

SUBJECT:	HOMELESSNESS REDUCTION ACT 2017 - STATUTORY DUTIES
DIRECTORATE:	HOUSING AND INVESTMENT
REPORT AUTHOR:	ALISON TIMMINS – COUNTY HOMELESSNESS PARTNERSHIPS MANAGER

1. Purpose of Report

- 1.1 To provide Performance Scrutiny Committee with a summary of the Council's statutory duties in accordance with the Homelessness Reduction Act 2017.

2. Executive Summary

- 2.1 The Homelessness Reduction Act placed new duties on English Councils so that everyone who is homeless or threatened with homelessness has access to meaningful help, irrespective of their priority need status or local connection to the authority they approach.

- 2.2 Several new duties were introduced including:

- Duty to assess all eligible applicants' cases and agree a Personal Housing Plan
- The Prevention Duty: in cases of threatened homelessness
- The Relief Duty: in cases where the applicant is homeless

In addition, there are new duties on Public Authorities; the Public Duty to Refer, and on applicants. Any applicant who fails to co-operate may mean that they cease to be eligible for further assistance

3. Homelessness Reduction Act 2017

- 3.1 The Homelessness Reduction Act, which came into effect on 3rd April 2018, placed new duties on English Councils so that everyone who is homeless or threatened with homelessness has access to meaningful help, irrespective of their priority need status or local connection to the authority they approach.

- 3.2 The definition of homeless or threatened with homelessness also changed. The Act extended the number of days before a person becomes threatened with homelessness from 28 to 56 days.

- 3.3 This change was introduced to enable people to apply for help and advice at an earlier stage and to give the local authority time to prevent homelessness or give advice to enable the applicant to secure alternative accommodation

- 3.4 The duty to provide advisory services requires the authority to provide advice on:
- Preventing homelessness,

- Securing accommodation,
- Advice on legal rights
- Any help that is available from other agencies for example, debt advice

- 3.5 If a local authority believes that a person is threatened with homelessness within 56 days and is eligible for assistance, the Prevention duty is triggered. The council has a duty to assess every applicants circumstances, and housing and support needs, and reach an agreement with the applicant on a Personalised Housing Plan which sets out what the authority will do and what the applicant must do to ensure accommodation is secured or retained. There is no requirement for the applicant to have either a local connection to the area or a priority need to be eligible for this advice and assistance.
- 3.6 If a person is or becomes homeless, then the Relief duty is triggered and will continue for up to 56 days. The council has a duty to help all homeless applicants to secure accommodation for at least 6 months if they have a local connection with the authority. If there is no local connection their case will be referred to the relevant authority to progress. If the applicant has no local connection to any particular local authority, then the first receiving authority must accept the Relief duty. There is no requirement for the applicant to have a priority need to be eligible for this assistance/duty.
- 3.7 Where the Relief Duty is triggered and the local authority has reason to believe the applicant is or may be in priority need, then temporary accommodation must be provided.
- 3.8 At the end of the 56 day Relief period, if attempts to secure accommodation have been unsuccessful then the Council must accept a Full Duty to secure suitable accommodation provided that the applicant is eligible, in priority need, not intentionally homeless and has a local connection to the area (or has no local connection to any other area).
- 3.9 If an applicant fails to cooperate with the council in order to prevent their homelessness or secure accommodation, then the council can serve a notice on the applicant explaining the consequence of continued non-cooperation. As a consequence of non-cooperation, the council could choose to decide that the person is no longer eligible for assistance.
- 3.10 On October 1st, 2018, the Duty to Refer was introduced which requires a number of public bodies to notify the council if they are working with someone who is homeless or threatened with homelessness.

4. Organisational Impacts

- 4.1 Finance - budgets have been identified and adjusted to meet the costs of compliance with The Act.
- 4.2 Legal Implications - the council is fully compliant with the provisions of the Homelessness Reduction Act
- 4.3 Equality, Diversity & Human Rights – the Council is compliant with all requirements.

5. Risk Implications - not applicable

6. Recommendation

6.1 For Members to note the contents of the report relating to the Council's statutory duties in relation to the Homelessness Reduction Act 2017.

Is this a key decision? No

Do the exempt information categories apply? No

Does Rule 15 of the Scrutiny Procedure Rules (call-in and urgency) apply? No

How many appendices does the report contain? none

List of Background Papers: None

Lead Officer: Alison Timmins, County Homelessness Partnerships Manager