



Report of the Neighborhoods and Housing Department

Neighbourhoods and Housing Scrutiny Committee

Date: 17/08/2006

Subject: Temporary Accommodation for Young People

Electoral Wards Affected:

Specific Implications For:

Ethnic minorities

Women

Disabled people

Narrowing the Gap

Executive Summary

Leeds City Council has a legal requirement to secure suitable temporary accommodation for households to whom some form of housing duty is owed under the homeless legislation. This duty can only be discharged in certain circumstances, the most common of which is the offer of a permanent tenancy through one of the Leeds ALMOs or a housing association. The Council will initially carry out some form of assessment to determine whether a housing duty is owed before temporary accommodation is secured. The Bed State Team based at the Housing Advice Centre is responsible for making temporary accommodation placements during standard working hours. If temporary accommodation is required outside of standard working hours then a placement will be organised by one of the Leeds City Council managed direct access hostels in conjunction with the Emergency Duty Team of the Social Services Department.

The Council is committed to using a range of temporary accommodation providers and types of accommodation in order to promote customer choice and deliver better value for money. The Council has a contract with four private organisations to supply emergency accommodation to households who are owed a housing duty. The four organisations provide a mixture of self-contained and shared accommodation that is dispersed across the city.

A household placed in temporary accommodation has a legal right to request a review of the suitability of the accommodation secured for them.

1.0 Purpose Of This Report

- 1.1 To give Scrutiny Board members information relating to the legal duties owed by the Council to homeless young people and how the Council carries out these duties in terms of securing suitable temporary accommodation.

2.0 Background Information

- 2.1 The Council is defining young people as being housing applicants who are aged under 25 years.
- 2.2 The 1996 Housing Act (as amended by the 2002 Homelessness Act) sets out the duties owed by housing authorities to homeless households.
- 2.3 A housing authority has a legal duty to carry out appropriate inquiries into the circumstances of a household who approaches requesting assistance because they are homeless or threatened with homelessness. The inquiries carried out will establish whether the applicant is eligible for assistance, unintentionally homeless and in priority need. If these criteria are fulfilled then a Council will have a legal duty to secure suitable temporary accommodation for an indefinite period of time. The duty to secure suitable temporary accommodation can only be discharged on certain grounds – the most common of which is the offer of a permanent tenancy through one of the Leeds ALMOs or a housing association.
- 2.4 If the criteria set out in paragraph 2.2 are not met (the applicant is found to be ineligible for assistance, not homeless, not in priority need or intentionally homeless) then the Council does not owe an indefinite duty to secure suitable temporary accommodation. If an applicant is found to be intentionally homeless but has a priority need then the Council has a duty to secure suitable temporary accommodation for a 'reasonable' period of time in order for the household to secure alternative accommodation. For other households the Council merely has a duty to offer advice and assistance to enable the applicant to secure their own accommodation.
- 2.5 An applicant can request a review of the decision taken by the Council not to accept a housing duty. The Council has the power to secure suitable temporary accommodation for the applicant pending a decision being made on the review. The Council is minded to secure accommodation whilst a review is being heard in most instances.
- 2.6 An applicant has a priority need if they meet certain criteria. Having dependent children or pregnant family member, being 16 or 17 years of age or being a care leaver who is under 21 years of age mean that an automatic priority need will be established. The Council has the discretion to accept that an applicant has a priority need if they believe them to be 'vulnerable' on the basis of physical or mental ill-health, learning disability, history of institutional living, being subject to violence/abuse or for another 'special reason' such as having dependency issues or being a former asylum seeker.
- 2.7 Young homeless persons will have an automatic priority need if they are aged 16/17 years and/or have a history of care and/or have dependent children and/or are pregnant. If these criteria are not met then the Council will need to determine whether they are 'vulnerable' on any of the grounds set out in paragraph 2.5.
- 2.8 In quarter 1 2006/2007 the Council accepted a statutory homeless duty towards 453 households, of which 170 were aged 25 or under. Of the 170 households, 20 were

a couple with dependent children and a further 44 were lone parents. 106 were single young people. 102 of the applicants aged 25 or under were 'homeless at home' and 68 were placed into temporary accommodation.

