

# Housing, Finance and Regeneration Policy and Scrutiny Committee

<b>Date:</b>	Wednesday 5 <sup>th</sup> June
<b>Classification:</b>	General Release
<b>Title:</b>	Westminster Homelessness Strategy
<b>Report of:</b>	Executive Director for Growth, Planning and Housing
<b>Cabinet Member Portfolio</b>	Housing
<b>Wards Involved:</b>	All
<b>Policy Context:</b>	To promote the quality of life for Westminster citizens by working with all our partners to improve the housing experience of our residents and the safety and social care of vulnerable people and their families
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## 1. Executive Summary

Government introduced new homelessness legislation in April 2018 following a Private Member's Bill, led by Bob Blackman MP. It is called the Homelessness Reduction Act and has significantly changed the way all local authorities prevent and relieve homelessness. The legislation change is welcomed by the council and foreseeing the change that was required in how we work, initiative was taken to recommission our new Housing Solutions Service as a partnership between the private, voluntary and statutory sector.

The Act is welcomed but due to significance of the change, particularly around new administrative requirements, training, cultural change and new IT system requirements, it has taken a year to embed itself in delivery.

A key element of the new Act is that all local authorities are required to publish Homelessness Strategies. We have a Rough Sleeping Strategy in place and

this covers the unique challenges we face in central London and therefore, the homelessness strategy will not cover rough sleeping.

The Committee will hear the details of some of the proposals prior to going to consultation.

## **2. Key Matters for the Committee's Consideration**

The report describes the Homelessness Reduction Act's detail and reads alongside the accompanying report on Temporary Accommodation which demonstrates the challenges of supply and demand. Questions for the Committee's consideration in order to help the council develop its Homelessness Strategy are:

- What more can be done to prevent homelessness in our communities
- How best to communicate to residents in areas where people tend to gain information via family and community networks
- How we as a council can work as a unit together to prevent homelessness

### 3. Background

The purpose of this report is to provide background in order for the Committee to feed into the council's new Homelessness Strategy, which is being developed and will be consulted on shortly, by:

- Describing the new Homelessness Reduction Act and its implications for the council and our offer of support
- Summarising the new front-line homelessness contract and accompanying community based prevention services
- Providing indicative levels of presentations to the service post-Act coming into place
- Highlighting the differences in how we address rough sleeping and why we separate this from statutory homelessness
- Highlighting key current initiatives.

#### The Homelessness Reduction Act

- 3.1 The Homelessness Reduction Act (HRA) 2017 fundamentally changed councils' legal duties towards homeless households, which in summary now are:
- 3.2 **A duty to provide free advisory services** to anyone in the local area about a range of things, such as preventing homelessness and securing accommodation when homeless. These services should be designed to meet the needs of people using them.
- 3.3 Certain public bodies, which includes local authorities, have a **duty to refer** any users or their services who may be homeless or threatened with homelessness to the relevant service within the council.
- 3.4 **A duty to assess homeless applications and agree a personal housing plan** with anyone that is eligible and threatened with homelessness, or that is homeless. The plan should set out the actions, both the applicant and the council will take, to help address their homelessness.
- 3.5 **A duty to prevent homelessness** when someone is threatened with it within 56 days. It applies to anyone that is eligible for assistance and is regardless of whether they have a 'priority need', they are found to be intentionally homeless or have a local connection to the area (see 3.8 for more information on priority need and local connection). The duty continues for 56 days, unless it is brought to an end by suitable accommodation being available for the person or household or they actually become homeless.

- 3.6 **A duty to relieve homelessness** when it could not be prevented, through the local authority taking reasonable steps to help an applicant secure suitable accommodation. This duty lasts for 56 days and can it can generally only be brought to an end during this period if suitable accommodation is found which is available for at least six months. If the local authority has reason to believe a homeless applicant may be eligible for assistance and they also have a 'priority need', then they must be provided with interim or temporary accommodation at this stage.
- 3.7 **A duty to provide housing** if homelessness could not be successfully prevented or relieved. This is known as the 'main housing duty' and is only owed to applicants who are eligible, have a 'priority need' for accommodation, have some local connection to Westminster and are not homeless intentionally (see 3.8 for more information). This duty is generally only brought to an end by the offer of a 'suitable' home, which is defined as a social rented housing provided by a council or a registered provider for those that were accepted as homeless before 9<sup>th</sup> November 2012. For those accepted after this date it can also include the offer of a private rented tenancy for at least 12 months.
- 3.8 **Eligibility, priority need and local connection.**  
A full housing duty is owed where the applicant's immigration status entitles them, and they are:
- Homeless with no alternative accommodation that is reasonable to occupy
  - In priority need and this focuses on those: who are pregnant; have children; are vulnerable in some way, such as because they are elderly, have a mental or physical illness or disability, have been in prison or care, are a young person or have become homeless due to domestic abuse
  - Have a local connection (or no local connection elsewhere). Local connection generally means a residency connection, such as having lived in the local area for 6 out of the past 12 months or for 3 out of the past 5 years, but other factors can also be taken into account, such as local employment or family associations.
- 3.9 Alongside the main housing duty is also a duty to **provide interim or temporary accommodation**, if more permanent accommodation is not available immediately. All accommodation offered to homeless households has to be 'suitable' and statutory guidance and secondary legislation sets out what this means and the factors that have to be considered when making an offer. For example, it is unlawful for households with children to be offered emergency non self contained accommodation, a bed and breakfast hotel for example, for more than six weeks.

