

COMMUNITY & ENTERPRISE OVERVIEW AND SCRUTINY COMMITTEE

Date of Meeting	April 13 th 2016
Report Subject	Housing (Wales) Act 2014
Cabinet Member	Cabinet Member for Housing
Report Author	Chief Officer, (Community and Enterprise)
Type of Report	Strategic

EXECUTIVE SUMMARY

The Housing (Wales) Act 2014 introduced new homeless legislation in April 2015. This report provides an update on how the council has met the requirements of the new homeless legislation including the focus on homeless prevention and support for more households.

The transition funding made available by Welsh Government has been used to support some key areas which contribute to the prevention of homelessness and increase the availability of suitable housing options. The funding has provided additional capacity within the Private Sector Team, Environmental Health, Third Sector support and regional projects as well as 1.5 additional posts within the team.

In 2015 the Triage Team was created to meet the requirements within the new legislation and the new Single Access Route to Housing policy. This team has developed over the year and is now providing low level advice, where appropriate, and relieving pressure on the Housing Options Team by forwarding customers directly to the appropriate service to meet their housing need.

There has been an increase in numbers of households seeking assistance compared to previous years. This service is pleased to report that it has managed to maintain a high rate of successfully preventing or relieving homelessness. Reducing the use of B&B accommodation remains a focus and the report details the challenges the council faces, the ongoing risks and the activity undertaken to manage this area.

RECOMMENDATIONS

1	Committee notes the update on the Housing Solutions Service and the management of the new legislation within the Housing (Wales) Act 2014
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REPORT DETAILS

1.00	BACKGROUND
1.01	The Housing (Wales) Act 2014 reflects the Welsh Government commitment to reinforce the prevention of homelessness as set out in its Ten Year Homelessness Plan. The legislation introduced by the Act on the 27th April 2015 represents the most fundamental change to homelessness legislation since the Housing (Homeless Persons) Act was introduced in 1977.
1.02	<p>The legislation has introduced an explicit focus upon the prevention of problems rather than simply processing people through crises and, if implemented effectively, will result in fewer households experiencing the trauma of homelessness.</p> <p>Key features of the new legislation include:</p> <ul style="list-style-type: none">▪ A new statutory duty for Local Authorities to take reasonable steps to help people prevent homelessness;▪ Extend the definition of ‘threatened with homelessness’ from 28 to 56 days;▪ A power rather than a duty to apply the homelessness intentionality test;▪ A new power allowing Local Authorities to discharge their homelessness duty through an offer of suitable private rented sector housing; and
1.03	Stronger duties on Housing Associations to, when requested, provide co-operation and support to local authorities in carrying out their homelessness duties.
1.04	A year before the legislation came into force, Flintshire County Council’s Housing Options Team agreed to pilot the delivery of a homelessness prevention service aligned to the requirements within the new legislation. A report on the experiences of the team during the 12 month pilot was shared amongst all Welsh Local Authorities, providing them with a framework within which they could develop and deliver an effective homelessness prevention service.
	<u>CONSIDERATIONS</u>
1.05	Homeless Prevention The legislation places a much stronger emphasis on prevention and the legislation also has a focus on the service user, helping them to identify and address the causes of homelessness and make informed decisions on

