

Report To:	CABINET	Date:	15 MARCH 2018
Heading:	HOMELESSNESS REDUCTION ACT 2017 – UPDATE		
Portfolio Holder:	HOUSING AND ASSETS		
Ward/s:	ALL		
Key Decision:	NO		
Subject to Call-In:	YES		

Purpose of Report

This report provides an update to Members on the Homeless Reduction Act 2017 ('the Act') which 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, via the shared Housing Options Service with Mansfield District Council (MDC), is taking to ensure our service is compliant with the Act.

Recommendation(s)

1. That Members endorse the content of this report and the proposed amendments to the delivery of the Council's statutory homelessness service
2. That delegated authority is granted to the Director of Housing and Assets to implement the proposals in this report and make use of the additional grant allocation to ensure the Council's service is compliant with the Act.

Reasons for Recommendation(s)

The Homelessness Reduction Act 2017 comes into force in April 2018 and places additional responsibilities on local authorities. Our existing shared homelessness service, provided by MDC, needs to adapt to ensure it reflects the new requirements.

The Council has been awarded an additional £228,545 grant funding by MHCLG for the period 2017-2020 to implement the Act.

It is important that Members understand the changes that are being made to the service and the new statutory duties placed on the Council. Scrutiny Panel B received an update in November 2017 on the Act and the action the Council will take to ensure compliance.

The above recommendations will enable the Council's services to respond to these new requirements and ensure the service provided via MDC is compliant with the Act.

Alternative Options Considered

(with reasons why not adopted)

Not to update Members or enable the grant funding to be utilised to meet the new requirements of the Act – Not considered as Members wish to be kept informed of the new requirements and the actions required to ensure the shared homelessness service provided via MDC remains compliant with all homelessness legislation.

Detailed Information

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 and takes effect from 1st April 2018.

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 prevention 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.

As a result of these changes, it is anticipated that a greater number of people will be assisted to prevent or relieve their homelessness before reaching crisis point. Whilst the Council does not anticipate a significant increase in the number of people seeking assistance, a significant increase in casework is expected as the Council is required to agree a personal housing plan with every applicant and to work with them for up to 112 days, longer if they are owed the main housing duty and placed in temporary accommodation. Evidence from a pilot of the Act in Southwark suggests a 30% increase in applicants, who spend on average 85 days in the prevention stage and 51 days in the relief stage.

It is also anticipated that there will be a greater demand for temporary accommodation, at least in the short term. This is as a result of the extended duty to relieve an applicant's homelessness for 56 days prior to accepting a main duty towards them. However, in the long term it is expected that the use of temporary accommodation will decrease as applicants are prevented from becoming homeless and as the shared homeless service increases its work with the private rented sector and others to offer a range of housing options to applicants. As such it is expected that there will be a reduction in the number of applicants owed the main housing duty as their case is successfully prevented or relieved during the 112 days.

In order to meet these new responsibilities, the shared homelessness service will require additional staffing, training, new procedures and also IT software, particularly to complete the additional administrative work such as personal housing plans and to record the monitoring information required by MHCLG. The additional burden on local authorities to deliver the requirements of the Act has been recognised and the Council has been awarded additional grant funding as follows:

Funding	2017/18	2018/19	2019/20	Total
Flexible homelessness grant	£51,501	£54,762	TBC	£105,000
New burdens	£36,983	£33,877	£43,685	£114,545
ICT Development	£9,202	£0	£0	£9,000
Total	£97,686	£88,639	£43,685	£230,010

The Council is working with MDC to agree how this additional grant funding should be allocated to ensure the shared homeless service will be able to meet the new requirements of the Act. The current proposal is to fund:

- 3.5 additional members of staff (x3 Early Intervention Officers and x 0.5 Housing Solutions Administrator)
- Purchase of the Homelessness and Enhanced Housing Options module from Abris, who currently provide the Council's Choice Based Lettings (CBL) system software
- A homelessness prevention fund

The homelessness prevention fund would adopt a spend to save approach and focus on priority need applicants in order to avoid the use of expensive temporary accommodation. As appropriate to each case, the fund could be used for deposits, rent in advance, letting agent fees, static arrears, travel costs, payments to friends and family, etc. To maintain the fund and support as many applicants as possible, wherever appropriate, monies will be recovered and recycled.

The Council will also be working with MDC and Newark & Sherwood District Council to monitor the impact of the Act and to develop a joint Homelessness Strategy in the coming months.

To respond to the above changes, the Director of Housing and Assets is recommending the appointment of (in conjunction with the shared service) additional staffing resources, the funding of new prevention initiatives and the introduction of a new IT system to ensure the shared homelessness service can meet the requirements of the new Act. The cost associated with these additional resources will be met within the existing shared service budget and the additional grant monies received.

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 amends Part 7 of the 1996 Housing Act. From April 2018, local authorities will have to work to the requirements of the new legislation, as Ashfield 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 number of applicants and reviews as ADC 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. It is not yet known if funding will be available beyond 2018/19.</p> <p>In addition, the Council has received New Burdens funding of £37k in 2017/18, with a further £34k due in 2018/19 and £44k due in 2019/20. There will be no further funding from New Burdens beyond 2019/20.</p> <p>A one-off payment of £9k has been 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 ensure the service complies with the additional requirements of the Act. Any recruitment will be undertaken in accordance with the Host Authority's policies and procedures and will be employed by the Host (MDC) under their terms and conditions.

Existing posts may also need to be reviewed and in the event of changes being recommended there will be appropriate consultation with the post holders in line with the Host's Restructuring Policy.

Equalities:

(to be completed by the author)

No identified issues.

Other Implications:

(if applicable)

Reason(s) for Urgency

(if applicable)

Reason(s) for Exemption

(if applicable)

Background Papers

(if applicable)

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