

Agenda Item No: 11
Report To: Cabinet
Date of Meeting: 28th November 2019
Report Title: Homelessness Reduction Act 2017 –Implementation and Current Position
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Portfolio Holder Cllr. Bill Barrett
Portfolio Holder for: Housing



Summary: The Homelessness Reduction Act was implemented on 3 April 2018. The legislation was introduced to place a greater emphasis on the prevention of homelessness.

Whilst the introduction of the Act has resulted in an 11% increase in homelessness approaches to the Council, the numbers of households accepted as homeless has reduced significantly from **160** cases in 2017/18 to **71** cases in 2018/19. In addition, the number of preventions has risen in the first year of implementation from **148** in 2017/18 to **293** in 2018/19.

This report provides an overview of the current position relating to homelessness in the Borough, as well as some data on number of clients who have accessed our service. The report also reviews our experiences in relation to the new Act so far and sets out our action plan for tackling homelessness.

Key Decision: YES

Significantly Affected Wards: All

Recommendations: **The Cabinet is recommended to:-**

- I. Note the progress made since the implementation of the Homelessness Reduction Act 2017
- II. Agree the action plan set out in report to tackle homelessness and reduce numbers in temporary accommodation.
- III. That the report be referred to Overview and Scrutiny for review.

Policy Overview:	Housing Framework/Homelessness Strategy
Financial Implications:	There are financial implications on the budget for 2019/20 due to an overspend on temporary accommodation together with increased spend on prevention initiatives. Continuing focus to minimise financial spend with good prevention outcomes will aim to mitigate costs in temporary accommodation which should logically fall.
Legal Implications	Current legislation (Housing Act 1996, as amended)
Equalities Impact Assessment	See Attached at Appendix 1
Other Material Implications:	None
Exempt from Publication:	No
Background Papers:	Cabinet Report dated 11 th January 2018 – Homeless Reduction Act 2017
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**Report Title: Homelessness Reduction Act 2017
Implementation & Current Position**

Introduction and Background

1. The Homelessness Reduction Act 2017 was implemented on 3 April 2018, enacting the biggest change in homelessness legislation in forty years. It retained current homelessness legislation but expanded it by adding additional legal housing and homelessness duties for local authorities in England.

It followed the implementation of similar legislation in Wales [April 2015], where local authorities were tasked with engaging in much earlier intervention to assist households who were threatened with homelessness.

2. Five key changes were introduced:
 - To expand the provision of advice and information about homelessness with prevention and relief of homelessness as a primary focus
 - Extending the period of “threatened homelessness” for households from twenty eight to fifty six days and allow earlier intervention
 - New duties to both prevent and relieve homelessness for all eligible people [irrespective of their priority need or any issues of intentional homelessness]
 - Tailored assessments and Personalised Housing Plans [PHP], setting out actions that local authorities and clients need to take to secure alternative accommodation
 - Encouraging public bodies and agencies to work together to prevent and relieve homelessness through a new legal “duty to refer”
3. Prior to the implementation of the Act, a review of the Housing Options service was undertaken with a restructure later approved to meet changing service needs. In 2018/19, the team comprised seven Housing Options Officers (two officers on yearly fixed term contracts), one Housing Options Coordinator, one Accommodation Officer and a Housing Options Manager.
4. This report will seek to outline the current position, provide data on trends since the Act was implemented, and look to make recommendations in streamlining processes and staff structures to promote better efficiencies in service delivery.

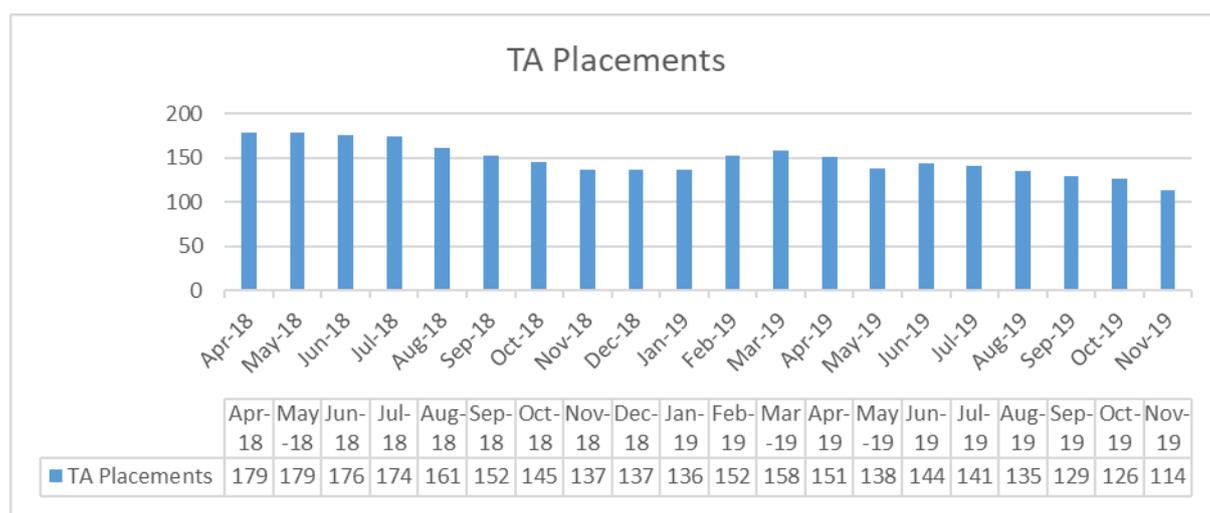
Current Position

5. The Homelessness Reduction Act 2017 [HRACT] was enacted in April 2018, with a dedicated recruitment exercise for new staff to meet new demands of the law changes.

The arrival of newly appointed staff was an incremental process and resulted in the Housing Options Team becoming fully operational with its new staff

complement in September 2018. In the main, it is acknowledged that identifying good quality staff members and practitioners to work in the new environment following HRACT implementation had proved to be quite difficult across the sector.

6. The current team have a wide range of working experience in a variety of different disciplines [including social care, supported housing and third sector/voluntary organisations]. Most positively, the diverse range of skills and experience has allowed members of the Housing Options team to adapt more readily to recent law changes.
7. Under old homelessness legislation, there were no legal duties to proactively prevent or relieve homelessness for a household threatened with the loss of their accommodation. It was anticipated that the new expanded legislation and new legal duties would logically lead to increases in the numbers of approaches made, together with the more intensive, tailored case work that would be required to meet the new duties.
8. In 2017/18, the number of approaches from households threatened with homelessness in Ashford was, on average, **124** cases on a monthly basis. Since HRACT was implemented in April 2018 this has now risen to **138** cases monthly. Throughout the year, the same level of activity has been broadly maintained and is relatively stable in 2018/19. Overall, this represents an **11%** increase in activity.
9. The picture nationally and regionally will obviously vary but Ashford has been one of the few local authorities in Kent where the numbers of households in temporary accommodation have fallen. Despite the increased number of homeless approaches that have been made in Ashford since HRACT this represents a **34 %** decrease since April 2018.



