

Report To:	Scrutiny Panel B	Date:	21st Nov 2017
Heading:	IMPLEMENTING THE HOMELESSNESS REDUCTION ACT 2017		
Portfolio Holder:	PORTFOLIO HOLDER FOR HOUSING & ASSETS - CLLR K MORRISON		
Ward/s:	ALL		
Key Decision:	NO		
Subject to Call-In:			

Purpose of Report

This report is the latest report to be considered by Members in respect of the Council's Homelessness Service. Access to homelessness services was previously approved by Members as a topic for consideration and review.

The Homelessness Reduction Act 2017 will bring about fundamental change to the way in which homelessness services are accessed and delivered. This report will identify the main changes and summarise what action the Council, in partnership with Mansfield District Council (MDC) is taking to ensure our service is compliant with the Act.

Recommendation(s)

Members are requested to;

- 1. Take note of the content of this report and the proposed changes to the delivery of the Council's front line statutory homelessness service.**
- 2. To consider and comment upon the actions being taken to implement the requirements of the Homelessness Reduction Act 2017, including priorities for expenditure.**

Reasons for Recommendation(s)

The Homelessness Reduction Act 2017 becomes law in April 2018. Our existing homelessness service needs to adapt to ensure the service MDC provide and for which ADC is statutorily responsible reflects the new requirements.

It is important that Members understand the changes that are being made to the service and the new statutory duties placed on the Council. Likewise, it is important Members have the opportunity to feed into the implementation process and raise any comments or concerns so they can be considered and addressed before the revised service goes live.

Alternative Options Considered (With Reasons Why Not Adopted)

Not to consult with Members. This was not considered as Members wished to be kept informed of progress and their input into the implementation process is important.

Detailed Information

Homelessness Reduction Act 2017 – Key changes

The Homelessness Reduction Act 2017, originated as a Private Members Bill, tabled by Conservative back bencher Bob Blackman, focuses on the need for increased prevention of homelessness. The Act amends Part 7 of the Housing Act 1996.

The main changes to existing legislation / policy are summarised below:

- The Act extends the period during which someone might qualify as threatened with homelessness from 28 days to 56 days.
- There will be a duty to consider an applicant as threatened with homelessness if they present a valid section 21 notice. Such notices are normally served on tenants with an assured shorthold tenancy (where they have not violated the terms of their tenancy agreement).
- Where an applicant is homeless or threatened with homelessness an assessment must be conducted and a personal housing plan agreed. The Council must work with the applicant on the agreed actions with the aim of ensuring the applicant has, and is able to retain suitable accommodation.
- For applicants who are threatened with homelessness, regardless of priority need, the Council will have a duty to take reasonable steps to prevent their homelessness. The prevent duty will last for 56 days.
- For those applicants who become homeless the Council will have a duty to relieve their homelessness. This will apply to all applicants irrespective of their priority need. The relief duty will last for 56 days.
- Free homelessness advice and information should be available to any person in the local authority area. Services should be designed to meet the needs of vulnerable groups, including care leavers, victims of domestic abuse, people released from prison, former HM Armed Forces personnel, etc.
- There will be a duty requiring all specified public authorities to notify the Council of service users they think may be homeless or at risk of homelessness.
- There is an extension to the applicant's right to request a review of homelessness decisions in relation to the new duties.

For further information please see Appendix 1 – Get in on the Act : Homelessness Reduction Act 2017.

Understanding the impact

From an applicant point of view, increased early intervention to prevent and relieve homelessness should result in a greater number of people being assisted to find a solution to their housing needs before they reach crisis point.

We know that once an applicant becomes homeless it can have a significant impact on their health, well-being and a whole range of other personal factors, including employment. It also has wider implications for the local community, economy and for public services. Recovering from the setback of being made homeless can take time and so action to minimise the number of people who find themselves in this position will have far reaching benefits.

