



Northumberland

County Council

DRAFT

HOMELESSNESS AND ROUGH SLEEPER STRATEGY FOR NORTHUMBERLAND

2019 - 2021

1. Introduction

- 1.1 The Homelessness Act 2002 placed a duty on local authorities to carry out a review of homelessness in their area and formulate and publish a Homelessness Strategy based on the findings from the review. The original Strategy has been written in accordance with legislation and statutory guidance.
- 1.2 The Housing Act 1996, Part 7 has most recently been amended by the Homelessness Reduction Act 2017. This new Act represents fundamental amendments to the existing homelessness legislation. It introduces new requirements to prevent and relieve homelessness and in that context, sets out a range of new duties. These amendments came into force in April 2018.
- 1.3 The Northumberland Homelessness Strategy 2016-2021 has been refreshed to include measures set out in the Homelessness Reduction Act 2017 and to respond to the Government's vision set out in their Rough Sleeping Strategy (2018) *'to support every person who sleeps rough off the streets and into a home'*.
- 1.4 The Council has also taken this opportunity to review and refresh our current priorities, services and support ensuring they meet the needs of households in Northumberland who are either homeless or threatened with homelessness.
- 1.5 In July 2018 consultation was carried out with partners and stakeholders to establish whether our current objectives were still relevant and that they would enable the council to tackle homelessness and rough sleeping in the County and meet the requirements of the the Act. This refreshed strategy reflects the consultation input.

Background

Statutory responsibilities and impact of national policy

- 1.6 The Homelessness Strategy has been developed in the context of a wide range of national, regional and local policies, strategies and plans.

Since the last Homelessness Strategy was published in 2016 changes in national policy that have impacted on homelessness include:

- **Homelessness Reduction Act 2017**

<https://www.legislation.gov.uk/ukpga/2017/13/contents>

The Homelessness Reduction Act 2017 is the most significant change to legislation relating to homelessness in over 40 years. It has transformed the

way homelessness services are expected to be delivered and introduced new duties.

The Act (HRA) makes changes to the current homelessness legislation contained in Part 7 of the Housing Act 1996, with a renewed focus on preventing homelessness. It places duties on local authorities to intervene at earlier stages to prevent homelessness in their areas.

It requires local authorities to provide new homelessness services to all those affected, not just those who are protected under existing legislation. There is also a new duty, the Duty to Refer, on public services including NHS Trusts, prisons and Jobcentre Plus to notify a local authority if they come into contact with someone that they think may be homeless or at risk of becoming homeless.

- **Homelessness Code of Guidance for Local Authorities 2018**

https://assets.publishing.service.gov.uk/media/5a969da940f0b67aa5087b93/Homelessness_code_of_guidance.pdf

The Homelessness Code of Guidance 2018 (CoG 2018) was published in February 2018 in readiness for the implementation of the Homelessness Reduction Act 2017. The CoG 2018 must be considered alongside the legislation when assessing and dealing with applications for assistance under either the Homelessness Reduction Act 2017 or Part 7 of the HA 1996.

- **Rough Sleeping Strategy 2018**

<https://www.gov.uk/government/publications/the-rough-sleeping-strategy>

The Rough Sleeping Strategy sets out the Government's plan to eradicate rough sleeping under three key themes: Prevention; Intervention; and Recovery. It identifies funding opportunities and expectations on local authorities to tackle rough sleeping. The Government is committed to halving rough sleeping by 2022 and ending it by 2027.

Local context and key challenges

1.7 In order to provide a coherent vision for housing, planning and homelessness on a countywide basis this Homelessness Strategy is informed and influenced by a number of other Council documents particularly the Northumberland Local Plan, the Northumberland Housing Strategy, and the Northumberland Private Sector Housing Strategy.

1.8 The Housing Strategy for Northumberland (2019) defines how the Council, working with partners, will deliver its statutory duty and requirements. It sets out the Council's ambitious plans for meeting people's housing needs through the delivery of new affordable housing, improvements to existing housing stock and the provision of housing support to those who need it.

1.9 Statistics covering the two year period from April 2016 to end of March 2018 have been analysed to obtain a more up to date picture of homelessness in Northumberland. The figures show that during this period domestic violence has remained the main cause of homelessness followed by loss of private rented tenancy.