Levels of rough sleeping have risen in Kent regionally, and remain a concern in Ashford. MHCLG [the Ministry of Housing, Communities and Local Government - formerly the Department for Communities and Local

Government] have directed in their published strategy that rough sleeping be reduced by 50 % by 2022 and then eliminated by 2027.

10. The number of approaches made to Ashford, and the number of households who are actually owed a legal duty can differ for a number of reasons. After preliminary assessments have been completed, these will include households –

- Who are not at risk of homelessness
- Who are not eligible for assistance
- Who have not maintained contact to progress their application
- Who have withdrawn their application

From the remaining cases there is a focus on achieving successful outcomes for households, in order that costly, lengthy placements in emergency interim accommodation are avoided wherever that is possible.

11. On 1 October 2018, a new additional legal “Duty to Refer” was introduced for a number of specified public bodies (as per *Homelessness (Review Procedure etc.) Regulations 2018*).

Those who are subject to this new homelessness duty are (in England only) -

- Prisons
- Young Offender Institutions
- Secure Training Centres
- Secure Colleges
- Youth Offending Teams
- Probation Services (Including Community Rehabilitation Companies)
- Jobcentres In England
- Social Service Authorities (Both Adult And Children)
- Emergency Departments
- Urgent Treatment Centres
- Hospitals In Their Function Of Providing Inpatient Care
- Secretary Of State For Defence In Relation To Members Of The Regular Armed Forces

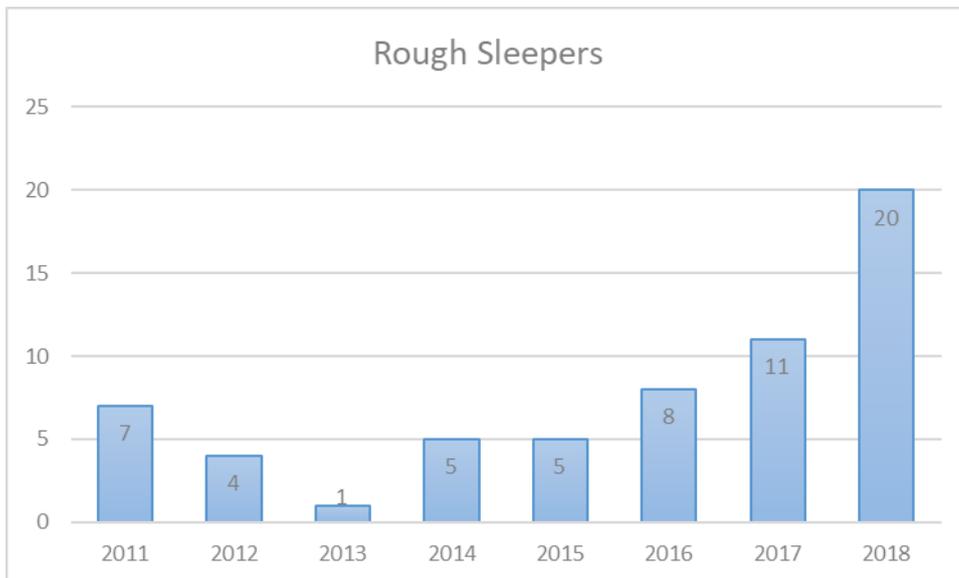
These additional referrals for households threatened by homelessness have increased the number of active cases requiring assessment by Housing Options team by an average **25 to 30** per month. Ashford Borough Council also run regular homelessness forums to maintain strong existing arrangements for partnership working and to assist in providing early notification of potential homelessness.

12. Overall, the numbers of homelessness approaches in Ashford has been stable since April 2018 [with the exception of a seasonal peak in January 2019]. The aforementioned Duty to Refer from specified public bodies [effective from 1 October 2018] did see a further small increase in numbers, but has been broadly managed within existing resources.
13. On average, officers maintain a case load of between **25 to 30** households but this can fluctuate depending on the number of approaches being made.

There has been a dramatic drop in number of homeless cases that are being accepted and provided with a full housing duty. During 2017/18 this number was **160** whereas this year in 2018/19 it had dropped to **71**.

Rough Sleepers

14. An area of increased concern in Ashford is the reported number of rough sleepers. In November each year, a street count is conducted with figures reported directly to MHCLG [the Ministry of Housing, Communities and Local Government - formerly the Department for Communities and Local Government]. MHCLG's published strategy directs that rough sleeping be reduced by 50 % by 2022 and then finally eliminated by 2027.
15. Local authorities are obliged to update their Homelessness & Rough Sleeper Strategy by Winter 2019 to reflect these new defined priorities. Latest national statistics that have been published show a 2% decrease in rough sleeping. There has, however, been a pronounced increase in rough sleeping in Kent in recent years and the graph below shows local activity for the past eight years in Ashford. Solid progress has been made in addressing the increased levels of rough sleeping in Ashford and there are excellent examples of engaging with formerly entrenched vulnerable persons with formal moves to settled housing.
16. This remains both a national and regional priority and there is real optimism that rough sleeping locally can be eliminated with the focused approach already adopted, and having made adjustments to more pro-active service delivery. The numbers of rough sleepers have fallen by more than half in Ashford, and our Housing First initiative to assist identified, entrenched rough sleepers is due to roll out imminently.
17. Ashford Borough Council chair a rough sleepers working group every month composed of partner agencies representing Kent Police, Probation, Street Pastors, Vinnies Diner, Ashford Churches Together Group, Salvation Army, Community Safety Unit and Porchlight. This group has been vital in the coordination and implementation of the Winter Night Shelter for the past four years.
18. The rough sleeper count for MHCLG showed **20** verified cases for November 2018. This represents an increase of **55%** from **11** cases identified in November 2017. The Winter Night Shelter programme in Ashford ran from November 2018 to March 2019 and had identified **22** active cases.



19. Intensive case work, together with the deployment of the new prevention and relief duties, resulted in **12** rough sleepers being assisted into alternative housing solutions. Of the remaining **10** cases, three had been temporarily accommodated pending fuller assessment, and ongoing work to engage all rough sleepers in need of housing advice and assistance continues.
20. Ashford Borough Council had previously provided Porchlight £24,000 per year for a part time outreach worker solely for Ashford. This has been the case for a number of years but with the increased rough sleeper activity emerging over the past two years, it was felt that a full time post was merited. Consideration was given to the feasibility of having the function being brought in to operate “in-house” and take more direct control of outreach work and statutory HRACT assessments.

