

**Tower Hamlets Housing and
Regeneration Scrutiny
Sub-Committee**

**The Homelessness Reduction Act
One year on**

Scrutiny Challenge Session



April 2020

Chair's Foreword

I am pleased to present this report which considers the impact of the implementation of the Homelessness Reduction Act (2017) on residents and the Council which brought new duties and ways of working for officers.

The Challenge session took place before the unprecedented COVID-19 pandemic and focuses on what was business as usual prior to the shift in emphasis that the pandemic brought where the Housing Options Service shifted their focus to COVID care and protect schemes for rough sleepers and ensuring the safety and well-being of single-persons and households placed in temporary accommodation.

This report therefore makes a number of practical recommendations for the Housing Options Service as the Council moves towards a normal service post-pandemic to improve the services available for providing housing options advice and support for those who are homeless or threatened with homelessness.

The recommendations focus on improving the experience of residents and exploring other ways to enhance the experience of residents who use the Housing Options Service for homelessness support and advice.

I would like to thank all of the council officers who gave their time and effort to contribute to this Review. I am also grateful to my Housing and Regeneration Scrutiny Sub-Committee colleagues for their support, advice and insights.

Councillor Dipa Das
Chair of the Housing & Regeneration Scrutiny Sub-Committee

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1. Recommendations

Recommendation	
R1	<p>Benchmark against other authorities' customer journeys and identify best practice which achieves effective service provision, straight-forward customer access, useful Personal Housing Plans and good-quality decisions.</p> <p>In order to independently gauge the quality of the customer service that clients currently receive, post pandemic when the Housing Options Service returns to business as usual, commission mystery shopping to test all aspects of the current service, including but not limited to timeliness, accessibility and appropriateness of the advice and support provided. The resulting report should be brought back to a future Housing & Regeneration Scrutiny Sub-committee as well as the Mayor and Cabinet to inform future scrutiny work.</p>
R2	<p>Consider developing the 'House for Good' application and scope to assess its validity as a route to channel shift enquiries from applicants. This may be particularly useful for younger applicants who are more 'tech savvy' who use mobile phones to access the internet and social media.</p>
R3	<p>Develop guidelines for the use of cubicle/interview room facilities particularly when using them in the instances where sensitive and personal information is discussed relating to a service user. Ensure that managers regularly monitor compliance with these guidelines.</p>
R4	<p>The Housing Options Service develops and implements a plan to improve staff satisfaction informed by the staff survey. The plan may include performance indicators, training, regular team meetings and one-to-one as actions.</p>
R5	<p>Housing Options Service to promote and publicise the good work carried by officers not just internally within the Housing Options Service but to use opportunities corporately and among partners to promote officers within the Service. This will provide recognition and a sense of value to officers.</p>
R6	<p>Develop and implement a plan for a new IT solution which is effective and efficient for the Housing Options Service.</p>
R7	<p>Urgently take action to significantly reduce the number of people (1,200) awaiting a decision on their homelessness approach, including setting a target for the 31st March 2022 and identifying the resources needed to achieve this outcome over and above the six additional members of staff already being recruited for this purpose if that is what is necessary.</p>
R8	<p>Urgently provide details Housing & Regeneration Scrutiny Sub-committee of the number of single homeless people who have (a) approached LBTH under the Homelessness Reduction Act 2017 and (b) been provided with a Personal Housing Plan and (c) been helped to find a private tenancy in 2018/19 and 2019/20, and for the first nine months in 2020/21</p>