- In 2017/18 domestic violence accounted for 42% of all homeless acceptances, with the second highest reason for homelessness being the loss of tenancy in the private rented sector at 20%;
- Female lone parents are the largest priority need group accounting for 42% of all households. Within this group 43% were made homeless due to domestic violence and 23% due to loss of private rented tenancy;
- 19% of all homeless households are aged 18-24; this shows a drop of 6% from the 2015/2016 statistics; and
- The most successful action to assist households to find alternative accommodation was through a Part 6 offer; which means that 78% of clients were rehoused through Northumberland Homefinder by either the Council or a Private Registered Provider.

1.10 Changes introduced through the Homelessness Reduction Act in April 2018 mean that it is now difficult to make direct comparison with homelessness statistics prior to April 2018. The emphasis is now on preventing and relieving homelessness which has resulted in a significant drop in full (main duty) homeless applications and decisions. From period April 2018 to the end of January 2019 the Council's teams have worked with a significant number of people who were homeless or at risk of homelessness;

- **Prevention Duty** 157 households were prevented from becoming homeless. The main reason for threat of homelessness was end of assured shorthold tenancy (32%)
- **Relief Duty** Homelessness was relieved for 106 households. The main reason for homelessness was domestic violence (27%)
- **Main Duty (193 (2))** A total of 17 homeless applications were taken, of which 9 households were accepted as being homeless and in priority need

- In total **922** households have contacted the homelessness and housing options service from April 2018 of which 173 are current cases, 266 were advice only and 217 were closed or cancelled.

The purpose of the Homelessness Strategy

1.11 The Strategy sets out how the Council will work with partners to deliver services to households in Northumberland who are homeless or threatened with homelessness. It sets out the key challenges that exist in Northumberland, and the context in which the Strategy is delivered. This Strategy refresh was informed by a consultation event held with partners and stakeholders with which took place during July 2018.

1.12 The Strategy will be accompanied by a refreshed Action Plan which will set out what the Council hopes to achieve and by when. The Action Plan will be agreed with partners, stakeholders and service users and will be used to monitor progress over the period of the strategy.

2. Aims and objectives

2.1 The Housing Strategy for Northumberland 2019-2021 states:

Having a decent roof over your head is fundamental to this health and well being. None of you should be forced to live on the streets, or in a “home” that is a health hazard or physically impedes independence...

2.2 To deliver this aim, in respect of those who are homeless or threatened with homelessness in Northumberland, the Homelessness and Rough Sleeper Strategy defines our objectives and identifies how the Council will:

- Ensure that all clients are assisted into permanent housing
- Provide or access temporary accommodation suitable to clients' needs
- Enable vulnerable clients to remain in their own home
- Identify an increased number of housing solutions for young people
- Work with partners to mitigate the impact of Welfare Reform and Universal Credit
- Ensure that no one has to sleep rough
- Introduce new procedures and measures to meet the duties set out in the Homelessness Reduction Act 2017

There are substantial challenges ahead: The demand for affordable suitable homes for some of our most vulnerable residents continues to outstrip supply which needs to be met by new houses and by bringing back into use empty properties whilst we also deal with an increased demand on housing and housing-related support services, for some of our more complex residents who are also homeless.

We can meet these challenges with six priority areas defining our focus over the period of this strategy:

1. Prevent homelessness by improving support to vulnerable client groups
2. Increase options for, and ensure access to, suitable temporary accommodation
3. Support people through Welfare Reform, particularly the impact of Universal Credit
4. Remove barriers to permanent accommodation
5. Prevent youth homelessness
6. Develop services for rough sleepers

PRIORITY 1

Prevent homelessness by improving support to vulnerable client groups

Consultation with partners and stakeholders identified that improved support to vulnerable households would enable them to remain in their current home where they may have established support networks and community links

Key issues and challenges:

- No consistent way of identifying vulnerable households that may be a risk of homelessness before they reach crisis point
- Limited support services that can be delivered on a county wide basis

To improve support to vulnerable client groups, the Council will:

- Work in partnership with other organisations such as health services (including mental health and drug and alcohol services); advice agencies; money advice; voluntary and community sector groups; the Police and other emergency services; and domestic abuse services to set up an early warning system to identify those at risk of homelessness;

- Review support services throughout the County and understand how to access these services; and
- Understand the client groups that services work with and how they can work more closely with the Council

PRIORITY 2

Increase options for, and ensure access to, suitable temporary accommodation

The consultation found that the previous objective (Make better use of all temporary accommodation to ensure that all household types are provided for) was still relevant but that it should be amended to reflect the importance of the temporary accommodation being appropriate to the clients needs.