Implications and Risk Assessment

21. It was recognised nationally, and by the Ministry for Housing, Communities and Local Government (MHCLG), that the first year of the Homelessness Reduction Act would be subject to new activity with a large number of variables given the planned changes in delivery, mind-set, new legal duties and increased administrative burdens.
22. As predicted, there has been a period of adjustment in this new environment for both staff and members of the public. It has been acknowledged that local authorities who had made good preparations in advance of HRACT have had less difficulty in adjusting to the new ethos and ways of working.
23. **Legacy Cases** - although the new legislation came into effect on 3 April 2018, homeless applications received before this date fall under old legislation and are referred to as “legacy” cases. As at 31 March 2018, the team held **300** legacy cases under the old legislation. These cases must continue to be assessed and dealt with under the old duties, and therefore “move on” accommodation is still a vital part of reducing the pressures on temporary accommodation numbers.

24. MHCLG had indicated to local authorities that there would be a transitional period where statistical activity for these homeless households could still be provided and recorded. However, in the longer term, they had advised that would not be the case. Dedicated resource/staff was tasked directly with updating records accordingly and identified households who no longer required our assistance [that is, *legacy* cases who may have secured their own accommodation or had resolved their homelessness].
25. Following this exercise, it was established that **89** households remained, all of whom were in temporary accommodation. Over the past year in 2018/19, this number has been reduced to **36** remaining housing cases which need to be moved on to into secure or more settled permanent accommodation. It is expected that remainder of the outstanding cases will be cleared by Q4 in 2019/20.
26. **KCC Housing Related Support** - it should be noted that in October 2018, Kent County Council (KCC) made significant changes to contracts for adult, children and ex-offenders in supported accommodation. In the longer term, there is a strong likelihood that this will impact county wide, with more single vulnerable people who might not meet the statutory threshold for services approaching Ashford and less accommodation/provision available for them.
27. In addition, KCC have altered criteria for those able to access floating support services. Only households that are identified as being at threat of homelessness are now eligible for the service. In effect, there will be no early intervention from this service until matters might be approaching a crisis point. This will run counter to the service aim and statutory duties under HRACT and minimises the prospects of achieving more successful prevention work and outcomes.
28. In order to meaningfully address and reduce the current levels of households in temporary accommodation, an Action Plan has been drawn up with a specific focus on identifying, procuring and delivering a supply of suitable, affordable housing to move households on to settled housing.
29. By allocating via the Housing Register in a focused, efficient manner and making best use of our available stock, we would look to halve the level of homeless households in nightly paid accommodation by half in 2021/22, and aim to eliminate the use of this form of temporary accommodation by 2023.
30. The Temporary Accommodation Action Plan will directly address three key areas as follows :
 - **Reducing the flow of homelessness by providing early, effective prevention at source**
 - **Controlling and reducing expenditure on the provision of emergency temporary accommodation [TA]**
 - **Ensuring that there is a supply of suitable and affordable housing for “move on” to settled accommodation**

Reducing The Flow Of Homelessness

31. In order to comply with the new HRACT duties, households will need to demonstrate that they are eligible for services and legally homeless. The increased activity in homeless approaches in 2018/19 indicates that there were **1871** approaches. Maintaining vigilance at the front of the service, and having robust and rigorous levels of prevention and casework management have meant that **less than a fifth of all homeless approaches** in 2018/19 eventually needed placement into emergency temporary accommodation.
32. **Causes of homelessness** - the primary cause of homeless approaches at Ashford will have arisen from parental eviction from the family home, with the loss of private sector tenancies as the second most common cause. These circumstances are also reflected in the number of placements made into temporary accommodation, and aligns with the current demand and profile on Ashford's Housing Register.
33. Of **1871** approaches that were made in Ashford in 2018/19, **362 households [19.34 %]** were as a result of family evictions. Of these, only **94 households [5.02 %]** were ultimately placed into emergency temporary accommodation. As these households are not tenants and there is no legal requirement to evict them by means of a court order, it is often the case that little can be done to prevent their placement.
34. Of **206 households [11.01 %]** approaching due to the loss of their private rented tenancy, only **47 [2.51 %]** were placed into temporary accommodation. This is broadly indicative of solid prevention work but does acknowledge that private sector tenants will have no underlying security of tenure. Relieving pressure on the Housing Register with regard to having good levels of affordable housing supply can indirectly have a positive effect in driving down numbers of homeless approaches being made.
35. It is notable that since HRACT there is now a greater emphasis on providing advice and assistance for single persons and rough sleepers who are threatened with homelessness. This client group would also benefit from financial assistance that they had not been able to access under old legislation, but has presented a new administrative and budgetary pressure.
36. Existing structural issues and externalities could risk reversing the positive steps achieved by HRACT so far. There is considerable pressure for Government to address issues underpinning homelessness by building more social housing, restoring LHA rates in Universal Credit to ensure they truly cover the cost of rent and allow more people to afford the option of renting in the private sector.
37. It remains imperative that there is a focus on identifying, securing and providing affordable and suitable housing options for households to avoid families having to face the prospect of homelessness and temporary accommodation. Supply still remains key to this approach, in order to minimise and reduce levels of households in temporary accommodation and to provide viable housing solutions allowing families to move on after the crisis moment has passed.

Controlling Expenditure On TA

38. **Existing TA Provision** - there are currently **115** households in temporary accommodation at Ashford which has been reduced from **179** households since HRACT came into force in April 2018.

TA Activity [%] as at 24 October 2019		
B & B	0 %	0 households/rough sleepers
Hostel	0 %	0 households
Local Authority Stock	6.84 %	8 households
Christchurch House	5.98 %	7 households
Private Sector Leased	21.37 %	25 households
Tufton House	27.35 %	35 households
Nightly Paid (Trafalgar/Paramount/Housing Network)	34.78 %	40 households
Total	115 units	

39. **Bed and Breakfast** is the most expensive form of emergency temporary accommodation is bed and breakfast which is not self-contained. Costs can also vary subject to the size of the family/household that has been accommodated. Additionally, it is not lawful to place expectant mothers or families in bed and breakfast [unless in exceptional circumstances] for longer than six weeks.
40. Typically, for a small family with two dependents, the weekly B & B charge in Ashford is **£420.00** weekly. Local authorities can only be reimbursed a fixed sum for Housing Benefit of **£116.88** weekly and this represents a net spend of **£303.12 weekly** for each household. There are currently no families in bed and breakfast.
41. **Nightly paid accommodation** is self-contained and can be a less costly form of temporary accommodation but - unlike B & B placements - is entirely lawful for households placed for extended periods of time when this is required.
42. Currently, for a small family with two dependents, the charge is approximately £36 per night but- as before - local authorities can only be reimbursed a fixed sum for Housing Benefit of **£116.88 weekly**. This type of accommodation this represents a net spend to Ashford of **£135.12 weekly** for each household. There are currently **40** households in nightly paid accommodation representing **34.78%** of all placements.
43. **Tufton House** is temporary accommodation provision which comprises **35** self-contained units directly managed by Carridon Property. They are paid £25,000 monthly to do so, converting to £174.82 weekly for each household. After receipt of the fixed sum for Housing Benefit of £116.88, the net cost per household to Ashford is **£57.94 weekly**.