2. Introduction

- 2.1. This scrutiny challenge session has set out to understand the impacts on residents and the Council which have arisen from the implementation of the Homelessness Reduction Act (HRA - 2017), which came into effect from 3rd April 2018. The Act was the most significant change in the statutory approach to homelessness since the Housing (Homeless Persons) Act 1977.
- 2.2. The Act places new legal duties on local authorities to ensure that everyone who is homeless or at risk of homelessness will have access to meaningful help, irrespective of their priority need status, as long as they are eligible for assistance.
- 2.3. The HRA adds two new duties to the original statutory rehousing duty: the duty to prevent homelessness, and the duty to relieve homelessness.
- 2.4. New provisions introduced by the HRA include:
 - A duty to prevent and relieve homelessness
 - A requirement to carry out an assessment and personalised housing plan
 - Public bodies now have a duty to refer people whom they know are threatened with homelessness
 - Applicants have the right to ask for a review of any points of the new legislation
- 2.5. To assist local authorities the Government provided £73m in new burdens funding for the first 2 years of the new duties and committed to completing a review of the Homelessness Reduction Act by March 2020.
- 2.6. Research from the London School of Economics¹ commissioned by London Councils evidences that this funding was insufficient.
- 2.7. Additional funding was made available through the Private Rented Sector Access fund (£19.52m) for 66 local authorities announced March 2019 for over 8000 households to be supported to access and/or sustain Assured Shorthold Tenancy (AST),
- 2.8. To date, the London Borough of Tower Hamlets (LBTH) has received

¹ The Cost of Homelessness Services in London – An LSE Project with London Councils published Oct 2019
<https://www.londoncouncils.gov.uk/sites/default/files/LC%20final%20report%20-%20CA%20edit.pdf>

£1,555,181 in new burdens funding, however, this funding stream does not go far enough.

2.9. The Ministry for Housing, Communities and Local Government (MHCLG) set up a Homelessness Reduction Act working group, to assess the impact of the Act. It also commissioned an independent review and placed a call for evidence, considering the delivery of the HRA and costs for local authorities.

2.10. In December 2019, £263 million funding for local authority homelessness service for 2020-21 was announced. This is on top of £80m homelessness prevention line in the local government finance settlement and the rough sleeping funding. This is an increase of £38m on the Flexible Homelessness Support Grant (FHSG) and new burdens funding allocated 2019-20 year.

2.11. The Council's Housing and Regeneration Scrutiny Sub-Committee want to understand what the impact of the HRA (2017) has been on the Council's Housing Options Service who provide and deliver services for applicants who seek homelessness housing and advice. The Sub-Committees' questions included:

- How has it impacted on the homelessness provision in the Borough?
- Has the footfall of homelessness enquiries increased?
- Are more residents being placed in temporary accommodation as a result of the prevention and relief duties that the Act has placed on the Council?

2.12 This challenge session set out to provide the Sub-Committee with a clear understanding of how the HRA has impacted on both residents who seek homelessness advice in the Borough. This has resulted in the Sub-Committee making recommendations for service improvement as part of the Council's wider review of Homelessness provision in the Borough. The scrutiny challenge session was underpinned by five key questions:

- What impact has the HRA (2017) had in Tower Hamlets and what outcomes have been achieved in the Borough as a result of the HRA, including by protected groups?
- Is the Council meeting its duties under the HRA? What are the barriers and challenges?
- What more can the following do to tackle homelessness and prevent rough sleeping:
 - The Council (Local Housing Authority)
 - Commissioned partners
 - Statutory partners
 - Non statutory partners
 - Residents affected by homelessness

- Government

- What has been the experience of people approaching the Council and its commissioned partners for help?
- What elements of the Act and processes are working well/not working well in Tower Hamlets and how can this be improved (including customer journey, homelessness/ housing pathways/ accommodation provisions, upstreaming preventions and innovative practice)

Challenge session approach

2.12. The challenge session was chaired by Councillor Dipa Das, Chair of the Housing and Regeneration Scrutiny Sub-Committee and supported by Una Bedford, Strategy and Policy Officer (Place); LBTH.

Housing and Regeneration Scrutiny Sub-Committee Members

Councillor Dipa Das	Housing and Regeneration Scrutiny Sub-Committee (Chair)
Councillor Sirajul Islam	Statutory Deputy Mayor & Lead Member for Housing
Councillor Andrew King	Housing and Regeneration Scrutiny Sub-Committee Member
Councillor Helal Uddin	Housing and Regeneration Scrutiny Sub-Committee Member
Councillor Andrew Wood	Housing and Regeneration Scrutiny Sub-Committee Member
Councillor Ayias Miah	Housing and Regeneration Scrutiny Sub-Committee Member
Councillor Shah Suhel Ameen	Housing and Regeneration Scrutiny Sub-Committee Member
Councillor Shad Chowdhury	Housing and Regeneration Scrutiny Sub-Committee Member
Council Leema Omar Qureshi	Housing and Regeneration Scrutiny Sub-Committee Member
Councillor Mohammed Pappu	Housing and Regeneration Scrutiny Sub-Committee Member
Anne Ambrose	Housing and Regeneration Scrutiny Co-Opted Member