Key issues and challenges:

- Limited accommodation for clients with severe mental health issues and complex needs
- Difficulties in ensuring consistent county wide service delivery
- Insufficient number of emergency direct access beds for those who may have to sleep rough

To make better use of all temporary accommodation to ensure that all household types are provided for, the Council will:

- Review the provision and range of temporary accommodation options, especially for those with complex needs to minimise spending on Bed and Breakfast; and
- Increase the amount flexible temporary accommodation options for single homeless people

PRIORITY 3

Support people through Welfare Reform; particularly universal credit

The consultation found that Welfare reform is still regarded as an issue that could impact on homelessness especially in light of the full rollout of universal credit in Northumberland.

Key issues and challenges:

- Measures relating to Welfare Reform could mean that many households' incomes will be reduced. Financial pressures can result in homelessness, particularly where these lead to rent or mortgage payment arrears; and
- The cumulative effects of a number of benefit cuts on households' ability to pay housing costs.

To support people through Welfare Reform, the Council will:

- Work with partners to effectively support those affected by Welfare Reform;
- Raise awareness of Discretionary Housing Payments to assist people who are affected by cuts to remain in their home;
- Monitor the impacts of Universal Credit, respond with actions if possible and keep under review;
- Investigate different ways of communicating to tenants and landlords about the potential impacts of Welfare Reform; and
- Improve early information and advice making sure that it is available through appropriate and accessible channels

PRIORITY 4**Remove barriers to permanent accommodation**

Accessing private sector housing for homeless households can be difficult in the North, West and Central areas of Northumberland due to affordability issues and the availability of suitable properties. The private rented sector is vital for those households who cannot afford to buy their own home or cannot access social housing.

The consultation thought that this was still important and that access to social rented property was also an issue that should be addressed

Key issues and challenges:

- Landlords in both private and social are not willing to take some clients without a package of support in place before rehousing;

- Affordability in the private rented sector is an issue for single people under the age of 35 due to low Local Housing Allowance (LHA) rates

To remove barriers to permanent accommodation and support, the Council will:

- Review the Bond Scheme and other incentives offered to landlords;
- Investigate the practicalities of negotiating longer term tenancies for households placed into the private rented sector;
- Work with Registered Providers to ensure that vulnerable clients are linked into their tenancy support schemes when rehoused; and
- Continue to promote quality property and management standards through the Council's Private Rented Sector Accreditation Scheme.
- Work with local private registered providers to find solutions to excluded households
- With partners develop an accredited 'tenancy ready' scheme that will be accepted by registered providers

PRIORITY 5

Prevent youth homelessness

The consultation reaffirmed that youth homelessness remains a priority for Northumberland. Young people aged 16 to 25 are Northumberland's second highest priority need group accounting for 20% of all homeless cases.

Although the threat of restrictions to 18-25 year old housing benefit has been removed, this age group, and up to 35 years olds, still find it difficult to rent in the private rented sector due to the Single Room Rate of the Local Housing Allowance rate.

Key issues and challenges:

- Limited availability of supported and permanent accommodation for young people age 18-25 years
- Lack of shared accommodation prohibits many young people accessing permanent accommodation
- 19% of all homelessness acceptances are aged 18-25 years.
- Main reason(42%) for homelessness within this group is exclusion from the family home

To prevent youth homelessness, the Council will:

- Review the joint protocols between Strategic Housing Service and Children's Services and implement changes or develop new procedures;
- Develop a range of information aimed specifically at young people with regard to their housing options and the implications of Welfare Reform;
- Review permanent housing options for young people including move-on from temporary accommodation or supported housing;
- Identify opportunities to work with young people at an earlier age i.e. schools; and
- Identify mediation training courses for staff to work between the family and the young person.

PRIORITY 6

Develop Services for Rough Sleepers

The reported number of people sleeping rough within the County is low, but is still too many. No one should have to sleep rough and we need to ensure we have sufficient provision in place to promptly manage anyone sleeping rough.