3.0 Main Issues

- 3.1 Wherever possible, the Council will endeavour to work with a young person to prevent their homelessness. To this end, the Council has established a mediation service in partnership with Archway (a voluntary sector young persons agency). While not all homelessness amongst young people is as a result of relationship breakdown with their parents, homelessness for this reason has historically been high in the city. Since the commencement of the mediation service, the city has seen a 41% reduction in homelessness as a result of parental eviction (Quarter 1 2004/2005 122 acceptances reduced to 72 acceptances in Quarter 1 2006/2007).
- 3.2 Unfortunately it is not always possible to prevent homelessness. If an applicant is owed a housing duty then the Council will secure suitable temporary accommodation. This is generally done by the Bed State Team which is based at the Housing Advice Centre. They will be aware of all available temporary accommodation options and will arrange for the applicant to be placed in the option that best reflects their needs. The Council will need to make such a placement if they have completed the necessary inquiries and a housing duty is owed. However, the case details may be quite complex and certain supporting information may need to be obtained. The Council will therefore make a placement in temporary accommodation whilst these inquiries are carried out. Likewise, an applicant may become homeless in an emergency and require accommodation without there being an opportunity for a full assessment of their circumstances to be carried out. In such instances temporary accommodation will be secured by the Council's direct access hostels and the Emergency Duty Team. A full assessment of duty will be carried out on the next working day.
- 3.3 Some units of temporary accommodation are commissioned and funded through the Supporting People programme. The Supporting People programme is administered by Leeds City Council and commissions the provision of supported housing in the city. Supported housing is either accommodation based (support is tied to particular accommodation) or floating support: support is attached to the particular customer. The Supporting People programme organises services into one of four tiers of provision: Prevention, Emergency, Resettlement 1 and Resettlement 2.
- 3.4 The Emergency tier relates to accommodation based support that can be accessed on an immediate basis and is designed to be short-term in relation to residence. Resettlement refers to longer-term temporary accommodation that will often be accessed following residence in the emergency tier. The services that the Council uses to secure suitable temporary accommodation for young people are generally in the Emergency Tier such as the Hollies and Pennington Place Hostels. It is anticipated that young people will be moved as speedily as possible into more a more specialist resettlement service if needed.
- 3.5 The Supporting People programme currently commissions 471 units of support across 18 services and 7 organisations that are specifically for young people. 270 of these units provide accommodation based support and 201 are floating support units. None of these services are included within the Emergency Tier albeit that young people can still access services such as the Hollies and Pennington Place.
- 3.6 The Council has been anxious to establish a range of accommodation options (including dispersed self-contained accommodation) with a number of providers in

order to offer homeless households a greater level of choice and to deliver better value for money.

- 3.7 The Council has a formal contract arrangement with four private providers who supply a range of self-contained and shared accommodation units that can be accessed on an emergency basis. These units are dispersed across the city albeit that accommodation tends to be concentrated in the Leeds 7, 8, 9, 11, 12 postal districts. The four suppliers were contracted following a competitive tender exercise and the contract arrangement commenced in May 2006. The tendering process included an assessment on service quality. All four contractors have been accredited through the Council's Landlord Accreditation Scheme. The Council's Accreditation Scheme is managed by the Environmental Health Division of the Neighbourhoods and Housing Department.
- 3.8 These four suppliers are contracted to provide a housing management service and therefore are not funded through the Supporting People programme. It is recognised that many of the households who are placed with the private providers will have housing support needs and therefore support is provided through a range of floating housing support services that are contracted through the Supporting People programme.
- 3.9 On 14/08/2006 the Council secured temporary accommodation for 270 households with the private contractors – 210 of these households had dependent children or had a pregnant family member and 60 were single people.
- 3.10 Since April 2004 the Council has had a statutory duty not to place households with dependent children in bed and breakfast accommodation/other shared facility accommodation other than in exceptional circumstances and then for no longer than six weeks. The Council ensures that households with dependent children are placed in self-contained provision supplied by the four contractors, other than in exceptional circumstances (applicant requires accommodation on a weekend or during the night). Young People with dependent children or who are pregnant are placed in self-contained accommodation.
- 3.11 Of the 60 single people placed with the private contractors 20 were aged 25 or less and 6 were under 18 years of age. Single persons are generally placed in shared facility accommodation.
- 3.12 There is no legal requirement to provide single people with a particular type of accommodation, albeit that the 1996 Housing Act (as amended by the 2002 Homelessness Act) stipulates that the accommodation must be 'suitable'. Applicants have a right to request a review relating to the suitability of the temporary accommodation that has been offered to them. This right of review stands whether they decide to accept the offer of temporary accommodation or not.
- 3.13 If an applicant has requested a suitability of temporary accommodation review relating to deficiencies in the physical fabric of the accommodation then the landlord would be notified and asked to address these issues as a matter of urgency. The Council would also be minded to move the applicant to alternative accommodation if these issues could not be resolved swiftly. The temporary accommodation procured tends to be concentrated (as set out in paragraph 3.6) in certain postal districts and therefore it is generally unlikely that the Council would uphold a review request relating to location of the temporary accommodation secured. The 1996 Housing Act (as amended by the 2002 Homelessness Act) stipulates that suitable accommodation can be anywhere within the district of the authority. Relevant case law stipulates that the assessment of suitability in relation to temporary

accommodation is ultimately for a Council to determine and whilst location is a factor suitability is 'primarily a matter of space and arrangement'.

- 3.14 The draft Leeds Homelessness Strategy 2006-2010 includes an objective to encourage more applicants to request reviews of decisions made by the Council in relation to their housing application which they consider to be 'against their interest'. This will including promoting the opportunity to request reviews of suitability of temporary accommodation offered.

4.0 Conclusions

- 4.1 The Council is committed to securing a range of temporary accommodation options that reflect customer need and represent a high standard of provision. The Council is keen to ensure that applicants have the opportunity to express their views on the standard of temporary accommodation that they have been offered and to use the statutory review process to challenge decisions/standards of service that they feel are unsatisfactory.