44. **Private Sector Leasing [PSL]** - Ashford have operated a Private Sector Leasing Scheme (PSL) whereby the Council leases properties from private sector landlords as temporary accommodation for households in housing need. Changes in central Government policy in 2010 and 2011 eroded the margin between the rental income levels and payments. A financial cap was imposed on the maximum amount of housing benefit that the Council can claim back for the cost of temporary accommodation.
45. Consideration has been given to the financial impact of the Private Sector Leased Accommodation provision as there has been a loss of **£8448 in 2018/19**. Notably, this figure does not take account of any repair issues that might arise which might potentially present further liability and costs to Ashford. PSL had been a source of temporary accommodation but over the period 2017 to date, the number of PSL properties have reduced from **57** to **25** [as at 8 November 2019].
46. A proportion of PSL properties have been recovered at the end of the lease period by the landlord. Of the remaining properties, four are being converted to our Social Lettings Agency [ABC Lettings]. Three more are being purchased by HRA with one being handed back to executors of a landlord. It is anticipated that this the number of accepted homeless households in PSL accommodation will fall to **21** units in the coming months. From these, **19** remaining “rolling” lease contracts have expired, with **4** others due to expire in 2020.
47. **Christchurch House** is high specification temporary accommodation provision owned and directly managed by Ashford Borough Council. It has eight accommodation units (including a wheelchair-accessible unit), washing facilities, communal kitchen area, storage space and courtyard. Previously, the majority of homeless applicants whom the council had a duty to house may have been placed in B&B accommodation – a costly course of action for the taxpayer, which can sometimes be a traumatic experience that takes its toll on the individuals and families affected.
48. It was initially acquired for £278,000, refurbished for £340,000 and opened in 2014, with **180** households having been placed in a short term but stable environment before a more settled solution to their housing need is identified. The rental income maximises the level of Housing Benefit that is payable and is effectively **cost neutral**. This project is truly innovative in the savings that are generated and means that the property will have effectively paid for itself in the longer term, with the council retaining a valuable asset.

Future Provision Of TA

49. From an analysis of the figures, if we can maintain increased rates of prevention of homelessness activity and supply sufficient numbers of move on settled housing for those in temporary accommodation via the use of our street purchase programme and new build programme, it is anticipated that the Council will need a baseline supply of **50** units of temporary accommodation. In view of this a number of projects are being considered to

increase the Council's own stock of good quality, cost effective temporary accommodation. Currently we have **8** units of accommodation at Christchurch House and a further **8** units under construction at Christchurch Lodge due to be completed in early February 2020. This means that a further **34** units of temporary accommodation is required.

50. **Belgic Court [New Use]** - Golding Homes had worked in partnership with Ashford BC to commission a nine unit supported housing development for young persons between 16 to 24 years of age. Golding Homes carried out the housing management function for the project and Sanctuary Supported Living provided the support element on site.
51. In October 2018, Kent County Council (KCC) made significant changes to Housing Related Support contracts for adults, children and ex-offenders in supported accommodation. This exercise impacted county wide, with more single vulnerable people not meeting the statutory threshold for services, and less supported accommodation/provision available in Ashford. In addition, KCC altered criteria for those accessing floating support services. Only households that are identified as being at threat of homelessness are now eligible for the service from 1 April 2018.
52. As a consequence, Sanctuary Supported Living advised that they were withdrawing the support element from the project and Golding Homes informed us that they may be unable to continue managing properties under these arrangements. Ashford BC were ultimately able to provide housing solutions for the displaced households but - following a series of discussions with Golding Homes – a new agreement has been reached on alternative use of Belgic Court for young parents and an enhanced housing management function.
53. It is expected that **eight households** in TA will be identified and referred to Belgic Court in November/December 2019. Housing Benefit revenue will be paid to Golding Homes at an enhanced housing management rate to allow the scheme to be financially viable. Most importantly, it will remove eight households from our existing TA placements currently in costly nightly paid accommodation.
54. **Christchurch Lodge** is an initiative that will follow the blueprint of the Christchurch House scheme. It will be developed into high quality short-stay accommodation for **eight households** to whom the council has a homeless duty or who have a case under HRACT assessment. The building at 112 Beaver Road [adjacent to Christchurch House] was purchased for £430,000 from the Church of England with £500,000 invested to convert it into eight homes, capable of accommodating 25 people. Like Christchurch House, it will have facilities like a communal kitchen, dining room and laundry room added. As before, the rental income will maximise the level of Housing Benefit that is payable and will be effectively **cost neutral**.
55. In addition to the above schemes proposals for additional schemes to bring the baseline number of units up to 50 are currently being developed and will be brought forward shortly.

Ensuring Good Levels Of Affordable Housing Supply For “Move On”

Growth of Social Lettings Agency [SLA] & Review

56. The SLA was set up in 2012 as a means of providing settled housing solutions for homeless households as opposed to emergency accommodation. They operate a full management function for private sector landlords on the basis that the management fee charged should be a minimum of 10% of the rental income.
57. Recent changes in housing legislation and fees have meant that the SLA option is now a favourable choice for landlords when compared to what might alternatively be offered on the high street. Typically, landlords will ideally want rental income in line with market rents but these prove to be unaffordable to homeless clients. SLA staff current have the flexibility to negotiate on landlord management fees to achieve the best outcome and secure properties at affordable rent levels. This also has the effect of avoiding households being placed in costly B&B or nightly paid accommodation.
58. It can often be the case that those placed into SLA properties will have a shortfall in rent and their benefit entitlement. This is being addressed with nominees for the scheme having thorough, detailed assessments in respect of suitability/affordability with specific regard to sustaining their tenancies in the long term. This can, on occasion, involve accessing extra financial assistance via Discretionary Housing Payments.
59. A SPACE session had previously been held with officers from legal, communications and finance invited in order to launch a review of the business plan for the social lettings agency (SLA). The full review began in April 2019 looking in full detail at future growth for the SLA with the option of expansion of the service into other parts of Kent. The review also takes account of the current market and looks to ensure that the SLA is responsive to the requirements of landlords locally.
60. When finalised, the review aims to provide better structure in the team, with opportunities to procure more properties, devise appropriate marketing materials to promote the service, and continue to contribute directly to the reduction of homeless households in TA.
61. **Private Sector Offer** - in view of the demands on the service and the rising cost of temporary accommodation and lack of supply of affordable rented accommodation, there is a need to identify other ways to make our prevention work more effective and to gain access to a wider number and range of private sector properties. The private sector landlord offer was reviewed and initially piloted for a period of six months in May 2018.
62. The Housing Options previously team ran a well-attended landlord event in June 2018, and this was followed by a similar event in May 2019 updating landlords on progress throughout the year. On both occasions, excellent feedback was provided about the service that Ashford provides and positive indications that landlords were happy to work with us.