The panel received evidence from the following officers:

London Borough of Tower Hamlets

Rafiqul Hoque	Head of Housing Options
Seema Chote	Team Manager, Statutory & Advocacy Team, Housing Options

3. Homelessness Legislation

- 3.1. Homelessness affects a wide range of people, covering not just people sleeping rough, but also those in temporary accommodation, sleeping temporarily at friend's houses, living in unfit dwellings and those threatened with homelessness.
- 3.2. The primary homelessness legislation in England is Part 7 of the Housing Act 1996. This sets out the statutory duty for local authorities to take action to prevent homelessness and to provide assistance to people threatened with or actually homeless.
- 3.3. In 2002, the Government amended the homelessness legislation through the Homelessness Act 2002 and the Homelessness (Priority Need for Accommodation) (England) Order 2002 to:
 - a) ensure a more strategic approach to tackling and preventing homelessness, in particular by requiring a homelessness strategy for every housing authority district; **and**,
 - b) strengthen the assistance available to people who are homeless or threatened with homelessness by extending the priority need categories to homeless 16 and 17 year olds; care leavers aged 18, 19 and 20; people who are vulnerable as a result of time spent in care, the armed forces, prison or custody, and people who are vulnerable because they have fled their home because of violence.
- 3.4. The Homelessness Reduction Act 2017 has significantly reformed England's homelessness legislation by placing duties on local authorities to intervene at earlier stages to prevent homelessness in their areas. It also requires housing authorities to provide homelessness services to all those affected, not just those who have 'priority need.' These include:
 - a) an enhanced prevention duty extending the period a household is threatened with homelessness from 28 days to 56 days, meaning that housing authorities are required to work with people to prevent homelessness at an earlier stage; **and**,

- b) a new duty for those who are already homeless so that housing authorities will support households for 56 days to relieve their homelessness by helping them to secure accommodation.
- 3.5. Additionally, local authorities in England have a duty to provide free advisory services to everyone in their district on preventing homelessness, securing accommodation, clarity on the rights of homeless people and those threatened with homelessness. The HRA 2017 still recognises 'priority need' so therefore, non 'priority need' households are entitled to advice and assistance only but not necessarily housing.

4. National Context

- 4.1. In November 2018 the **Local Government Association** conducted a **survey**² of English councils to gather information on their experience of the Homelessness Reduction Act (HRA) since its implementation.
- 4.2. The survey found that the number of homelessness presentations made to councils has continued to rise since the Act's implementation. The majority of councils responding to the survey attributed the increase in presentations directly to the Act. However, there are also indications that this increase in presentations is due to broader trends in homelessness.
- 4.3. The most recent data³ collated and published by the MHCLG reaffirms that the number of households assessed by Local Authorities as either homeless or threatened with homelessness has increased by 11.4% from April to June 2018 to 68,170 in April to June (Q2) 2019.
- 4.4. For the same quarter, April to June (Q2) 2019, approximately two-thirds (65.2% or 44,480) of households owed a prevention or relief duty were single households (households without children).

² Local Government Association 'Homelessness Reduction Act Survey 2018 - Survey Report' March 2019
<https://www.local.gov.uk/sites/default/files/documents/Homelessness%20Reduction%20Act%20Survey%20Report%202018%20v3%20WEB.pdf>

³ MHCLG Experimental Statistical First Release 18th December 2019: Statutory Homelessness; April - June 2019: England
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/852953/Statutory_Homelessness_Statistical_Release_Apr-Jun_2019.pdf

