

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **HOUSING OVERVIEW & SCRUTINY COMMITTEE**

DATE: **WEDNESDAY, 26 NOVEMBER 2014**

REPORT BY: **CHIEF OFFICER (COMMUNITY & ENTERPRISE)**

SUBJECT: **HOUSING ACT WALES 2014**

1.00 **PURPOSE OF REPORT**

1.01 To update the committee on progress and early findings from Flintshire's pilot of the new homeless prevention duty to be introduced as part of the Housing Act Wales 2014.

2.00 **BACKGROUND**

2.01 The Housing Act Wales 2014, received Royal Assent in September 2014 and the provisions within the Act will contribute to the Welsh Government's three strategic priorities for housing: more homes, better homes, and better services. The Act contains legislation covering several diverse areas:

- Regulation of Private Rented Housing for landlords and agents
- Homelessness
- Gypsies and Travellers
- Standards for Social Housing: rents, service charges & housing standard
- Housing Finance : Housing Revenue Account subsidy system
- Co operative Housing : allowing fully mutual housing associations to grant Assured tenancies
- Council Tax for empty dwellings

2.02 The changes to homelessness legislation introduced by the Act are perhaps the most fundamental that have been introduced since 1977 and they will start to take effect from April 2015. Key features of the new legislation include:

- A new duty to help anyone threatened with homelessness within the next 56 days
- A duty to provide help to any homeless person to help them secure a home
- A power rather than a duty to apply the intentionality test

- New powers for local authorities to discharge their homelessness duties through finding accommodation in the private rented sector
- Stronger duties on Housing Associations to support local authorities in carrying out their homelessness duties

2.03 Flintshire County Council was keen to pilot the new enhanced prevention duty as its Housing Options Team already had a successful focus on homeless prevention. Flintshire County Council believes in this approach and recognises the benefit of proactive support as opposed to a focus on an 'eligibility assessment'. The council also recognised that this is a significant change to existing legislation and felt it would be important to have a lead in period to prepare. Delivering the pilot is providing an opportunity for the team to manage the necessary changes, including the change in culture for staff and stakeholders and to assess any need for additional capacity, and increase in costs. The pilot is also intended to enable the Housing Options Team to ensure its services are modelled and structured appropriately to manage the new duty.

3.00 CONSIDERATIONS

3.01 Flintshire County Council has utilised additional homeless prevention funding made available by Welsh Government to carry out the pilot which, has been running for six months. In this period the Housing Options Team has been working to the spirit of the new legislation and the activity and findings are recorded in the report attached at appendix one.

3.02 It is important to note that these are only the early findings and the team are keen to develop further some key areas including customer and stakeholder feedback. Furthermore, there are also some limitations to the pilot as discharge into the private rented sector cannot be fully tested and prison leavers currently remain a priority need group, and therefore piloting prevention with that group is limited.

3.03 The pilot is being supported by a Shelter Cymru worker, who is based within the Housing Options Team. A key aspect of the homeless prevention service is proving to be the independent advice provided by Shelter Cymru and together the council and Shelter are developing a joint definition of what will count as 'all reasonable steps', which will place the council in a positive position ahead of April 2015.

3.04 Both organisations were keen to build on the positive relationship between Flintshire Housing and Shelter Cymru and explore further how independent challenge can be conducted in the best interest of the customer. Working within the team, the Shelter Cymru Housing Advisor is also developing a better understanding of the reasoning behind homelessness decisions and this will minimise the potential for

the council's statutory homeless decisions being subject to legal challenges.

4.00 RECOMMENDATIONS

4.01 That the Committee notes the progress of the pilot and the early findings and implications..

5.00 FINANCIAL IMPLICATIONS

5.01 Welsh Government has provided £0.025m funding in this financial year to support the pilot and will also provide transitional funding over the following three years to assist with the additional burdens associated with the changes to the Homeless Legislation. An indicative amount for 2015/16 is £0.228m with additional funding anticipated for 2016/17 and 2017/18 on a reducing basis.

6.00 ANTI POVERTY IMPACT

6.01 Having access to quality, affordable, and suitable housing plays a critical role in supporting people to achieve better outcomes and has a particular positive impact on the life chances of children and young people.

6.02 The new statutory duties upon Local Authorities to prevent homelessness will result in more people to being helped to avoid the negative impacts homelessness has upon a person's health, education, employment and social well-being.

7.00 ENVIRONMENTAL IMPACT

7.01 None arising directly from the report.

8.00 EQUALITIES IMPACT

8.01 The enhanced homelessness prevention duty will be accessible to all members of Flintshire's diverse communities and therefore will increase the level of help and advice that is available for those households who are only eligible for limited assistance under the current legislation.

9.00 PERSONNEL IMPLICATIONS

9.01 None arising directly from the report.

10.00 CONSULTATION REQUIRED

10.01 None as a result of this report. The report will be shared more widely with Welsh Government and other Local Authorities to enable others to learn from the findings contained within the report.

11.00 CONSULTATION UNDERTAKEN

11.01 None as a result of this report

12.00 APPENDICES

12.01 Appendix 1 – Homeless Prevention Pilot report

**LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985
BACKGROUND DOCUMENTS**

None

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