- 3.10 Local authorities also have a range of duties to provide the applicant with **written details of the decisions they have made** and applicants have the right to request a review of these decisions made at various stages of the process.
- 3.11 There is also a general duty on every local authority to **safeguard and promote the welfare of children** within their area who are in need and this can sometimes include the provision of accommodation, even when some of the other duties above don't apply.

#### **4. Our Homelessness Services and Prevention Offer**

In October 2017, the council introduced its new statutory homelessness service. This comprises of a partnership between RMG (Places for People), Shelter and The Passage. RMG are responsible for the statutory element of decision making, family homelessness, allocations and procurement of accommodation supply. The Passage provide the single front door for all single applicants and provide the additional added value of delivery of holistic services such as healthcare, employment/training and welfare benefits advice. Shelter are responsible for prevention activity in the community.

- 4.1 Moreover, we have introduced a service that is focused on engaging in community-based locations. Shelter embeds workers across 9 sites in the community; this includes co-location in the Family Hub, Advice Plus sessions, co-location with our Housing Management Services income teams and libraries. They tend to work with households who are 'pre-56 days' (e.g. those who are not imminently threatened with homelessness but are identified as being 'at risk').
- 4.2 Westminster also has a Trailblazer service that was previously funded by the Ministry for Housing, Communities and Local Government (MHCLG). Upon the ending of that grant, we have made the decision to continue to fund this for an additional 18 months of delivery to enable us to seek more sustainable funding. This service has developed a specialism in working with households in the private rented sector (PRS) and in its 18 months of operation, had worked with 220 households and 99% did not go on to make a homelessness application.
- 4.3 The Trailblazer service commissioned ethnographic research and we have found that there are areas of Westminster that do not understand the ways to approach the council for support.
- 4.4 Finally, we are funding the HELP Employment Project for a further 18 months to target those households in our communities where employment is a tool to

reduce the risk of homelessness and to increase resilience in our communities. The service has been incredibly successful in introducing community meetings, for example a HELP café and this has enabled people to build social networks and get past some of their confidence issues. Equally, by providing bespoke coaching for those who are not currently in work and may face barriers such as childcare, we believe this will assist households to remain in their homes.

## **5. Rough Sleeping in Westminster**

Westminster continues to see the highest numbers of rough sleeping in the country; we are dealing with both a national and international issue in the centre of London with non UK/Irish nationals numbers rising. We spend c.£6.5m every year and have been successful in securing additional investment of £1.45m for 2019/20 which has enabled us to continue to innovate, add to project capacity and continue successful projects such as Housing First (20 units), psychological support for those on the streets and Passage House Assessment Centre.

- 5.1 We conduct street counts every quarter at present but will be moving to bi-monthly counts; this is to enable us to track what are now very fast moving demographic changes alongside strategic planning alongside the MHCLG.
- 5.2 On average each year, only 4% of people who end up on the streets have identified Westminster as their last settled base. This indicates that individuals are coming to central London from all over the UK and indeed, all over Europe
- 5.3 A significant challenge that we, alongside many other areas of London and cities across England, are experiencing is the ongoing rise of EEA nationals. Unfortunately, unless these individuals can be supported to demonstrate that they have been in work (self sustaining) for 5 years continuously, they have no recourse to public funds. This presents an issue of what we can offer; we can offer support to gain employment and entry into the PRS or a voluntary reconnection to their home area. The council is actively engaged in discussions across both local and central government on this issue.
- 5.4 We commission over 400 beds in specialist hostels and supported accommodation for rough sleepers, upwards of 100 night centre and emergency bed spaces for every night; although when severe weather occurs, we activate SWEP (Severe Weather Emergency Protocol) and this facilitates an additional 100+ places for people to sleep.

**If you have any queries about this Report or wish to inspect any of the Background Papers please contact Jennifer Travassos (020 7641 6572) [jtravassos@westminster.gov.uk](mailto:jtravassos@westminster.gov.uk)**

## **APPENDICES:**

For any supplementary documentation; especially from external stakeholders or documents which do not fit this template.

## **BACKGROUND PAPERS**

This section is for any background papers used to formulate the report or referred to in the body of the report.