

WAVERLEY BOROUGH COUNCIL

HOUSING OVERVIEW & SCRUTINY COMMITTEE

14 NOVEMBER 2017

Title:

HOMELESSNESS REDUCTION ACT 2017

**[Portfolio Holder: Cllr Carole King]
[Wards affected: All]**

Summary and purpose:

To update members of the Housing Overview and Scrutiny Committee on the implications of the Homelessness Reduction Act 2017 and the steps being taken by Officers to help ensure that the Council fulfils its statutory duties under the new legislation.

How this report relates to the Council's Corporate Priorities:

Financial Implications:

The financial implications of the new statutory requirements are set out within the body of this report. It is likely that the new requirements of the Homelessness Reduction Act will create additional costs beyond the additional grant due. This will be monitored and considered throughout the budget setting process for 2018/19.

Legal Implications:

The legal implications of the new statutory requirements are all fully set out within the body of this report.

Introduction

1. Under the Housing Act 1996 Part VII, the Council has a statutory responsibility to assess what advice and accommodation duties are owed to those who are homeless or threatened with homelessness in Waverley. This responsibility is fulfilled mainly by the Council's Housing Options Team, which provide in-depth housing advice and assistance to help eligible households secure alternative accommodation, usually in the private sector.
2. Despite a lack of social housing, specialist supported housing, and affordable private rented accommodation, Waverley has an outstanding record in preventing homelessness. As a result, the number of households being placed in emergency temporary accommodation is kept to an absolute minimum, as shown by the following chart:

	Surrey	Surrey	Waverley
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	Total	Average	
Homeless households in temporary accommodation as at 31 March 2017	830	75	1

3. The Housing Options Team's success in fulfilling the Council's statutory homelessness responsibilities has been recognised by an independent peer review scoring the service at 72%, and by the award of the Silver standard by the Government's National Practitioner Support Service (one of only 14 Councils nationwide).

Homelessness Reduction Act 2017

4. The Homelessness Reduction Act 2017 will come into effect in April 2018, and represents the most significant change in homelessness legislation for 40 years. The main aim of the legislation is to provide more comprehensive housing advice and assistance to all household groups, not just those with children or with significant medical needs.
5. The main changes are set out below.
- To extend the period under which a household can be considered as threatened with homelessness from 28 days to 56 days.
 - To replace a general duty for councils to provide housing advice with a specific duty to provide advice to prevent homelessness (56 day prevention duty). And to provide help for households to secure alternative accommodation (56 day relief duty), irrespective of a household's local connection or whether their actions have caused their homelessness.
 - Councils will need to notify applicants about what duty is owed to them at different stages of the prevention and relief processes, and provide a personalised action plan outlining the tailored support that will be given, as well as what is expected of applicants.
 - Applicants will have statutory rights of review of the decisions made by councils during the prevention and relief processes.
 - In order to monitor the impact and effectiveness of the new duties, the Government has made radical changes to the data reporting requirements expected from councils.

Implications for Waverley

6. Similar legislation to the Homelessness Reduction Act 2017 was introduced in Wales two years ago. This resulted in an increase of 25 - 40% in homeless applications to Welsh councils. Anecdotal feedback estimates that there is a 30% increase in workload in managing each homelessness case under the new duties, due to the case work, administration and reporting required and the additional rights of review.
7. A similar increase in workload at Waverley would mean the Housing Options Team could receive between 225 and 360 more cases each year. Currently the Team deals with an average of 880 cases a year.

8. Given the attractiveness of Waverley, it could be anticipated that a number of customers, with support from their advisors, will seek assistance from the Council irrespective of local connection in the hope of being found accommodation in or near the Borough.
9. Currently very few housing advice approaches to Waverley progress to formal homeless applications, due to the Housing Options Team's success in preventing homelessness. Of these applications, very few request a review. Under the new arrangements the Council will be required to register all housing advice approaches as a homeless application at the outset, and provide detailed personalised housing plans, undertake detailed case work and be able to respond to the new rights of review at different stages in the process.
10. Some Surrey Boroughs are already finalising arrangements to increase their Housing Options Teams by up to 7 additional posts in order to cope with the increased case load and administrative burden. A re-organisation of Waverley's Housing Options and Homechoice Teams was undertaken in February 2017. This has slightly increased the staffing capacity in the Housing Options Team, in anticipation of the new duties.
11. Waverley's Housing Options Team currently consists of 7.4 full time equivalents. Another 2-3 staff may be needed to cope with the expected increase in housing advice approaches, and the predicted 30% increase in workload for each case could require 3 further staff. There will be pressure on all English councils to increase both staffing and service budgets, and there will be challenges in relation to staff retention and remuneration.
12. The majority of the increase in approaches under the new duties will be from single applicants with no children, so it will be necessary to provide more accommodation options for these clients. Due to the impact of Welfare Reform changes on 18 – 35 year olds, options will need to include affordable shared accommodation. There is likely to be a corresponding increase in out-of-hours cases and appropriate arrangements will need to be put in place.
13. Waverley's current in-house IT system for Housing Options Services will not be able to support the increased recording and reporting required under the new legislation without costly modifications. A new, fit for purpose IT system will need to be sourced.
14. The new legislation will undoubtedly raise customer expectations, but it does not change the challenging housing landscape in Waverley: social housing is scarce, and the majority of private sector properties are unaffordable. The freeze in the Local Housing Allowance rate for those needing help to rent privately, the roll-out of further welfare reform measures, and cuts by Surrey County Council in funding for supported housing schemes means it will be even harder to provide suitable and sustainable housing solutions.