- 4.5. 30,670 households, or 45.0%, were identified as having one or more support needs. The most common support need was a history of mental health problems, accounting for 14,950 households or 21.9% of households owed a duty.
- 4.6. The new duty to refer which commenced in October 2018 has risen with the number of referrals increasing to 4,340 in April to June (Q2) 2019 (compared with 3,740 January to March 2019) in England. Children's Social services made the most referrals with 740, or 17.1% of the total in Q1 of 2019 whereas in Q2 of the same year, the National Probation Service made the most referrals with 650 of 17.4% of all referrals.
- 4.7. At the same time the Act has resulted in some improvements to homelessness provision. Single homeless people have seen the benefits of an increased focus on prevention, and more targeted support. Many councils have used the Act as an opportunity to refresh their service provision, drawing together new burdens funding and the many other funding programmes which have been made available by Government.
- 4.8. More recent research carried out by Crisis⁴ has found that the change in legislation has significantly expanded access to homelessness assistance particularly for single people. The research mirrors the picture emerging from the statutory statistics showing that more people are eligible and are accessing support under the HRA. (The research formed the basis of the 'A Foot in the Door' report and is based on 984 surveys and 89 in-depth interviews across 6 local authority areas with those approaching services for support).
- 4.9. Only nine per cent of those interviewed stated they were given no support – reasons included no recourse to public funds, lack of local connection, not being able to provide evidence of current situation, and a general lack of eligibility for support. The research findings suggest that this is one of the most substantial changes observed since the introduction of the HRA and that the change in legislation has had a noticeable impact on widening access to single homeless people
- 4.10. The implementation of the HRA has brought significant new burdens to English local housing authorities. Local housing authorities have seen increased footfall, and an increased administrative burden associated with each case.
- 4.11. In November 2018, the LGA conducted a survey⁵ of councils to gather information on their experience of the Homelessness Reduction Act

⁴ A Foot In The Door: Experiences of the Homelessness Reduction Act (March 2020)
<https://www.crisis.org.uk/media/241742/a-foot-in-the-door-2020.pdf>

⁵ LGA - Homelessness Reduction Act Survey 2018 - Survey Report (March 2019)
<https://www.local.gov.uk/sites/default/files/documents/Homelessness%20Reduction%20Act%20Survey%20Report%202018%20v3%20WEB.pdf>

(HRA) since its implementation. Many report that H-CLIC data collection system, (Homelessness case level collection), continues to impose a significant administrative burden six months after the Act's implementation, to the extent that council officers are being diverted from core work. One third of respondents to the LGA's⁶ survey on the Act did not think they had been sufficiently resourced to deliver their new duties.

- 4.12. The Act is also not having the anticipated effect on temporary accommodation costs, and demand for temporary accommodation is increasing as a wider range of people are owed interim housing duties. However, moving people onto settled housing, and sustaining the tenancies of those already in housing, is becoming increasingly difficult as freezes to the local housing allowance rate continue to widen the gap with housing support and rents. This is likely to have a significant and rising cost implication for councils, which will require a review of new burdens funding.
- 4.13. The Act has not improved the availability of the tools which local authorities need to successfully prevent and relieve homelessness, i.e. affordable housing, sustainable funding for services, and the support of a wide range of public sector partners. The intention and ambition of the HRA is being constrained by the housing market, welfare system and funding.
- 4.14. In particular, the local authority finance context is having a significant impact on councils' ability to prevent homelessness, with the previously cited LGA analysis showing that local homelessness services are facing a £421 million spending gap by 2024/25.
- 4.15. The Duty to Refer has seen an increase in referrals, but councils' ability to work in partnership is again limited by broader cuts to services. In this context, councils have expressed concerns that the Duty does not incentivise upstream prevention work by a broad range of services, but instead risks a shunt in responsibility.
- 4.16. As a result, research using data and information across England illustrates that councils are constrained in their ability to help people, even as homelessness demand pressures increase.

5. Local Context

- 5.1. There has been an increase in the footfall count of homelessness presentations overall, of around 8 per cent compared to the period prior to the implementation of the Homelessness Reduction Act.
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- 5.2. The Housing Options team has seen an increase in homeless approaches from singles and early intervention opportunities. This has resulted in an increase in the number of single persons in temporary accommodation because officers are unable to prevent their homelessness due to lack of affordable accommodation in the Borough.
- 5.3. A considerable number of approaches to the Housing Options Service are from those who have been evicted or threatened with eviction where they have been residing with family or friends.
- 5.4. The chronic shortage of affordable housing in the Borough and the consequent inability to meet current demand lie at the root of Tower Hamlets' homelessness situation. As well as the Borough's changing demographics and socio-economic profile, central government funding, and the additional burdens placed on English local authorities as a result of the HRA (2017) has led to the prediction that this trend is set to continue.
- 5.5. The Private Rental Sector is often the Council's only option for securing accommodation and the Housing Options Team recognises that there is a need to procure more accommodation from within this sector to meet housing need.