63. The current landlord offer provides a range of options and solutions depending on the requirements of both the landlord and the household's needs. Costings are based on an "invest to save" payment measured against the alternative costs of placing households in costly temporary accommodation.
64. Flexibility also exists in the scheme to allow for alternative solutions not expressly set out in our procedures but judged in the context of a cost benefit analysis against likely B&B or nightly paid accommodation cost. Overall, the scheme has resulted in doubling the number of successful prevention outcomes for the year and has shown to offer good value for money.
65. **Modular Housing Solutions & Street Purchases** - Ashford BC have outlined in their current delivery plan, the longer term vision for addressing housing need and homelessness in the borough stating -

**Building On Solid Foundations: Delivering Affordable Homes In Ashford
Our Delivery Plan For 2019-2023**

We will deliver energy efficient homes and use modern methods of construction on sites of the right topography that provide relevant access – including for temporary accommodation to assist with homelessness provision. We will also investigate setting up an Ashford Living Rent to tackle genuine affordability issues within the borough

Continuing our on-street purchase programme to deliver homes that we can adapt for people with specific, more complex needs, or that boost our stock more quickly than building would

66. The expanded street purchase programme would look to secure **50** properties for 2019/20 and **100** more in 2020/21, which can be used to alleviate pressure on the Housing Register for urgent transfer cases, and free up the resultant void properties for homeless households. Modular housing projects offer and efficient housing solutions and could readily be used to alleviate pressure on the numbers of homeless households in TA.

Consultation [Team Structure]

67. Following implementation of the Act, the team met monthly to discuss procedures and working practices. This effectively served as an opportunity to ensure that there was consistency in delivery throughout the team. On the 27 February 2019, a full consultation meeting was held with the team to find out what they felt was working well and areas that could be improved upon to take the service forward. As part of this consultation, six key areas were considered -
- Team Structure
 - Management Information Systems [Locata]
 - Prevention & Relief Working Arrangements
 - Temporary Accommodation Reduction

- Communications
 - Training
68. Although, it was felt that the structure of the team was broadly well balanced, and strengthened with a solid coordinator role, it was acknowledged that more could be done at the “front end” to improve service delivery.
69. In essence, preliminary assessments at the first point of contact provide some low level housing advice before a Housing Options officer is assigned to a case. The recruitment exercise resulted in appointing an excellent, experienced and capable officer in this role. It is now proposed to expand the role further to be able to issue lawful decisions quickly at the initial approach stage if households are not homeless or at threat of homelessness.
70. Other identified areas for service improvements in this respect were –
- Changes to daily/weekly rota working arrangements
 - Streamlining “front end” administrative processes
 - Augmenting the coordinator role to alleviate pressures
 - Identifying and implementing enhancements to the Management Information Systems [Locata]
 - Empowering Housing Options Officers to engage more proactively on prevention initiatives
71. Communication is good within the team and regularly convened weekly meetings gauge performance and offer clarity on emerging issues. The team has requested that management could set out new priorities for the next six months ahead, to both maintain and make improvements in the good progress made so far. From September 2018, a training programme was rolled out and includes a mix of internal training, partner agencies delivering training with more formal accredited training from the Chartered Institute of Housing [CIH]. The team have acknowledged that this tailored approach has proved to be informative, relevant and has empowered them sufficiently to address existing and changing service needs.
72. There is broad agreement that service delivery could be better achieved with adjustments to the Housing Options Coordinator role and with more focus on increased levels of rough sleeping by resourcing a Single Homelessness /Rough Sleeper Coordinator in support of this.

Finance

73. The first year of HRACT implementation and the use of the new prevention initiatives has - unsurprisingly - seen an increase in spend [£126,176 spent in 2019/19 against £71,712 in 2017/18]. This has allowed for **293** households to be assisted and avoid becoming homeless in 2018/19 by engaging in prevention work or by relieving homelessness, together with keeping family placements in bed and breakfast at negligible levels.
74. This figure for successful prevention/relief outcomes is significantly higher than **148** households assisted in 2017/18 and is to be welcomed. It has meant that notional savings in the order of approximately £200,000 have been

made based on the assumption that displaced households might have been placed in extremely costly, emergency interim accommodation.

75. Temporary accommodation remains a concern for the team. Whilst the overall number of households in TA has decreased from **179** to **114** since April 2018, there remains a severe shortage and supply of available, affordable properties for “move on”.
76. Market rents in the private rented sector continue to rise with the majority of accommodation being- on average - £120 over the Local Housing Allowance [LHA] rate per month. Households who are on low incomes or in receipt of welfare benefits will routinely struggle with affordability issues when identifying suitable accommodation and needing to move.
77. The continuing roll out of welfare reform, and recent enactment of the Tenant Fees Act 2019 appear to be impacting directly on market rents in Ashford and could widen the financial shortfall with rates of LHA even further. Recent uprating for LHA in April 2019 has resulted in a minor increase in entitlement but still looks set to be outpaced by the increased rates of market rent.

