

Report of Head of Housing Support

Report to Director of Resources and Housing

Date: 8 May 2018

Subject: Implementation of the 2017 Homelessness Reduction Act

Are specific electoral wards affected? If yes, name(s) of ward(s):	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, access to information procedure rule number: Appendix number:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Summary of main issues

1. The 2017 Homelessness Reduction Act will come into force on 3 April 2018 and represents the most significant change to homelessness legislation since the 1977 Homeless Persons Act. The Act introduces into law a duty on the part of each local authority to prevent homelessness. Each authority will also have to develop a personalised housing plan for each eligible person.
2. The government has earmarked £71m for local authorities to meet the new legal duties set out in the Act and Leeds City Council is to receive £561k between 2017/18 and 2019/20 from this fund. Approval was given in February 2018 to use the funding to create additional posts at Leeds Housing Options and to supplement the existing Homeless Prevention Fund value.
3. An under-spend of another homeless related grant, Flexible Homelessness Support Grant, of £160k has been identified. It is proposed to use this funding, over a two year period, to fund additional posts to better meet the new legal duties.

Recommendations

- 1 Create two additional Senior Housing Advisor posts and, for two years, fund these through the Flexible Homelessness Support Grant under-spend.

1. Purpose of this report

- 1.1 To approve the creation of two additional Senior Housing Advisor posts at Leeds Housing Options to better meet the demands of the Homelessness Reduction Act.

2. Background information

- 2.1 The 2017 Homelessness Reduction Act represents the most significant change in the legal position relating to homelessness since the 1977 Homeless Person's Act. The main changes in the Act are as follows:
 - 2.2 A person is deemed to be threatened with homelessness if they are likely to lose their accommodation within a 56 day period rather than 28 days as set out in the 1996 Housing Act (as amended).
 - 2.3 Each local authority to publish details of how it intends to prevent homelessness, to help people secure alternative accommodation, their rights as people who are homeless or threatened with homelessness, what services are available and how people can access these services. Service delivery should be targeted at groups including, but not limited to, care leavers, victims of domestic violence, people leaving hospital, people suffering from mental or physical ill-health, those leaving prison and armed forces leavers. This replaces the duty to provide housing advice to any person who requires it.
 - 2.4 The 1996 Housing Act (as amended) requires local authorities to accept a temporary accommodation duty to people who are eligible for assistance, unintentionally homeless and in priority need. The Homelessness Reduction Act requires that a local authority assesses the circumstances of all eligible people and agree a personalised housing plan with the person. The personal housing plan must set out the circumstances that has led to homelessness/threat of homelessness and the housing/support needs of the person. The plan must then set out the agreed actions to help the person retain or secure alternative accommodation. The plan must be kept under review until a local authority decides that no further duty is owed to the person as a homeless person.
 - 2.5 The new Act introduces a duty on local authorities to prevent homelessness for all eligible people who are at risk of becoming homeless. The duty is to 'take reasonable steps' to ensure that accommodation remains available with this duty in place for at least 56 days. The steps taken to prevent homelessness must be set out in the personal housing plan. The prevention duty ends if the threat of homelessness is averted, the person accepts or refuses an offer of suitable accommodation, the person fails or refuses to engage with the actions agreed in the plan, or they become homeless. Decisions taken by an authority in relation to preventing homelessness are subject to statutory review by an independent council officer if the person requests this. If homelessness cannot be prevented, and the person has co-operated with the plan, then a homeless assessment, to determine the temporary accommodation duty, will be carried out.
 - 2.6 The new Act introduces a duty to relieve homelessness for all eligible people who are homeless. The duty is to 'take reasonable steps' so that accommodation becomes available with this duty in place for at least 56 days. The steps taken to relieve homelessness must be set out in the personal housing plan. The relief duty ends if

the applicants secures accommodation available for at least 6 months, the applicant refuses an offer of suitable accommodation or refuses to engage in the actions set out in the personal housing plan. Decisions taken by an authority in relation to relieving homelessness are subject to statutory review by an independent council officer if the person requests this. If homelessness cannot be relieved, and the person has co-operated with the plan, then a homeless assessment, to determine the temporary accommodation duty, will be carried out.