6. Findings and Recommendations

- 6.1 The Council has utilised funding opportunities which have been made available to all local housing authorities: Private Rented Sector Access Fund, 'No First Night Out', Transitional Insurance, the Private Rented Sector Team Rough Sleeping Initiative and the Flexible Housing Support Grant.
- 6.2 However in most cases, submitting a bid for these funding streams is time limited and this can pose a challenge for the Housing Options Service as managers are moved from day-to-day operational functions to prepare and write bids for funding. Similarly, the procurement and process for amending existing contracts to implement initiatives is not always clear and often slow. Uncertainty over future funding makes it difficult to plan services and retain staff.
- 6.3 There has been some success in improving and increasing working in partnership with other agencies and service providers which include:
 - Work undertaken within East London Housing Partnership identifying gaps to tackle roughs sleeping in East London - Navigators for ELHP.
 - Recent funding for Independent Domestic Violence Advisors and Floating Support for Domestic Abuse cases working in

partnership with the Violence Against Girls and Women team.

- Mediation Services – the Service has increased its in-house provision and works with external partners to improve prevention to keep applicants in their existing accommodation.
- Complex need cases in supported accommodation requiring end of life care – identified gap in service requires developing through Integrated Commissioning Service.

6.4 The Housing Options team recognises that the increased footfall of clients seeking homelessness or housing advice necessitates better ways of managing processes along the customers journey to facilitate service improvement and better customer access. Officers are seeking a better understanding of customers' needs and the reasons why they access Albert Jacobs House.

Recommendation 1:

Benchmark against other authorities' customer journeys and identify best practice which achieves effective service provision, straight-forward customer access, useful Personal Housing Plans and good-quality decisions.

In order to independently gauge the quality of the customer service that clients currently receive, post pandemic when the Housing Options Service returns to business as usual, commission mystery shopping to test all aspects of the current service, including but not limited to timeliness, accessibility and appropriateness of the advice and support provided. The resulting report should be brought back to a future Housing & Regeneration Scrutiny Sub-committee as well as the Mayor and Cabinet to inform future scrutiny work.

- 6.5 The intention is to use this data to channel shift – to allow service users more choice and access to information; to ensure better outcomes for service users and the Council. The channel shift could involve using the Customer Contact Centre to deal with general and non-complex Housing Options enquiries or improving customer's ability to self-help via information on the Council's Housing Options Internet pages. It is hoped that this will also free up staff on duty to allow them more time to better manage their case work and to improve decision making.
- 6.6 With the current constraints on resources within the Housing Options Service due to the increased demand and workload pressures as a direct consequence of the pandemic, now would not be the appropriate time to conduct this benchmarking work or to carry out a mystery shopping exercise given these extraordinary times.
- 6.7 Despite the pandemic, and since the Scrutiny Challenge session of March 2020, the Housing Options Service has been transforming its

services to meet the needs of customers. It would be more beneficial to undertake this work once we move out of the pandemic situation and have returned to business as usual, once the current level of demand and workload of the team return to normal.

Recommendation 2:

Consider developing the 'House for Good' application and scope to assess its validity as a route to channel shift enquiries from applicants. This may be particularly useful for younger applicants who are more 'tech savvy' who use mobile phones to access the internet and social media.

- 6.8 The Housing Options Service are part of the second wave of Customer Access Programme and officers are currently producing a Project Initiation Document to bring about changes in the long and short term - to include an expert advisor to assist with the delivery of service improvements through the lens of customer and prevention.
- 6.9 The Housing Options Service recognises that a review needs to be undertaken of its triage service to reduce the number of officers involved in a case. At present there remains considerable duplication within the triage process and the Service needs to effectively filter reception, online, telephone and Duty to Refer contacts. This will mean that the current structure within the Service will need to be redesigned with the possibility that separate singles and family's teams are created.
- 6.10 The Housing Options Service is aware that the environment within the contact centre is not always conducive and welcoming to service users and work is planned to refresh this area. Despite there being cubicles and private interview rooms to meet with service users, these are not always used. Further concern was expressed by members that the appropriate settings are not always used when conducting delicate and highly personal interviews where there is a safeguarding or perceived threat of violence against a service users.