From the Council's point of view, we are unlikely to see a significant increase in the number of people who approach us for assistance. A slight increase is likely due to the duty on other public bodies to refer people who they believe to be homeless or threatened with homelessness. The big change will be the level of help and support provided to each person and when that assistance starts. The Government estimate that casework associated with homelessness prevention will increase by 26%. In areas where the new service has been piloted the figure has exceeded 30%. To ensure we can meet the challenge there is a need to work with MDC to review resources, including the structure of the Housing Options Team and roles within the Team, plus a need to review and revise existing procedures.

Other likely impacts on the Council include;

- Greater pressure on temporary accommodation, at least in the short term. The number of applicants accommodated is unlikely to change but there is concern that the average time spent in temporary accommodation will increase due to the extended duties (56 days). The experience in Wales, where the new duties have been in place for some time, show a reduction in the use of temporary accommodation in the long term as more applicants receive assistance before they need to be considered for temporary accommodation.
- Significant increase in the number of requests to review homelessness decisions. The review process is often lengthy and can be resource intensive.
- Significant increase in administrative resources needed to support the service. Extending the duty period and introducing new processes and procedures, such as Personal Housing Plans will create additional administrative work. Utilising new technology, automating the service where possible will hopefully go some way towards minimising the extra burden.
- Need to review and replace the existing homelessness ICT software. The current software reflects the existing service and the homelessness rules and regulations that govern how it is delivered. The software is not capable of accommodating the new prevention and relief duties, nor can it produce Personal Housing Plans or the new homelessness monitoring information the Council will need to submit to the Government each quarter.
- Pressure to develop and make available a wider range of affordable housing solutions. The expectation is that applicants seeking assistance will be helped to remain where they are or be assisted to find suitable alternative accommodation. Pointing applicants in the direction of other housing options will not be enough. Our duty will be to assist the applicant identify and access accommodation meaning a greater need to find solutions in the private sector, including private renting.
- Reduction in the number of homeless applicants who reach the end of the assistance process and who we accept a duty to rehouse in Council accommodation.

Funding the change

The Homelessness Reduction Act 2017 received Royal Assent in April 2017. However, it was only in October 2017 that a draft Code of Guidance was published and that the New Burdens funding, to help local authorities implement the Act, was announced.

Out of the £72.7 million set aside for New Burdens funding Ashfield District Council will receive the following;

	2017/18	2018/19	2019/20	Total
Ashfield	£36,983	£33,877	£43,685	£114,545

There is unlikely to be any additional New Burdens funding after 2019/20.

In addition, the Council will receive £51,000 Flexible Homelessness Grant allocation in 2017/18 and a further £54,000 in 2019/20. At this stage funding beyond this date is unknown.

Finally, in October 2017 the Government announced a further pot of £3 million to help local authorities with their ICT system requirements. The council is yet to receive notification of its allocation but it is not expected to be significant (anticipated £9000).

Implementing change

Since April 2017 regular meetings have been held with MDC regarding the implementation of the Act. These meetings will continue up to and beyond the implementation date. An outline Action Plan has been devised. Now that announcements have been made in respect of the Code of Guidance and funding further detail can be added to the Plan.

The focus has been on the following key areas;

- Staffing resources – including the Team size/structure, skills, culture and training requirements.
- ICT software – the need to identify and procure suitable ICT to effectively operate the service, making as many services available online as possible.
- Operational procedures – existing processes, protocols, documents and forms will all need to be reviewed to ensure we are able to meet our new duties.

To help us understand a little more about how the new duties will impact locally MDC conducted an exercise looking at who sought assistance as homeless during a defined period. They considered the assistance each individual received under the current regulations and assessed how much assistance each person would receive under the new duties.

Although it was only a snapshot in time the exercise did back up what has been widely publicised that casework will increase by one third and that more resources will need to focus on prevention services.

MDC are currently reviewing staffing requirements, not just the number of staff needed but also the role of officers within the Team. We know that we will need more officers to focus on early intervention casework, we are also considering if resources are needed to engage with private landlords in order to identify and make available other affordable housing options.