Key issues and challenges:

- Very limited 24 hours emergency access accommodation
- Insufficient data on number of rough sleepers

To prevent people from sleeping rough the Council will:

- Collaborate with other services to tackle the root causes of homelessness
- Understand the reasons for non-engagement and develop policies for prevention, intervention and recovery for rough sleepers
- Work across the region to establish reconnection policies and develop cross boundary services

3. Meeting the requirements of new legislation

3.1 To ensure that the Council is fully compliant with the new duties, new procedures and measures to prevent and relieve homelessness have been developed and implemented. All internal processes and procedures have been updated to ensure they are compliant with the Homelessness Reduction Act (HRA) whilst communication with customers has been key, ensuring that they know how and where to approach the service and what to expect.

In addition the updated Strategy introduces a priority focussed upon the needs of rough sleepers, reflecting the requirements of the Rough Sleeping Strategy 2018.

3.2 To ensure that council meets all requirements of new legislation the Council will:

- Continue developing and improving the Council's Homelessness Prevention Service to continue to provide free advice and assistance
- Allocate funding for homelessness prevention and relief measures and pursue additional funding as it becomes available - ensuring that funding which is intended to prevent or relieve homelessness is used in the most effective way
- Review the Northumberland Homefinder Policy to ensure that it contributes positively to homelessness prevention and relief, enabling access to social housing for households that require it to prevent or relieve their homelessness.
- Engage with public bodies that have the Duty to Refer, in order that appropriate advice and support can be put in place to prevent homelessness

4. Monitoring and Review of the Strategy

4.1 The Action Plan will be reviewed and updated to detail the actions that the Council proposes to undertake under each of the six priorities. It will focus upon the outcomes the Council would like to achieve and will clearly set out how progress will be measured for each action.

4.2 The Council will use the Action Plan to direct its workload and will report annually on the progress made; this will be reported to Members.

4.3 The Action Plan and the corresponding targets will also be reviewed annually and where necessary changes made in order to meet changing priorities and to ensure effective delivery of existing priorities. In addition a quarterly monitoring group will be set up to review progression against the Action Plan.

4.4 If changes occur that significantly affect the Council's ability to deliver on the priorities (for example new legislation) then the Strategy will be reviewed following an annual review.

5. Equality and Diversity Statement

5.1 The Strategy and Action Plan will be tested to ensure it does not discriminate either directly or indirectly on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation.

Appendix 2

The Legal Framework

This is the legal framework, which we have to follow in order to meet our statutory obligations to those who are homeless or at risk of becoming so. Below is a summary of the legislation along with a link to the full legislation.

Housing Act 1996

<https://www.legislation.gov.uk/ukpga/1996/52/contents>

The Housing Act 1996 (HA 1996) came into effect 20 January 1997. Part 7 of the Housing Act 1996 is the overarching piece of legislation that relates to homelessness. The Act has been amended by the Homelessness Act 2002, the Localism Act 2011 and more recently by the Homelessness Reduction Act 2017.

Homelessness Act 2002

<https://www.legislation.gov.uk/ukpga/2002/7/contents>

The Homelessness Act 2002 introduced the following amendments to Part 7 of the HA 1996:

- Changes to appeals against the suitability of accommodation
- Exclusion from eligibility for assistance of anyone refused housing benefit on eligibility (immigration) grounds
- Provisions relating to Allocations
- Right of Appeal against the refusal by the Local Authority to provide accommodation pending an appeal to the County Court on the homelessness decision
- Cooperation between a local housing authority and a social services authority
- Late appeals to the County Court

Localism Act 2011

<https://www.legislation.gov.uk/ukpga/2011/20/contents>

The Localism Act 2011 amended Part 7 of the HA1996 with effect from 9 November 2012. It introduced powers for a Local Authority to end the main housing duty, owed to applicants where a homeless duty had been accepted, by arrangement of a suitable offer of accommodation through the private rented sector.

Welfare Reform Act 2012

<https://www.legislation.gov.uk/ukpga/2012/5/contents>

The Welfare Reform Act 2012 (WRA 2012) came into effect 1 April 2013. Amongst the provisions of the WRA 2012 are the introduction of Universal Credit (UC) and

Personal Independence Payments (PIP), the benefit cap, under-occupation reduction in entitlement and changes to the 'Social Fund' now known as Local Welfare Assistance (LWA).

The Care Act 2014

<https://www.legislation.gov.uk/ukpga/2014/23/contents>

The Care Act 2014 prescribes that local authorities must promote wellbeing when carrying out their care and / or support functions when working with clients. One of the areas, which the Act details is the suitability of living accommodation, therefore, we should consider the suitability of living accommodation in line with this Act.