Local Housing Allowance Rates [2019/20]				
Shared rooms calendar month	£69.11	weekly	=	£299.48 per
One bedroom property calendar month	£126.34	weekly	=	£547.47 per
Two bedroom property calendar month	£149.79	weekly	=	£649.09 per
Three bedroom property calendar month	£178.23	weekly	=	£772.33 per
Four bedroom property calendar month	£230.34	weekly	=	£954.81 per

78. In 2018/19 and in anticipation of this emerging problem, an Accommodation Officer was appointed last year. The aim was to identify receptive landlords who would assist those homeless households on low incomes and/or in receipt of welfare benefits. This has proved to be challenging work as the objective was to negotiate rates of market rent which are affordable for this client group but, despite this, approximately **10** households have been assisted in 2018/19.
79. The Housing Options Team benefit from the work done by the Property Support Officer who is jointly funded by the Housing Revenue Account and General Fund. Their time is divided between processing Choice Based Lettings applications and managing the temporary accommodation. A robust monitoring system has been developed and has been extremely effective in reducing arrears in temporary accommodation. The collection rates for 2017/18 stood at **88%**, improving in 2018/19 to **96%**.
80. ABC Lettings, the Social Lettings Agency has been in place at Ashford since 2012, and has successfully assisted over **200** households threatened with homelessness into private rented accommodation. There is also a

collaborative partnership with Folkestone & Hythe District Council which has assisted a further **80** homeless households. It is recognised that this has had a pronounced effect on alleviating pressures on the service and has - on average - effectively prevented **25 to 30** placements of homeless households into emergency interim accommodation each year with planned moves into settled accommodation.

Options Considered

81. Adopt the Action Plan to reduce levels of homeless households in temporary accommodation
82. Review and enhance the Housing Options Coordinator role
83. Embed the service with the new full time Single Homelessness Outreach/Rough Sleeper Coordinator to directly intervene and address levels of rough sleeping.

Supporting Recommendations

84. The current structure - when fully staffed - will generally work well, and has made great strides in 2018/19 but it is quite finely balanced. Allowing for absences such as annual leave and sickness, gaps in the service can emerge quickly and this will heighten the risk of harming the solid prevention work that has been completed this year.
85. HRACT has produced additional workload in respect of client groups who had not historically been well served before the new legal duties were implemented. Previously, single persons who were in relatively good health had limited access to advice and assistance. They now benefit from having a prevention service that provides tailored, bespoke Personalised Housing Plans [PHP] to address their homelessness.
86. In addition to this, the steep increase in numbers of rough sleepers within our borough demonstrated an identified need for expanding the role of a Single Homelessness Outreach/Rough Sleeper Coordinator within the team. Funding that had been formerly provided to an external provider for part time outreach work for Ashford was utilised, in addition to available MHCLG grant specifically for the prevention of homelessness.
87. During the three months that the Winter Night Shelter was in operation until March 2019, one Housing Options Officer was tasked to focus solely on this client group. HRACT assessments and PHPs were provided in line with our statutory duties for clients requiring assistance, as well as welfare checks being completed at drop-in sessions.
88. It is proposed that the job description of the coordinator role ought to more fully reflect their duties in terms of their skill set and seniority. The recruitment of a full time Single Homelessness Outreach/Rough Sleeper Coordinator to replace the existing part time provision in Ashford will look to increase the level of successful outcomes for this client group.

Conclusion

89. The Housing Options Service have had to manage significant changes in working arrangements over the past year. As well as implementing new legislation, they have adapted to a fresh mind set and ethos, including new management information systems, and bedding in new staff in an expanded team. HRACT has clearly come with its challenges, but it is felt that Ashford are positioned ahead of other Local Authorities in terms of processes, procedures and results. We recognise what is working well and understand where we may need to make changes to enhance our service further.
90. There has been a reduction in the overall number in temporary accommodation by **34 %** since April 2018 and there will be a continued focus in this area in the coming year.
91. Prevention and relief outcomes to avoid placement in emergency accommodation and/or bed and breakfast have risen to **290** in 2018/19 [from **148** in 2017/18].
92. There is proven positive benefit in minimising social harm for households who are threatened with homelessness. There will be a continued emphasis on prevention enabling families and vulnerable persons to avoid a “crisis” moment and the loss of accommodation for their household.
93. There has been a reduction of **44%** in the number of households where we are accepting the full housing duty by successfully preventing or relieving their homelessness.
94. Solid progress has been made in addressing the increased levels of rough sleeping in Ashford and there are excellent examples of engaging with formerly entrenched vulnerable persons with moves to settled housing. This remains both a national and regional priority and there is real optimism that we can eliminate rough sleeping locally with the focused approach already adopted, and making adjustments to more pro-active service delivery. The numbers of rough sleepers have fallen by more than half in Ashford in 2019, and our Housing First initiative to assist identified, entrenched rough sleepers is due to roll out imminently.
95. The implementation of the Temporary Accommodation Reduction Action Plan will aim to further prevent homelessness, minimise the use of costly emergency accommodation and encourage more supply of affordable suitable housing allowing homeless households to move on quickly.

Portfolio Holder's Views

96. This report indicates the dedicated and coordinated work to reduce homelessness and rough sleeping in Ashford. The main areas of activity reflect increased prevention work and robust assessment of applications to reduce homelessness in the first place; the provision of more cost effective options for temporary accommodation to reduce general fund expenditure on temporary housing; and a rapid increase in affordable homes to provide appropriate move on housing for households in temporary housing. As can be

seen from the report this approach is reducing the numbers in temporary accommodation and reducing the high costs of such accommodation whilst addressing the needs of homeless people in the Borough.

Contact and Email

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1. An Equality Impact Assessment (EIA) is a document that summarises how the council has had due regard to the public sector equality duty (Equality Act 2010) in its decision-making. Although there is no legal duty to produce an EIA, the Council must have **due regard** to the equality duty and an EIA is recognised as the best method of fulfilling that duty. It can assist the Council in making a judgment as to whether a policy or other decision will have unintended negative consequences for certain people and help maximise the positive impacts of policy change. An EIA can lead to one of four consequences:

- No major change – the policy or other decision is robust with no potential for discrimination or adverse impact. Opportunities to promote equality have been taken;
- Adjust the policy or decision to remove barriers or better promote equality as identified in the EIA;
- Continue the policy – if the EIA identifies potential for adverse impact, set out compelling justification for continuing;
- Stop and remove the policy where actual or potential unlawful discrimination is identified.

Public Sector Equality Duty

- The Equality Act 2010 places a duty on the council, when exercising public functions, to have due regard to the need to:
- Eliminate discrimination, harassment and victimisation;
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it (i.e. tackling prejudice and promoting understanding between people from different groups).

2. These are known as the three aims of the general equality duty.

Protected Characteristics

3. The Equality Act 2010 sets out nine protected characteristics for the purpose of the equality duty:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership*
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation
- *For marriage and civil partnership, only the first aim of the duty applies in relation to employment.

Due regard

4. Having ‘due regard’ is about using good equality information and analysis at the right time as part of decision-making procedures.