Recommendation 3:

Develop guidelines for the use of cubicle/interview room facilities particularly when using them in the instances where sensitive and personal information is discussed relating to a service user. Ensure that managers regularly monitor compliance with these guidelines

- 6.11 In addition any restructure process will take a wider look at how Lead Professional, Complex Assessment, Housing Options Singles and Housing Advice Teams interlink on casework to ensure the service is customer centric.

- 6.12 To facilitate these changes, the Housing Options Service has had approval and agreement to recruit a Service Improvement Team to implement changes required over the next 12 to 24 months and beyond.
- 6.13 The complexity of cases and time spent by staff in carrying out assessments has led to an increase in demand and pressure on staff. The Homelessness Reduction Act has brought higher expectation on officers to keep clients informed and added to the administrative burdens on staff.

Recommendation 4:

The Housing Options Service develops and implements a plan to improve staff satisfaction informed by the staff survey. The plan may include performance indicators, training, regular team meetings and one-to-one as actions.

- 6.14 The morale of staff within the Service is consequently low while staffing turnover is high and this contributes further to increased stress and pressures on staff.
- 6.15 There is presently 1200 cases still outstanding (in terms of a decision). The backlog of work remains a major concern, with the Service having taken on six additional staff to tackle backlog within next 9-12 months.
- 6.16 It is a challenge for the Housing Options Service to recruit and retain skilled temporary staff (agency/fixed term). This is attributable to the increased demand, particularly in London for Homeless/Housing Options officers since the introduction of Homelessness Reduction Act 2017.
- 6.17 Where practical, posts are now first being offered to internal staff. This however is time consuming and mean that other staff have to back-fill posts.

Recommendation 5:

Housing Options Service to promote and publicise the good work carried by officers not just internally within the Housing Options Service but to use opportunities corporately and among partners to promote officers within the Service. This will provide recognition and a sense of value to officers.

- 6.18 Staff within the Housing Options Service are also hindered by having to use multiple IT systems to process homelessness enquiries and applications. Having these numerous IT systems leads to the duplication of work (information and processes) which are onerous and

time consuming for staff creating implications in reporting. This has a major impact both on service delivery and staff morale.

Recommendation 6:

Develop and implement a plan for a new IT solution which is effective and efficient for the Housing Options Service.

- 6.19 Following the resumption of the Council's scrutiny activities in November 2020, additional recommendations (R7 and R8) were submitted by committee members.

6.20

Recommendation 7:

Urgently take action to significantly reduce the number of people (1,200) awaiting a decision on their homelessness approach, including setting a target for the 31st March 2022 and identifying the resources needed to achieve this outcome over and above the six additional members of staff already being recruited for this purpose if that is what is necessary.

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a ringfence these cases to ensure that a dedicated resource is assessing these cases.

- 6.21 A team of six officers, (including a team principal officer), have been in place since August 2020. These officers are working to reduce all outstanding homelessness decisions up to 31st December 2019. The Housing Options Service have, like most local authorities, have had difficulties in recruiting and retaining experienced contractors, due to the demand and competition in the recruitment marketplace. As at the 15th January 2021, there was a total of 852 cases still outstanding. When the team commenced this project, there were 1269 cases outstanding. The backlog team anticipate that these cases will be cleared by 31st May 2021.

- 6.22 Any outstanding cases from 1st January 2020, are being cleared by the existing compliment of case officers from within their caseload. The Housing Options Service would welcome further resources to speed up the determination of all outstanding main duty decisions.

6.23

Recommendation 8:

Urgently provide details Housing & Regeneration Scrutiny Sub-committee of the number of single homeless people who have (a) approached LBTH under the Homelessness Reduction Act 2017 and (b) been provided with a Personal Housing Plan and (c) been helped to find a private tenancy in 2018/19 and 2019/20, and for the first nine months in 2020/21.

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, may take a little while to provide. The Service will endeavour to

provide this information at the earliest opportunity to the Housing and Regeneration Scrutiny Sub-committee.