In respect of the structure of the team and the number of officers needed, we hope to work with MDC to finalise this by the end of the year (31/12/17) so that the recruitment of any additional officers can be completed well in advance of the implementation date.

Ensuring officers are appropriately trained and equipped to meet the requirements of the Act is underway and will continue over forthcoming months. Raising awareness training for all officers is complete and further specialist training is planned for November 2017. The changes associated with the Act will be significant and will bring with them a different ways of working, needing different skill sets. As new processes, procedures and ICT are developed so training will run alongside.

To date ICT has been the other main area of focus. The existing software will not be fit for purpose and will not be updated to reflect the requirements of the Act. Moving forward, to minimise additional administration, reduce unnecessary contact and to offer as many self service functions as possible, it is important we have a fully functioning online ICT solution.

The software used to deliver the Lettings Service is a tried and tested online solution. It allows users to set up their own account and to access and manage information. The software

provider offers additional modules, including Homelessness and Enhanced Housing Options modules. These modules have been investigated as fully as possible and they have been identified as our preferred option. Combining the Homelessness service ICT with Lettings will ensure applicants have one place to go to in respect of their housing needs. The only concern is that all new software solutions associated with the Homelessness Reduction Act 2017 are still in development and so are not tried and tested.

In respect of procedures, protocols, documents and forms, MDC has started to review these. They have been able to access a growing library of documents and good practice produced by other local authorities, agencies and Housing Professionals. Discussions have also been ongoing through the countywide Homelessness Managers forum. Importantly, front line officers, those who will be responsible for delivering the new service have been involved in the review process.

A key new duty will be to agree and produce Personal Housing Plans for each applicant seeking assistance. MDC are in the process of drafting Plans, the intention being that they will be finalised, approved and piloted in advance of the Act being implemented.

Other actions under consideration include;

- How we engage with those public bodies who have a duty to refer to us people they consider to be homeless or threatened with homelessness.
- The need for a homelessness prevention fund so that resources are available to assist applicants to stay where they are or helped to access alternative accommodation (rent in advance, deposits, etc).
- The range and focus of advice services. The Act makes it clear that Advice services should be made available free of charge and they should be designed to meet the needs of vulnerable people.

Whilst a lot of good work has already taken place in respect of the implementation of the Act there is a significant amount outstanding and the next 6 months will be challenging for both Council's.

Implications

Corporate Plan:

The content of this report has a direct positive impact on the following commitment to;

'Ensure that we understand the reasons for homelessness and adopt measures to assist those affected and prevent where possible.'

Legal:

The Homelessness Reduction Act 2017 amends Part 7 of the Housing Act 1996. From April 2018 local authorities will have to work to the requirements of the new legislation. As the Council has a shared service with MDC, the Council need to ensure that the SLA and its staffing structure are prepared and financially resourced to deal with the increased demands from the service as the Council still retain the statutory obligations and duties towards homeless households in the District.

Finance:

Budget Area	Implication
General Fund – Revenue Budget	<p>The Flexible Homelessness Grant of £51k for 2017/18 has been received. A further £54k will be forthcoming in 2018/19.</p> <p>In addition, the council will receive New Burdens funding of £36,983 in 2017/18, £33,877 in 2018/19 and £43,685 in 2019/20.</p> <p>An additional small, one-off payment, for an unspecified amount is likely to be received in 2017/18 to help towards ICT development costs.</p>
General Fund – Capital Programme	Not applicable
Housing Revenue Account – Revenue Budget	Not applicable
Housing Revenue Account – Capital Programme	Not applicable

Risk:

Risk	Mitigation
The Council not being in a position to fulfil its statutory homelessness duties.	Effective project planning and management is in place with MDC. Clear priorities agreed and action plan in place with challenging but achievable milestones.

Human Resources:

Additional staff will be required within the shared service to deal with extra prevention duties and the increased number of reviews. Existing staff roles may also need to be reviewed.

Equalities:

No identified issues.

Other Implications:**Reason(s) for Urgency (if applicable):**

Background Papers

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