- 2.7 The Homelessness Reduction Act places a responsibility on applicants to co-operate with the local authority's efforts to prevent or relieve their homelessness. If it is considered that the person has 'deliberately or unreasonably refused' to take forward their agreed actions in the personal housing plan then the authority can serve a notice on them, setting out that it is considered they are not complying with their obligations, what the consequences of this could be and that they have a right to request a review of this potential decision. If a decision is taken that the person has not co-operated with the personal housing plan then a limited duty to secure temporary accommodation and longer-term housing will be owed.
- 2.8 The Council received £561k funding from government, to cover 2018/19 to 2019/20, to meet the additional burdens associated with the new Act. Approval was given in February 2018 to use this funding, over the two year period, to create posts at Leeds Housing Options and supplement Homeless Prevention Funding.
- 2.9 The Homelessness Reduction Act closely mirrors homeless legislation that has been introduced in Wales. The new English law has been piloted in the London borough of Southwark. The experience in Wales and Southwark has been that the obligation to develop a personal housing plan for each eligible person and the new homeless prevention/relief duties has increased work-loads by 26%. This isn't necessarily that more people are approaching the service for assistance; rather that the work needing to be carried out is more in-depth and formal. Essentially, people who were previously considered to not be in priority need for re-housing, and were offered verbal advice and assistance, now need a personal housing plan to be developed setting out how homelessness can be prevented or relieved.
- 2.10 Leeds received an allocation of £1.636m Flexible Homelessness Support Grant in 2017/18 which was used to fund a range of staffing and other interventions to 'prevent and deal with homelessness'. The posts were costed from the beginning of April 2017 and funded for two years. The government initially announced allocations for 2017/18 and 2018/19 and, because posts were recruited to part way through 2017/18, it was intended to carry forward staffing under-spends into 2019/20 to provide funding for two years from the date of recruitment. The government has recently announced FHSG allocations for 2019/20. This means £160k of FHSG from 2017/18 is available to spend on other purposes.

3 Main issues

- 3.1 The experience of the Act to date, four weeks into implementation, is that the additional work burdens are significant with an increase in workload primarily to the need to develop Personal Housing Plan for every eligible homeless person.
- 3.2 It is proposed to use the under-spend on the Flexible Homelessness Support Grant to create two additional Senior Housing Advisor posts, funded for two years, at Leeds

Housing Options. It is proposed to create two Senior Housing Advisor posts because the additional skills/experience associated with these posts, in comparison to Housing Advisor posts, will generate swifter and more effective decision making.

- 3.3 The posts will be recruited to on the existing job description for the Senior Housing Advisor post that has been subject to job evaluation. The job description is appended to this report.
- 3.4 The current cost per post (highest SO2 spinal point) is £37,891 per year for 2017/18 and, assuming a 2% uplift for 2018/19 and 2019/20, the full two year cost of funding the posts is £156k.
- 3.5 Workforce Implementation Plan: The workforce implementation plan for recruiting to the proposed new posts has been developed in line with corporate policy. The posts are additional to the existing Housing Support structure and no officer will be adversely affected by the proposal. It is proposed that the posts will be firstly matched to people who have been displaced from their previous post and then, if required, the remaining posts will be advertised on an internal basis across the Council.
- 3.6 The proposed workforce implementation plan has been conveyed to Trade Union representatives. The feedback from the Trade Unions is that they are content with the proposals and, most specifically, that the posts will be recruited to through an internal process.

4 Council Policies and Best Council Plan

4.1 Consultation and Engagement

- 4.1.1 The workforce implementation plan is set out in paragraphs 3.5 to 3.6. No existing staff will be adversely affected by the proposal. Officers within the Housing Support service have been advised of the proposals. Details of the new posts and workforce implementation plan have been conveyed to the trade unions and no issues of concern have been raised.

4.2 Equality and Diversity/Cohesion and Integration

- 4.2.1 A copy of the Equality Diversity Cohesion and Integration report has been appended to this report.

4.2 Council Policies and City Priorities

- 4.2.1 Minimising homelessness through a greater focus on prevention is one of the Housing priorities to be included in the Best Council Plan 2018/19 to 2020/21.

4.3 Resources and Value for Money

- 4.3.1 The proposal to safeguard government funding made available to meet the requirements of the new Homelessness Reduction Act will enable the Council to fulfil its new legal duties. The cost benefits of investing in homeless prevention,

especially in comparison to the cost of temporary accommodation placements, are well understood.

4.4 Legal Implications, Access to Information and Call in

- 4.4.1 The report represents a significant operational decision and therefore is not eligible for call in.
- 4.4.2 The report sets out the new legal duties relating to homelessness and the Council's commitment to fulfil these new legal duties.

4.5 Risk Management

- 4.5.1 The proposal to safeguard the use government funding to meet the homelessness duties, and to use this funding for staff training/additional staffing and to invest in prevention initiatives, will ensure that the Council effectively fulfils its legal duties to homeless people.

5 Conclusions

- 5.1 The 2017 Homelessness Reduction Act represents the most significant change to the legal framework relating to homelessness since 1977. Every eligible person will have a personal housing plan developed setting out how we intend to prevent a threat of homelessness, relieve their homelessness and meet our legal duties to people. The Council is actively preparing for the introduction of the new Act in respect of training staff and updating practice. The use of government funding will enable the Council to put in place the right staffing resources and to invest in additional prevention initiatives.

6 Recommendations

- 6.1 To approve the creation of two additional Senior Housing Advisor posts at Leeds Housing Options to better meet the demands of the Homelessness Reduction Act

6 Background documents

- 7.1 Job Descriptions for Senior Housing Advisor post.