc. and rely more on private sector accommodation as a prevention tool, it should help reduce numbers placed in T/A and the number of preventions should increase significantly.

### Statistics

The number of Prevention and Relief applications registered from April 2018 to September 2018 is 1100.

In the previous year (same period) April 2017 to September 2017, we had 1022 approaches, which means an increase of 7.6 %.

For quarter 2 update in regards to temporary accommodation: 2433 households were in temporary accommodation, an increase of 13 % from 2144 as of 30 September 2017.

In quarter 1 we had 2310 households in temporary accommodation, an increase of 6% from 2178 as of 30th April 2017.

### Successes

Working in collaboration with partner organisations – it's an opportunity to gain referrals earlier to deal with preventing homelessness and providing the key information they require/need to alleviate homelessness or explore alternatives, although Tower Hamlets have always had good practices in this area of work.

Also an opportunity to deliver customer focused services via Personalised Housing Plans, especially, when working with other stakeholders in gaining positive outcomes.

Tower Hamlets Council has successfully implemented the Duty to Refer Protocol on 1 October 2018, in partnership with East London Housing Partnership. This means public bodies e.g. Probation, Social Care, and also voluntary agencies such as Registered Housing Providers can make referral using 'Alert' IT portal to allow the Council to engage early with applicants to alleviate homelessness.

## Challenges

The process has become resource intense, with longer interviews, frontline services all been altered to take into regard two hours of interviewing for clients, a lot of initial interviewing, but appointments not kept/initial interviews not closed down to record outcomes or way forward. Notification letters not always being provided to the applicants when Prevention Duty/Relief Duty triggered from the very onset, therefore guidance issued to ensure this was in place for staff. There are high caseloads per officer. Learning is still ongoing for staff.

There are H-CLIC (new data reporting requirement) and P1E issues as the data comes from two separate systems, plus temporary accommodation for all cases reported on Northgate as corporately tied in. Hence, a long counting/verification of data exercise to extract the TA numbers from the P1E reporting; impact has been delay in quarterly returns to MHCLG.

Preventions reported previously on P1Es were from outside agency involvement, now trying to work at ensuring that an outreach worker is assigned to conduct Prevention work and add onto HCLIC so can officially report Prevention although corporately still collating this information.

Legacy cases work (applications made prior to HRA) – the Council needs to transfer Legacy cases over to HRA CDP Soft from Northgate as they will need to be reported on H-CLIC for Q4 onwards. However, the Council is still exploring whether there is an automated IT solution to report Legacy cases moving forward. Ensuring Legacy cases are HCLIC compliant will have cost/resource implications.

### **2.6 How is the Council being more proactive rather than reactive in preventing homelessness? (Tackling the cause of homelessness, early intervention).**

The Council is delivering, exploring, and enhancing the following initiatives:

- For single homelessness, the Council is looking into PRS offers.
- No First Night Out – a tri-borough project with Hackney and City has prevented rough sleeping for 106 individuals since the start of April of this year to end of December.
- Increase in supported housing pathways for vulnerable single people
- Looking at commencing surgeries with Workpath to tackle worklessness and training opportunities for clients within Housing Options.
- Enhance Housing Advice work for tenants renting privately. Last week the Council successfully prosecuted a private landlord for an illegal eviction, which resulted in £36,000 damages and £25,000 estimated cost awarded against the landlord/agent.
- Develop and increase work undertaken with social tenants facing eviction through the Homelessness Intervention and Prevention Partnership (HIPP). This initiative was initially piloted with Poplar HARCA and is now rolled out with all RPs. Between November 2017 – April 2018, 72 cases were referred; 53 prevention achieved, and total **£42,907.75** rent arrears was recovered for RPs.

### **2.7 Households in temporary accommodation, in borough and out of borough, duration and average costs – comparable information if available.**

Households in temporary accommodation:

Households in self-contained temporary accommodation as at 25th January 2019 – 2264

In borough and out of borough:

In borough 1160

Out borough 1104

Duration:

Duration of residence in temporary accommodation depends on the client's bidding choices, waiting time on the housing register and the size of accommodation required.

However, average guideline time periods for obtaining an offer via Homeseekers are:

1bedroom under 1 year, 2br 3-4 years, 3br 7-8 years, 4br+ 10 years

Average costs:

There are pan-London rates for TA, the average costs of TA within TH are:

<b>Studio</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6+</b>
<b>£209.33</b>	<b>£254.27</b>	<b>£311.57</b>	<b>£364.82</b>	<b>£407.56</b>	<b>£450.06</b>	<b>£449.40</b>

**Comparable information if available:**

The average cost of TA in London as a whole is:

<b>Studio</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6+</b>
<b>£217.84</b>	<b>£263.35</b>	<b>£321.84</b>	<b>£375.01</b>	<b>£421.22</b>	<b>£442.95</b>	<b>£444.20</b>

When Tower Hamlets places clients in other boroughs we adhere to the agreed pan-London rate for that borough.

The good work the Council is doing in diversifying T/A e.g. buybacks, use of non-secure tenants (TH and RPs) for T/A accommodation, conversion, has greatly helped in securing more affordable temporary accommodation in Tower Hamlets. This has resulted in more applicants being placed in Tower Hamlets than out of borough, which is a huge benefit for all parties concerned, particularly our residents as it means less disruption for them.