5. To ‘have due regard’ means that in making decisions and in its other day-to-day activities the council must consciously consider the need to do the things set out in the general equality duty: eliminate discrimination, advance equality of opportunity and foster good relations. This can involve:

- removing or minimising disadvantages suffered by people due to their protected characteristics
 - taking steps to meet the needs of people with certain protected characteristics when these are different from the needs of other people
 - encouraging people with certain protected characteristics to participate in public life or in other activities where it is disproportionately low
6. How much regard is 'due' will depend on the circumstances. The greater the potential impact, the higher the regard required by the duty. Examples of functions and decisions likely to engage the duty include: policy decisions, budget decisions, public appointments, service provision, statutory discretion, decisions on individuals, employing staff and procurement of goods and services.
7. In terms of timing:
- Having 'due regard' should be considered at the inception of any decision or proposed policy or service development or change
 - Due regard should be considered throughout development of a decision. Notes shall be taken and kept on file as to how due regard has been had to the equality duty in research, meetings, project teams, consultations etc.
 - The completion of the EIA is a way of effectively summarising this and it should inform final decision-making

Case Law Principles

8. A number of principles have been established by the courts in relation to the equality duty and due regard:
- Decision-makers in public authorities must be aware of their duty to have 'due regard' to the equality duty and so EIA's must be attached to any relevant committee reports.
 - Due regard is fulfilled before and at the time a particular policy is under consideration as well as at the time a decision is taken. Due regard involves a conscious approach and state of mind.
 - A public authority cannot satisfy the duty by justifying a decision after it has been taken.
 - The duty must be exercised in substance, with rigour and with an open mind in such a way that it influences the final decision.
 - The duty is a non-delegable one. The duty will always remain the responsibility of the public authority.
 - The duty is a continuing one so that it needs to be considered not only when a policy, for example, is being developed and agreed but also when it is implemented.
 - It is good practice for those exercising public functions to keep an accurate record showing that they have actually considered the general duty and pondered relevant questions. Proper record keeping encourages transparency and will discipline those carrying out the relevant function to undertake the duty conscientiously.
 - A public authority will need to consider whether it has sufficient information to assess the effects of the policy, or the way a function is being carried out, on the aims set out in the general equality duty.
 - A public authority cannot avoid complying with the duty by claiming that it does not have enough resources to do so

The Equality and Human Rights Commission has produced helpful guidance on "Meeting the Equality Duty in Policy and Decision-Making" (October 2014). It is available on the following link and report authors should read and follow this when developing or reporting on proposals for policy or service development or change and other decisions likely to engage the equality duty. [Equality Duty in decision-making](#)

Lead officer:	Rebecca Wilcox [2018]	Ray O'Shea [2019]
Decision maker:	Cabinet	Management Team
Decision: <ul style="list-style-type: none"> • Policy, project, service, contract • Review, change, new, stop 	Homeless Reduction Act 2017	Homeless Reduction Act 2017 REVIEW
Date of decision: The date when the final decision is made. The EIA must be complete before this point and inform the final decision.	January 2018	Reviewed – 2 April 2019
Summary of the proposed decision: <ul style="list-style-type: none"> • Aims and objectives • Key actions • Expected outcomes • Who will be affected and how? • How many people will be affected? 	<p>The Homeless Reduction Act will be implemented on 3rd April 2018.</p> <p>The aims and objectives of the Act is to have more emphasis on the prevention of homelessness. Every person that approaches for advice will be given a comprehensive personal housing plan which sets out exactly what they have to do, and what assistance the local authority will provide.</p> <p>Based on information from Wales, where the Act is already implemented, and from those Authorities piloting the Act, it is expected that the work load will double as more detailed casework needs to be conducted.</p>	<p>Implementation The Homeless Reduction Act came into force on 3 April 2018 and the new legal duties in respect of prevention and relief of homelessness became effective for new applications from that date.</p> <p>Aims and objectives are as previously stated with emphasis on the prevention and relief of homelessness. Persons approaching under a threat of homelessness within 56 days have received initial advice and assistance followed by a tailored Personal Housing Plan [PHP] where it was required.</p> <p>Data [Ashford] In 2017/18, the number of approaches from households threatened with homelessness in Ashford was - on average - 124 cases on a monthly basis. Since HRACT was implemented in April 2018 this has now risen to 138 cases monthly.</p> <p>Overall, the numbers of homelessness approaches in Ashford has been stable since April 2018 [with the exception of a seasonal peak in January 2019] and has been broadly managed within existing resources.</p> <p>Staff</p>

	<p>This will have a big impact on staff. We are proposing a restructure of the team and need to recruit additional members in order to meet the demand.</p> <p>There will also have an impact on the wider team, as the demand for private rented accommodation will increase as well as needing to amend our current lettings policy.</p> <p>There will also be a significant impact on our partner agencies with the increased duties.</p>	<p>Prior to the implementation of the Act, a review of the Housing Options service was undertaken. A restructure of staff was approved and the team now comprises -</p> <ul style="list-style-type: none"> • Five Housing Options Officers • Two Housing Options Officers On Yearly Fixed Term Contracts • One Housing Options Coordinator • One Accommodation Officer • Housing Options Manager <p>The Housing Options Team became fully operational with its new staff complement in September 2018.</p> <p>There has been a dramatic drop in number of homeless cases that are being accepted and provided with a full housing duty. During 2017/18 there were 160 accepted cases as opposed to 71 cases in 2018/19.</p> <p>On average, officers maintain a case load of approximately 25 households fluctuating subject to the number of approaches being made.</p> <p>Partner Agencies On 1 October 2018, a new legal “Duty to Refer” was introduced for a number of specified public bodies (as per <i>Homelessness (Review Procedure etc.) Regulations 2018</i>).</p> <p>Those who are subject to this new homelessness duty are (in England only) -</p> <ul style="list-style-type: none"> ➤ Prisons ➤ Young Offender Institutions ➤ Secure Training Centres ➤ Secure Colleges ➤ Youth Offending Teams ➤ Probation Services (Including Community Rehabilitation Companies) ➤ Jobcentres In England ➤ Social Service Authorities (Both Adult And Children)
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		<ul style="list-style-type: none"> ➤ Emergency Departments ➤ Urgent Treatment Centres ➤ Hospitals In Their Function Of Providing Inpatient Care ➤ Secretary Of State For Defence In Relation To Members Of The Regular Armed Forces <p>Additional referrals for households threatened by homelessness have increased the number of cases requiring assessment by an average 25 to 30 monthly.</p>
<p>Information and research:</p> <ul style="list-style-type: none"> • Outline the information and research that has informed the decision. • Include sources and key findings. 	<p>Research has been conducted over the past few months looking at both the Welsh model and those Authorities piloting the scheme already.</p> <p>The Department for Communities and Local Government (DCLG) have recently issued a Code of Guidance and have made recommendations of how to implement the Act.</p> <p>In addition, we have sought the assistance from an independent consultant.</p>	<p>Data collated for the year 2018/19 indicates that there have been increased numbers of approaches by households threatened by homelessness of approximately 11% in Ashford across all client groups.</p> <p>HCLIC quarterly statistical returns to the Ministry for Housing, Communities and Local Government [MHCLG - formerly DCLG] provide detailed data on homeless households who have accessed services.</p> <p>MHCLG have issued formal guidance for implementation of the Act [revised throughout the year]</p> <p>Version 1 - 3 April to 19 Jun 2018 Version 2 - 1 Nov 2018 to 5 Feb 2019 Version 3 - 20 Jun to 31 Oct 2018 Version 4 - 6 Feb to 14 April 2019</p> <p>There were also new legal duties enacted under the Homelessness (Review Procedure etc.) Regulations 2018 [with accompanying guidance] effective from 1 October 2018.</p>

