

<p>Individual Mayoral Decision</p> <p>26 May 2021</p>	
<p>Report of Karen Swift, Divisional Director Housing & Regeneration</p>	<p>Classification: Unrestricted</p>
<p>Approval of report and recommendations following the Scrutiny Challenge Session: The Homelessness Reduction Act (2017) One Year on</p>	

Lead Member	Councillor Danny Hassell, Cabinet Member for Housing
Originating Officer(s)	Una Bedford, Strategy & Policy Officer (Place)
Wards affected	All wards
Key Decision?	No
Forward Plan Notice Published	16 March 2020
Reason for Key Decision	This report has been reviewed as not meeting the Key Decision criteria.
Strategic Plan Priority / Outcome	<ol style="list-style-type: none"> 1. People are aspirational, independent and have equal access to opportunities: 2. A borough that our residents are proud of and love to live in. 3. A dynamic outcomes-based Council using digital innovation and partnership working to respond to the changing needs of our borough.

Executive Summary

This report details the recommendations of the Housing and Regeneration Scrutiny Sub-committee following the scrutiny challenge session held on 2nd March 2020. The challenge session set out to understand the impacts of the new Act on residents and on the council, which have arisen from the implementation of the Homelessness Reduction Act (HRA - 2017), which came into effect from 3rd April 2018.

The challenge session was held just before the first National lockdown was introduced because of the emerging Covid-19 pandemic. Consequently, the Council's scrutiny activities were curtailed with the resumption of its activity in the autumn of 2020.

Over that period, the membership and chair of the H&RSSC changed and work to improve the Housing Options Service was progressed. At the first "re-convened" meeting held on 3rd November 2020, Members were not able to approve the report and its findings, due to the effluxion of time, and requested that:

1. A resumed/additional challenge session be arranged to re-explore the matters raised in the report and draft new recommendations, if appropriate.
2. Any resumed/new challenge session to include consideration of evidence provided by councillors from beyond the sub-committee.

After further discussion between the Chair and senior officers, it was agreed that the report arising from the challenge session would be distributed to both current and previous sub-committee Members for them to review content and suggest amended recommendations.

In the time between holding the challenge session and the resumption of the H&RSSC meetings, the Housing Options Service has continued to push forward with its transformation programme and has developed its operational practices to encompass appropriate ways of working as necessitated by the pandemic. Therefore, as a consequence of time moving on since the original scrutiny challenge session, while all the recommendations are accepted by the Housing Options Service, some of the recommendations within this report will not be progressed until such time that we move out of national lockdown and return to normal business as usual activity - see recommendations 1, 2 and 5 within the Action plan.

Other recommendations, namely 2,3,7 and 8, have already been superseded by the operational changes arising from the pandemic. It is important to note that the Housing Options Service has, since the original scrutiny challenge session, embarked on the Customer Access Programme, including the soon to be launched new automated customer self-service (ACD) programme and commenced the Homelessness Transformation Programme. This will ensure service is more efficient, offers better outcomes and service improvement for applicants. The Action Plan in Appendix 2 clearly demonstrates where the Housing Options Service has moved forward since the original challenge session and provides the rationale where certain recommendations will be followed at a later date or have been adapted due to changes in the delivery of the Housing Options Service.

As a result, the original report and recommendations emanating from the challenge session has been amended, as discussed with the Chair and current members, to reflect the progress of the Housing Options Service. The final report and recommendations were approved at the recent meeting of the H&RSSC on 10th February 2021.

Recommendations:

The Mayor is recommended to:

1. Consider the report (Appendix 1) of the scrutiny challenge session on Homelessness Reduction Act (2017) One year on and agree the action plan (Appendix 2) in response to the report recommendations.

1 REASONS FOR THE DECISIONS

- 1.1 The scrutiny challenge session was commissioned, as part of the Housing and Regeneration Scrutiny Sub-Committee's work programme, 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.

- 1.2 This report seeks the endorsement of the cabinet for the challenge session recommendations. The Council's constitution requires the Executive to respond to recommendations from scrutiny and this report fulfils that requirement.

2 ALTERNATIVE OPTIONS

- 2.1 To take no action, or not to agree the recommendations set out in the report is not advisable as the report outlines work undertaken by Councillors, officers and external partners to identify areas of improvement and the Council's response which identifies actions it will take to respond to these scrutiny recommendations.

3 DETAILS OF THE REPORT

- 3.1 The Homelessness Reduction Act (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.
- 3.2 The Act placed 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.
- 3.3 The Homelessness Reduction Act (HRA) added two new duties to the original statutory rehousing duty: the duty to prevent homelessness, and the duty to relieve homelessness.
- 3.4 Further 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
- 3.5 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.
- 3.6 The challenge session heard evidence from senior officers from the Housing Options Service. The session identified several key areas where the council can make changes to improve the council's homelessness provision and the service provided to residents who seek the council's assistance.
- 3.7 The challenge session made eight recommendations to enhance the service provided to residents from the Housing Options Service in relation to the council's duties contained within the Act. The report with recommendations is attached at Appendix 1.