## **2.7 Partnership successes and opportunities (including funding)**

HIPP – work with RPs – increase in prevention work in quarter 2, we achieved 32 preventions. We need to expand this service and could look at the potential of increasing work with RSLs to fund additional staff to increase preventions further. We could look at the possibility of employing an additional staff member by a potential spend to save model, i.e. as the amount of rent arrears clawed back is high due to Council involvement and beneficial to RPs.

Expansion of floating support services to offer tenancy sustainment and support to maintain tenancies for potentially homelessness cases hence increase preventions.

The Council is waiting for outcome of its bid application to MHCLG PRS Access Fund. If successful, it will enable the council to create four posts as follows:

- Homeless Prevention Support Officer
- Tenancy Training Officer
- Two Tenancy Sustainment Officers
- Procurement Officer

This funding will greatly assist the Council in its prevention work in the private sector; tenants and landlords will be offered support so that tenancies can be sustained and homelessness prevented, where possible.

## 2.8 **How will the Council ensure it meets the Governments target to eliminate rough sleeping by 2027**

The council will meet the target by:

- Commissioning specialist outreach and day services to meet the current and changing needs of our rough sleeping population
- Delivering on an accommodation pathways that offers choice and support to rough sleepers from the start of their journey off the street through to settled independent accommodation. This includes commissioning a range of specialist supported accommodation projects, hostels and Housing First properties.
- Working in partnership with a wide range of third sector, faith based, statutory bodies to meet the complex needs of our rough sleeping population including poor mental and physical health, and high substance misuse.
- Delivering on our support and enforcement model to ensure rough sleepers who cause ASB take up offers of support and avoid the criminal justice system where possible.
- Championing innovation and testing new delivery models such as a street psychologist, street nurse and community model to work with non-UK nationals.
- Delivering on pioneering rough sleeping prevention programmes i.e. No First Night Out.
- Securing new funding opportunities from the MHCLG and GLA.

The Council has launched its five year Homelessness and Rough Sleeping Strategy 2018 – 2023. The Council will work closely with its key stakeholders and partners to deliver the objectives set out in the strategy. The primary aims are to prevention homeless and rough sleeping in the borough and offer a more responsive service to homeless and vulnerable people in housing need. A link to the strategy document is provided under appendices in this report.

## 3. **COMMENTS OF THE CHIEF FINANCE OFFICER**

- 3.1 This report recommends that the Housing Scrutiny Sub-Committee note this report which contains answers to questions that have previously been raised by this Committee, and as such there are no direct financial implications arising.

## 4. LEGAL COMMENTS

- 4.1 The Homelessness Reduction Act 2017 (the Act) came into force on 3 April 2018. It places new legal duties on Local Authorities with a focus on preventing homelessness.

The Act introduces the following key measures:

- a) An extension of the period 'threatened with homelessness' from 28 to 56 days.
  - b) A new duty to prevent homelessness for all eligible applicants threatened with homelessness, regardless of priority need.
  - c) A new duty to relieve homelessness for all eligible homeless applicants, regardless of priority need.
  - d) A new 'duty to refer' - public services will need to notify a local authority if they come into contact with someone they think may be homeless or at risk of becoming homeless.
  - e) The Act includes a provision that would allow the Secretary of State to provide Councils with 'one or more' **codes of practice**, that Councils must have regard to.
  - f) The Act also requires local authorities to develop homelessness **strategies** based on a review of all forms of homelessness in their district and outlining how local partners will work together.
- 4.2 The Council is obliged to ensure that the new statutory requirements are fully understood and implemented correctly. The Council must develop robust policies and procedures for staff to refer to when faced with a client failing to co-operate or requesting a review. The Council must also ensure effective training is delivered to staff to be legally compliant and provide a robust service limiting successful lawful challenges. Failure to implement these new duties adequately will be a reputational risk to the council and could leave us vulnerable to legal challenge regarding our decision making.

The answers provided above (1-4) indicate that the Council already has measures in place or is working to implement the legislative requirements contained within the Act.

- 4.3 In carrying out its functions, the Council must have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who do not (the public sector duty).

## 5. OTHER STATUTORY IMPLICATIONS

- 5.1 This section of the report is used to highlight further specific statutory implications that are either not covered in the main body of the report or are required to be highlighted to ensure decision makers give them proper consideration. Examples of other implications may be:
- Best Value Implications,
  - Consultations,
  - Environmental (including air quality),
  - Risk Management,
  - Crime Reduction,
  - Safeguarding.

- 5.2 The recommendations in scrutiny review are made as part of the Housing Scrutiny Sub-Committee's role in helping to secure continuous improvement for the Council, as required under its Best Value duty.
- 5.3 There are no direct environmental implications arising from the report or recommendations.
- 5.4 The recommendations of the Scrutiny Review are based on areas of risk and for improvement for the Council and its partners and the actions seek to address these.
- 5.5 There are no direct crime and disorder reduction implications arising from the report or recommendations.
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## **Linked Reports, Appendices and Background Documents**

### **Linked Report**

- NONE

### **Appendices**

Homelessness and Rough Sleeping Strategy, link:

[https://www.towerhamlets.gov.uk/ignl/housing/housing\\_statements\\_and\\_strateg/homelessness\\_strategy.aspx](https://www.towerhamlets.gov.uk/ignl/housing/housing_statements_and_strateg/homelessness_strategy.aspx)

### **Local Government Act, 1972 Section 100D (As amended)**

#### **List of "Background Papers" used in the preparation of this report**

List any background documents not already in the public domain including officer contact information.

- These must be sent to Democratic Services with the report
- State NONE if none.