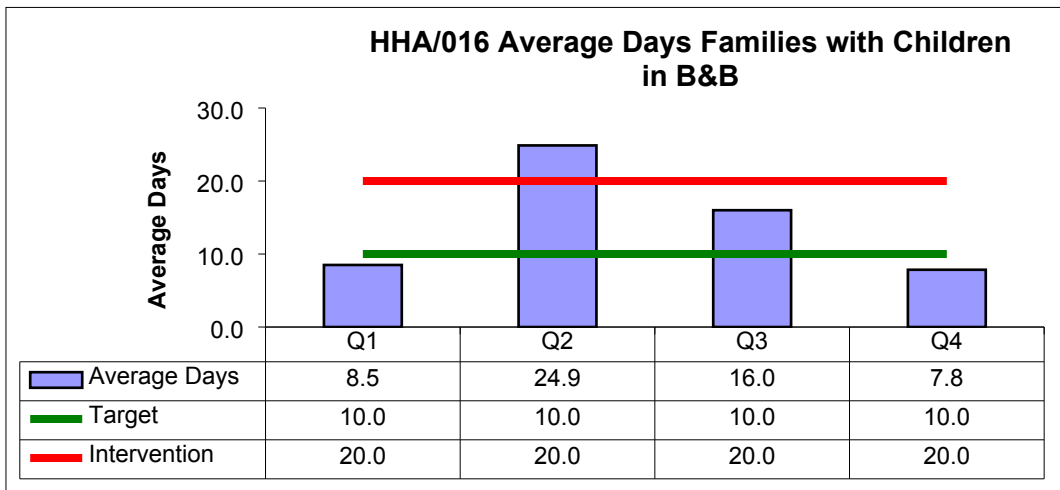
	finding solutions to their housing problem.					
1.06	The new statutory duty upon a Local Authority to prevent homelessness for all those who present with a housing need has meant that many households now receive more help and support than the limited assistance they would have been entitled to under the previous legislation.					
1.07	During the period April 2015 to March 2016, the Housing Options Team received 1,176 referrals of households in need of housing assistance. It is pleasing to note that the figures at the end of quarter three demonstrate the team has successfully prevented or relieved homelessness in 91% of cases. The figures for the full year show that the number of customers being referred to Housing Solutions has increased this year by 7% compared to 2014/15. This figure underestimates the increase demand as a number of households are having their needs met through wider housing solutions services and receiving assistance from the Housing Access Team. Previously, the majority of cases would have been presenting directly to the Housing Options Team for advice and assistance.					
1.08	The continued focus of Supporting People services on homeless prevention activity has contributed to the outcomes of the service. This is an area the service will continue to develop in order to meet ongoing need.					
1.09	Triage and Housing Solutions At the same time the new homelessness legislation came into force, Flintshire County Council launched the new Single Access Route to Housing (SARTH) allocations policy. A key aspect of the new policy is the focus on identifying appropriate Housing Solutions for those who apply for social housing. Housing staff, who had previously been inputting application forms, were trained to deliver a customer facing housing triage service.					
1.10	This service is the 'gateway' for all enquiries from people who are in housing need. The triage team not only identify whether someone is eligible to go on the register for social housing but also identify if someone is at risk of homelessness or requiring housing advice and assistance. As the confidence and experience of this team has developed, it has been able to provide better advice and housing options to customers. For example, those looking for affordable housing are provided with wider options of how a sustainable housing solution can be attained and those identified at risk of homelessness are forwarded directly to the Housing Options Team.					
1.11	The effectiveness of the triage service has relieved pressure on the Homeless Officers who are carrying large caseloads. For example, the triage team take detailed information to form an individual's initial housing assessment and, as appropriate, provide low level housing advice and assistance. Consequently, the Homeless Officers are freed up to manage more complex homeless cases.					
1.12	The chart below shows how the number of cases being dealt with and resolved by the triage team has released pressure on Housing Options through the year with 49% of cases being referred to other teams.					
	<table border="1"> <thead> <tr> <th>Number</th> <th>Number</th> <th>%</th> <th>Number of</th> <th>%</th> </tr> </thead> </table>	Number	Number	%	Number of	%
Number	Number	%	Number of	%		