De-regulation Act 2015

<https://www.legislation.gov.uk/ukpga/2015/20/contents>

The Deregulation Act 2015 came into effect 1 October 2015. It aims to prevent notices being issued in retaliation for complaints made about the condition of the property. It also introduced more stringent rules around the validity of notice, ensuring notices could only be served, if certain processes had been followed by the landlord at the beginning or during the tenancy.

Housing and Planning Act 2016

<https://www.legislation.gov.uk/ukpga/2016/22/contents>

The Housing and Planning Act 2016 introduced a number of changes and new initiatives. These include measures to tackle rogue landlords within the private sector, extension of right to buy to include tenants of housing associations.

Homelessness Reduction Act 2017

<https://www.legislation.gov.uk/ukpga/2017/13/contents>

The Homelessness Reduction Act 2017 is the most significant change to legislation relating to homelessness in over 40 years. It has transformed the way homelessness services are expected to be delivered and introduced new duties.

The definition of homelessness has changed and extends the number of days someone is deemed to be threatened with homelessness from 28 to 56. It also prescribes that when a person receives a valid notice under section 21 of the Housing Act 1988 and it is due to expire within 56 days, then they should be treated as threatened with homelessness.

All Local Authorities are now required to provide or secure services to give people free information and advice on:

- Preventing homelessness
- Securing accommodation if homeless
- Housing Rights

- Help that is available to resolve their housing crisis and how to access that help

Services needs to be designed to meet the needs of specific groups of people who are deemed to be more likely to become homeless. These groups include care leavers, victims of domestic abuse, people leaving the armed forces, people leaving prison or those who suffer with a mental illness or impairment.

There is a new duty to assess all applicants and agree a personal plan, which must be provided to the client in writing and outline the steps that they and the Authority will need to take to ensure accommodation is either retained or alternative accommodation secured.

There are two new duties, the 'prevention' duty for those threatened with homelessness and the 'relief' duty for those who are already homeless. For these duties, the applicant must be 'eligible' and either at risk of becoming homeless within 56 days, or already homeless.

There is no need to satisfy 'priority need' criteria and whether homelessness is threatened or occurred due to the client's own actions (intentionality) is not considered at this stage either.

Local authorities must take 'reasonable steps' to prevent or relieve homelessness and these must be written down in a personalised plan, which must be regularly reviewed and updated.

The duties can be discharged if accommodation is secured and has a reasonable prospect of being available for the next six months.

Applicants will be encouraged to follow the steps set out in their personalised plan as failure to do so could result in the Councils discharging their duties if it is deemed an applicant has 'deliberately and unreasonably refused' to work with them.

There is a new 'Duty to Refer', which comes into effect 1st October 2018. This places new duties on a specified list of agencies to refer someone (with their permission) to a Local Council of their choice for advice if they are at risk of homelessness within 56 days. The agencies with an obligation to refer people are: -

- (a) prisons;
- (b) youth offender institutions;
- (c) secure training centres;
- (d) secure colleges;
- (e) youth offending teams;
- (f) probation services (including community rehabilitation companies);
- (g) Jobcentre Plus;

- (h) social service authorities;
- (i) emergency departments;
- (j) urgent treatment centres; and,
- (k) hospitals in their function of providing inpatient care.

The Secretary of State for Defence is also subject to the duty to refer in relation to members of the regular forces. The regular forces are the Royal Navy, the Royal Marines, the regular army and the Royal Air Force.

Homelessness Code of Guidance for Local Authorities 2018

https://assets.publishing.service.gov.uk/media/5a969da940f0b67aa5087b93/Homelessness_code_of_guidance.pdf

The Homelessness Code of Guidance 2018 (CoG 2018) was published in February 2018 in readiness for the implementation of the Homelessness Reduction Act 2017. The CoG 2018 must be considered alongside the legislation when assessing and dealing with applications for assistance under either the Homelessness Reduction Act 2017 or Part 7 of the HA 1996.

National Context

Laying the Foundations: A Housing Strategy for England 2011

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/7532/2033676.pdf

The housing strategy sets out a package of reforms to:

- get the housing market moving again
- lay the foundations for a more responsive, effective and stable housing market in the future
- support choice and quality for tenants
- improve environmental standards and design quality

The strategy addressed concerns across the housing market making it easier to secure mortgages on new homes, improving fairness in social housing and ensuring homes that have been left empty for years are lived in once again.