<p>Consultation:</p> <ul style="list-style-type: none"> • What specific consultation has occurred on this decision? • What were the results of the consultation? • Did the consultation analysis reveal any difference in views across the protected characteristics? 	<p>Staff directly affected have had an informal discussion with the Housing Operations Manager and the Head of Housing. There have been a couple of SPACE room sessions to outline the proposal for the new structure and to discuss the expected operational procedure.</p> <p>This will take a more formal consultation period in the new year, involving the personnel department.</p>	<p>Following implementation of the Act, the team met monthly to discuss procedures and working practices. This effectively served as an opportunity to ensure that there was consistency in delivery throughout the team.</p> <p>On the 27 February 2019, a full consultation meeting was held with the team to find out what they felt was working well and areas that could be improved upon to take the service forward.</p> <p>As part of this consultation, six key areas were considered -</p> <ul style="list-style-type: none"> ➤ Team Structure ➤ Management Information Systems [Locata] ➤ Prevention & Relief Working Arrangements ➤ Temporary Accommodation Reduction ➤ Communications ➤ Training <p>Although, it was felt that the structure of the team was broadly well balanced, and was strengthened with a strong coordinator role, it was acknowledged that more could be done at the “front end” to improve service delivery for customers.</p> <p>Areas were identified in client groups with protected characteristics directly relevant in the context of homeless approaches to Ashford including -</p> <ul style="list-style-type: none"> • Rough Sleepers age, disability/mental health, race, religion/belief, gender and sexual orientation • Survivors of Domestic Abuse/Violence age, disability/mental health, race, religion/belief, gender and sexual orientation • Older Persons age, disability/mental health, race, religion/belief, gender
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<ul style="list-style-type: none"> • What conclusions can be drawn from the analysis on how the decision will affect people with different protected characteristics? 	<p>Partner agencies have been informed of the new Act, specifically the Rough Sleepers Working Group and the Supported Accommodation Move On Group.</p> <p>DCLG are intending to run a series of formal training for both Local Authority staff and partner agencies in the new year.</p> <p>Ashford Borough Council are planning to re-launch their Homelessness Forum in January 2018 to bring together all those agencies who work with people that are either homeless, or threatened with homelessness.</p>	<ul style="list-style-type: none"> • Young Persons/Young Parents age, disability/mental health, race, religion/belief, gender, sexual orientation pregnancy and maternity <p>From this exercise, there are planned initiatives to address individual client groups and have dedicated provision to meet their housing needs including –</p> <p>Domestic Abuse Housing Project – to provide intermediate housing and support while settled housing solutions are identified</p> <p>Housing First – project specifically tailored for rough sleepers to access settled accommodation and received “wraparound” support and services to suction their tenancy</p> <p>Mother & Baby Accommodation – following Kent County Council’s [KCC] Housing Related Support commissioning exercise, there are proposals with partner agencies to have dedicated accommodation and support for this client group</p>
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Assess the relevance of the decision to people with different protected characteristics and assess the impact of the decision on people with different protected characteristics.

When assessing relevance and impact, make it clear who the assessment applies to within the protected characteristic category. For example, a decision may have high relevance for young people but low relevance for older people; it may have a positive impact on women but a neutral impact on men.

Protected characteristic	Relevance to Decision High/Medium/Low/None	Impact of Decision Positive (Major/Minor) Negative (Major/Minor) Neutral	REVIEW Relevance to Decision High/Medium/Low/None	REVIEW Impact of Decision Positive (Major/Minor) Negative (Major/Minor) Neutral
<u>AGE</u>	Low	Neutral	Low	Neutral
Elderly				
Middle age	Low	Neutral	Low	Neutral
Young adult	Low	Neutral	Low	Neutral
Children	Low	Neutral	Low	Neutral
<u>DISABILITY</u>	Low	Neutral	Low	Neutral
Physical				
Mental	Low	Neutral	Low	Neutral
Sensory	Low	Neutral	Low	Neutral
<u>GENDER RE-ASSIGNMENT</u>	Low	Neutral	Low	Neutral

<u>MARRIAGE/CIVIL PARTNERSHIP</u>	Low	Neutral	Low	Neutral
<u>PREGNANCY/MATERNITY</u>	Low	Neutral	Low	Neutral
<u>RACE</u>	Low	Neutral	Low	Neutral
<u>RELIGION OR BELIEF</u>	Low	Neutral	Low	Neutral
<u>SEX</u>	Low	Neutral	Low	Neutral
Men				
Women	Low	Neutral	Low	Neutral
<u>SEXUAL ORIENTATION</u>	Low	Neutral	Low	Neutral

Mitigating negative impact: Where any negative impact has been identified, outline the measures taken to mitigate against it.	No negative impact
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Is the decision relevant to the aims of the equality duty?

Guidance on the aims can be found in the EHRC's *Essential Guide*, alongside fuller *PSED Technical Guidance*.

Aim	Yes / No / N/A
1) Eliminate discrimination, harassment and victimisation	Yes
2) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it	Yes
3) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it	Yes

Conclusion:

- Consider how due regard has been had to the equality duty, from start to finish
- There should be no unlawful discrimination arising from the decision (see guidance above)
- Advise on whether the proposal meets the aims of the equality duty or whether adjustments have been made or need to be made or whether any residual impacts are justified

The Homeless Reduction Act will ensure that those households that are deemed to be “Non priority” and therefore have no duty to be housed by the Local Authority, will receive a robust and more comprehensive advice and assistance service to ensure that they can secure sustainable, long term accommodation.

The DCLG are changing the way they collect statistics and therefore this will be closely monitored by the Senior Housing Options Officer, who will send the new H-Clic report through every quarter.

<ul style="list-style-type: none">• How will monitoring of the policy, procedure or decision and its implementation be undertaken and reported?	<i>The council's revised policy register will assist services to meet this</i>
EIA completion date:	4 November 2019