	of Triages of Referrals to Duty referrals to other Housing Solutions				
	Quarter 2	433	357	82.45%	76 17.55%
	Quarter 3	554	218	39.35%	336 60.65%
	Quarter 4	837	356	42.53%	481 57.47%
	Total	1824	931	51.04%	893 48.96%
1.13	The triage service has primarily been carried out over the phone. However, it is now available face to face within the Connects Centre. As a number of additional staff are now carrying out the customer facing triage service a number of full days training are scheduled for April. Representatives from Housing Options, NEW Homes and the Affordable Register will attend to provide detailed information on the range of options available.				
1.14	The service is currently carrying out case file reviews to ensure the service is compliant with the new legislation. In addition, Shelter Cymru are carrying out some independent reviews of the customer experience from triage stage through to being allocated accommodation.				
1.15	Private Rented Sector The focus of the Housing Options Team, wherever possible, is to prevent homelessness and enable a household to remain in their home. However, there are many examples where this is not an achievable outcome and alternative accommodation must be sourced for a household. The team could not adequately meet the need for the provision of alternative accommodation through relying on social housing alone. To achieve a successful homeless prevention outcome the service needs a supply of affordable housing options, which can be made available to households accessing the service.				
1.16	NEW Homes and the Bond Scheme have made available an increased supply of private sector options for families. Furthermore, the management of properties by NEW Homes increases the sustainability of tenancies and helps the private rented sector be viewed by households as a more settled option.				
1.17	In 2015/16 133 households accessed private rental properties through the Bond Scheme; 52 single person households and 81 families; Of these 17 households were housed by NEW Homes.				
1.18	Affordable Register The triage service is able to promote the affordable options available in the county. The team now has a list of schemes in development to ensure they can give accurate advice. A list of interested applicants is sent over to Grwp Cynefin who manage the affordable register every week. The number of applicants had been lower than expected and Grwp Cynefin staff have spent some time with the Triage Team to build closer links.				
1.19	Bed and Breakfast Reducing the use of B&B accommodation has been a focus of the service in 2015/16. However, it is important to note that the new legislation, which requires a Local Authority to provide a household with interim				

accommodation if there is 'reason to believe the household has a priority need', is a lower threshold than the threshold in the previous legislation where a duty to provide interim accommodation was only owed to households 'in priority need'.

1.20 The target for the year was to spend less than £120,000 on B&B. At the time of writing the report, the service did not have final figures. B&B costs have been on average £8,300 so the full year projection is £100,000 in 2015/16.

1.21 **Families**
 The service is particularly keen to end the use of B&B accommodation for families. In 2015/16, on average 2 families a month were placed in B&B accommodation. Despite the availability of family supported accommodation and temporary units from our own stock, there remain occasions, where due to the urgency of the case or the complexity of the circumstances, a B&B placement is unavoidable. Whenever, a family is placed within B&B accommodation the Housing Options Team find more suitable accommodation for the family as soon as practical.



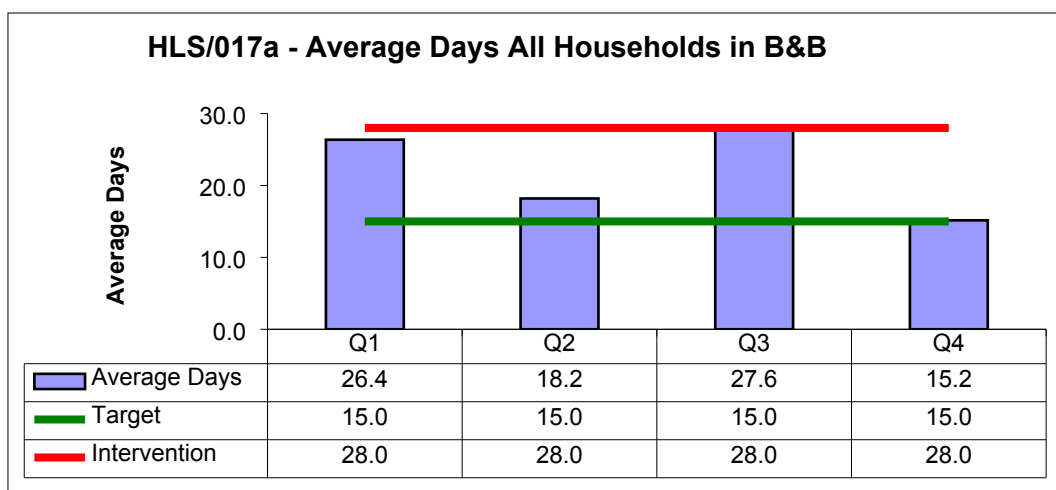
1.22 **Single Households**
 It is much more challenging to reduce the use of B&B for homeless single households. Within Flintshire, there is a shortage of accommodation for single households. This obviously hinders the ease at which the Local Authority can discharge its statutory duty to provide a single applicant with suitable and affordable permanent accommodation. The shortage of accommodation for single people has been exacerbated by various welfare reforms, which have been introduced since 2013. For example, applying the single room rent rules until a person is 35 years old, has resulted in more single people, with shared access to children, being advised that, within the private rented sector, their maximum Housing Benefit award will be capped at the rent for a room in shared house. Frequently, such accommodation is not appropriate for children to have overnight stays. Very often this means that for those in receipt of benefits, the only affordable option for a one-bedroomed property is in social housing. However, the demand for one-bedroomed social housing flats outstrips supply.