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.

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.

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.

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.

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.

Recommendation 6: Develop and implement a plan for a new IT solution which is effective and efficient for the Housing Options Service.

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.

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

4 EQUALITIES IMPLICATIONS

4.1 The Council has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct under the Act;

- Advance equality of opportunity between people who share those protected characteristics and people who do not; and
 - Foster good relations between people who share those characteristics and people who do not.
- 4.2 The Housing Options Service has a critical role in ensuring that the council meets its duties as under the Act by ensuring that residents receive the housing advice and support that they need .
- 4.3 This report seeks to ensure that these recommendations can be acted on to further assist the Housing Options Service in its Homelessness Transformation Project which has, since the original challenge session, been instigated bringing service improvements to ensure the provision of housing advice and support for residents meets the expectations and needs of residents.

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.
 - Data Protection / Privacy Impact Assessment.

5.2 There are no other statutory implications.

6 COMMENTS OF THE CHIEF FINANCE OFFICER

6.1 There are no direct financial implications emanating from this report which approval of the recommendations made by the Housing and Regeneration Scrutiny Subcommittee following the scrutiny challenge session held on 2nd March 2020 relating to the impact that the Homelessness Reduction Act has had on residents and the Council.

6.2 The Homelessness Reduction Act places new legal duties on LBTH 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. LBTH received £1,554,181 of Homelessness Reduction Act (New Burdens) funding for the three-year period 2017/18 go 2019/20 to fund the implementation of these duties, apportioned as follows

- 2017/18 - £585,565
- 2018/19 - £511,646
- 2019/20 - £483,970

- 6.3 This funding was predominantly used on additional staffing. These posts were recruited too on fixed term contracts and any unspent funding was transferred to an earmarked reserve at the end of each financial year. The balance on the reserve is currently £535,776. This reserve balance will be utilised to meet any further cost of implementing the recommendations outlined in this report.
- 6.4 It is proposed that any ongoing costs relating to the implementation of the Homelessness Reduction Act will be contained within existing budgetary provision.

7 COMMENTS OF LEGAL SERVICES

- 7.1 The Homelessness Reduction Act 2017 (“HRA”) introduced with effect from 3 April 2018, placed additional duties on housing authorities, requiring earlier intervention and for steps to be taken to ‘prevent’ homelessness and to provide ‘relief’ from homelessness. Homeless applicants are entitled to assistance to avoid becoming homeless, those already experiencing homelessness are now able to access assistance regardless of whether they have a priority need.
- 7.2 Some of the key measures in the HRA included:
1. Requiring housing authorities to provide advice and information regarding homelessness and its prevention;
 2. Extending the period during which an authority should treat someone as threatened with homelessness from 28 to 56 days (including when a valid section 21 notice has been served and is due to expire within 56 days);
 3. New duties to prevent and relieve homelessness regardless of priority need and intentionality, including support to help prevent homelessness for people not locally connected;
 4. Introducing assessments and personalised housing plans (PHPs), setting out the actions housing authorities and individuals will take to secure accommodation; and
 5. Introducing for public bodies a new ‘duty to refer’ to a housing authority any consenting individual they come across who is homeless or threatened with homelessness
- 7.3 Personal Housing Plans must be tailored to the applicant’s particular needs and steps should be recorded clearly. Homeless applicants have a right to review the decisions made by the Council, so it is important that those decisions are sufficiently detailed and provided in a timely manner in accordance with any legislative requirements. Recommendation 7 will assist in compliance with these requirements.
- 7.4 The Homelessness Act 2002 requires the council to have a homelessness strategy. The recommendations in the report, if approved should be reflected in the strategy.
- 7.5 When considering the recommendations regard must be given to the public sector equalities duty to eliminate unlawful conduct under Section 149 Equality Act 2010. It requires the Council, when exercising its functions, to have ‘due regard’ to the need to eliminate discrimination (both direct and indirect discrimination), harassment and victimization and other conduct prohibited under the Act, and to advance equality of opportunity and foster good relations between those who share a ‘protected characteristic’ and those who do not share that protected characteristics. The recommendations are consistent with these duties.

Linked Reports, Appendices and Background Documents

Linked Report

- NONE.

Appendices.

- Appendix 1: Report of the Housing and Regeneration Scrutiny Sub-Committee 'The Homelessness Reduction Act (2017) – One year on'.
- Appendix 2: Action Plan arising from the Homelessness Reduction Act (2017) – One year on challenge session.

Background Documents

- NONE

Officer contact details for documents: Una Bedford: una.bedford@towerhamlets.gov.uk;