Progress so far and next steps

15. The Government has announced £61m of 'new burdens' funding to help Councils implement the new duties. Waverley will receive £64,595 of this over three years (£21,531 a year). Most commentators feel that £61m will barely help London Boroughs implement the new duties, let alone all the other English Councils.

16. On a more positive note, Waverley, along with other Councils, has recently benefited from additional funding from the Government, ring fenced for homelessness prevention work. Waverley has received £131,000 for 2017/18, and will receive £151,000 in 2018/19.
17. Whilst the predicted increase in clients and administrative burdens are a major concern, Officers are reluctant to create and fill additional posts until the Code of Guidance has been published and the legislation implemented. It will then be clearer what extra staff resources are required. However, it is already clear that targeting resources on tenancy sustainment will be key to minimising the number of clients approaching as threatened with homelessness. Therefore, Officers propose the creation of a Tenancy Sustainment/Support Officer post, in advance of the implementation of the legislation. This post will be funded from the homelessness prevention money highlighted in 2017 and 2018.
18. Officers are liaising with colleagues from other Surrey Boroughs and Districts, and with colleagues from Surrey County Council and voluntary organisations, to explore partnership opportunities to meet the new duties and maximise resources. This work has resulted in Waverley purchasing additional bed-spaces in the York Road Project in Woking, and piloting a shared house scheme for single homeless households in partnership with Woking Borough Council and Ethical Lettings.
19. As the private sector market becomes more difficult to access, the Housing Options Team already has to spend more in up-front costs to help clients secure private rented properties. Inevitably, the Homelessness Service budget will need to increase in 2018/19 to meet the costs of securing private rented tenancies and emergency accommodation to relieve homelessness that cannot be prevented. This is being raised through the budget-setting process for 2018/19.
20. Officers are also reviewing how best to use Waverley's Discretionary Housing Payment budget (money from central Government) to target it towards helping homeless households and those threatened with homelessness. This will help limit the exposure of the Council's General Fund to the increased costs associated with the new duties.
21. Officers have attended a number of training events about the new legislation, and have discussed how the Council would apply the new duties to a selection of existing cases. Once the Code of Guidance is published (draft consultation document published 16 October 2017), Officers will adjust the Housing Options procedures for helping homeless applicants accordingly and will liaise with the Housing Portfolio Holder about any Housing Allocation Scheme amendments that are needed.
22. Waverley has successfully applied to pilot a new Homelessness IT system (Housing Jigsaw) which is designed to meet the new recording and reporting duties. The system is free until April 2018 and will then cost £7,500 rather than £10,000 annually due to Waverley piloting the system. The system is being developed by the Government's National Practitioner Support Service and a respected IT provider (Housing Partners, who operate Homeswapper). Waverley will depend on the system being fit for purpose following the pilot.

23. Waverley is also piloting using an external provider to cover out-of-hours homelessness enquiries. If this pilot is successful it will help in managing the impact of the potential increase in out-of-hours calls.
24. Waverley hosted a stakeholder event with statutory and voluntary partners on 17 October 2017. The event started the process of identifying the key priorities for its next Homelessness Strategy (2018-2023), and preparing for the new duties under the Homelessness Reduction Act 2017 was one of the main priorities highlighted.

Conclusion

25. Officers will continue their preparations for the implementation of the new legislation, including exploring partnership opportunities with other statutory and voluntary agencies.
26. The Housing Overview & Scrutiny Committee will be consulted on the Council's new Homelessness Strategy 2018-2023 in the New Year and this will include an update on preparations for the Homelessness Reduction Act 2017 and progress under the Council's existing Homelessness Strategy 2013-2018.

Recommendation

The Housing Overview & Scrutiny Committee is asked to note the preparations being made for the implementation of the Homelessness Reduction Act 2017.

Background Papers

There are no background papers (as defined by Section 100D(5) of the Local Government Act 1972) relating to this report.

CONTACT OFFICER:

Name: Michael Rivers
Housing Needs Manager

Telephone: 01483 523013
E-mail: michael.rivers@waverley.gov.uk