1.23 In addition, it is important to recognise that Flintshire does not have a large supply of shared housing within the private rented sector and the standard of some shared properties does not meet the requirements to be deemed 'suitable' under the homeless legislation. To address this issue, the Bond

Scheme and the Environmental Health Service are proactively working together to improve standards within shared housing. However, even good quality shared housing does not meet the expectations of many single households and some choose to not accept the accommodation.

1.24 In order to reduce B&B use for single households awaiting a permanent housing solution, the service set a target to bring on line 27 leased temporary units managed by the Housing Solutions Service. There are 21 units up and running and the final 6 will be available by the end of April. In a number of cases the development of leases has made available accommodation that was previously unsuitable for the Housing Solutions service to use. The housing benefit income covers the cost of management which is delivered by the Housing Solutions Service. This arrangement works well for the households, the landlord and the Housing Solutions Service.

1.25 It is intended that single people reside in these properties as a 'short-term' solution to their housing need as the rents are high and can act as a disincentive for a person to enter employment. However, it is already apparent that the required move through to permanent accommodation is not being achieved. To ensure that there is a proactive movement of homeless single households from the temporary units (and consequently reduce the number of single people within B&B's) addressing the lack of permanent suitable and affordable accommodation for single people within Flintshire must be viewed as a priority for the Council.



1.26 **Offender Pathway**

The National Pathway was developed after extensive consultation with organisations including Shelter Cymru and the Welsh Local Government Association (WLGA). It pays particular attention to the needs of people leaving custody to prevent them from becoming homeless, thereby improving their resettlement into society and reducing their risk of reoffending.†

1.27 Prisoners facing homelessness receive support 56 days before their release. The Pathway also clarifies the roles and responsibilities of all agencies and organisations involved in the process, resulting in a more coordinated approach with better support for people leaving custody.

1.28	<p>Every person who enters a Welsh prison is provided with information about the Pathway and informed of what support is available if they do not have anywhere stable to live on leaving prison. HMP Altcourse and Styal prison are the designated host resettlement prisons for offenders returning to North Wales and will be signed up to the national pathway until the Wrexham prison opens. An average of 80% of offenders returning to North Wales will be transferred to a Welsh prison prior to release. The others that cannot be transferred are covered by other arrangements. The Pathway sets out the responsibilities of all agencies involved in the resettlement process.</p>
1.29	<p>All Welsh Local Authorities have been asked to sign up to the pathway. Four North Wales Local Authorities have collaborated to deliver a co-ordination role to manage the Pathway using Transition Funding. Wrexham is the lead for the service which commenced in January 2016. The Welsh Government have reported some early positive outcomes from the national pathway.</p>
1.30	<p>Transition funding The Welsh Government has made available transition funding to support the implementation of the new legislation. Flintshire was awarded £228,000 in 2015/16 to support the transition. This funding allocation has reduced to £140,000 in 2016/17 and will reduce again in the final year of allocation.</p>
1.31	<p>It is pleasing to report that Flintshire was commended for its use of the transition funding in a review by Shelter Cymru evaluating the success of the new legislation. The service has realised the benefits of the investment within the service and wider areas. If numbers presenting for assistance remain at the current level or continue to increase, there will be a risk in terms of maintaining prevention levels and the availability of suitable options when this funding ends.</p>
1.32	<p>Flintshire has used the funding in three main areas:</p> <p>Increase the availability of suitable and affordable private rented properties:- It is crucial that there is a range of affordable housing options available in order for the Housing Solutions Service to manage the number of people presenting as homeless or at risk of homelessness. The funding has supported the creation of posts within the Environmental Health Service and the Private Sector Team. The post in the Environmental Health Service helps prevent homelessness by working with landlords to address any issues in privately rented properties. The post also works to improve the standard of properties used by the Bond Scheme. The private sector post has made available additional properties through NEW Homes and the Bond Scheme.</p> <p>Homeless Prevention The new legislation provides more support for more people. In recognition of the additional work and to provide a proactive focus on the delivery of an effective and efficient homeless prevention service, an additional 1.5 posts were created within the Housing Options Team. The funding has also been used to top up the Housing Options Team's homeless prevention fund. This fund allows the officers to consider innovative approaches to maintain someone in their own home or access alternative accommodation.</p>

Support for the Third Sector

Flintshire has recognised the valuable role of the Third Sector in preventing homelessness. The funding has supported the CAB gateway for benefit and advice services and has continued to fund the in house Shelter Cymru worker. The Shelter Cymru worker provides support within the team and provides an opportunity for us to work for the best outcome for the customer without having to go through adversarial processes and challenges. The partnership working between Flintshire and Shelter Cymru has been recognised as an example of 'good practice' and other Welsh Local Authorities are now developing similar arrangements.

Regional Services

The new homelessness legislation provides an applicant with the legal right to request a review of a decision made by a Local Authority upon their homelessness application at several 'decision making' points. Consequently, the North Wales Heads of Housing agreed to introduce a North Wales Homelessness Decision Reviewing Service and Flintshire County Council took responsibility for developing and delivering the Regional Reviewing Service.

The aim of the Regional Reviewing Service is to manage all legal challenges against the statutory homelessness decisions made by Local Authorities across North Wales and to ensure that there is a consistent approach to the interpretation of the homelessness legislation across the Local Authorities.

The Regional Reviewing Service has received 17 requests for review. The service has been successful in identifying some of the problems experienced by the Local Authorities as they deliver services within the new legislative framework and proposing solutions to these problems. 5 decisions have been upheld, 7 have been overturned, 3 subsequently withdrew their requests and two are pending. A review report has been circulated to demonstrate patterns within reviews to improve services and ensure regional consistency in approach.

2.00	RESOURCE IMPLICATIONS
2.01	The Welsh Government recognised that the implementation of the new homelessness prevention duties would lead to increased costs for Local Authorities. Therefore, in 2015/16 and 2016/17 they made transitional funding available to assist Local Authorities to meet these additional costs (see 1.30 above).
2.02	The proactive homelessness prevention services (described within this report) which are being delivered by the Housing Solutions Service are making a positive contribution to enabling the Local Authority to fulfil all its statutory homelessness duties as cost effectively as possible.

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
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3.01	None.
4.00	RISK MANAGEMENT
4.01	None.
5.00	APPENDICES
5.01	None.
6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	<p>None.</p> <p>Contact Officer: Katie Clubb, Customer Support Manager Telephone: 01352 703518 E-mail: Katie.clubb@flintshire.gov.uk</p>
7.00	GLOSSARY OF TERMS
7.01	<p>Welsh Government Ten Year Homelessness Plan – This ten year plan describes how homelessness in Wales will be tackled between 2009 - 2019. This Ten Year Plan sets out some guiding principles for the development and delivery of homelessness services.</p> <p>Housing Solutions Triage – the initial discussion with the customer about their circumstances and housing need.</p> <p>Transition Funding – a grant made available to Local Authorities to assist with the implementation of the new legislation. This is available over three years with the level reducing over the period.</p>