

**COMMUNITY AND ENTERPRISE OVERVIEW AND SCRUTINY COMMITTEE**

<b>Date of Meeting</b>	Tuesday 17 July 2018
<b>Report Subject</b>	Update on the Management of the Homeless Legislation Within the Housing (Wales) Act 2014
<b>Cabinet Member</b>	Deputy Leader of the Council and Cabinet Member for Housing
<b>Report Author</b>	Chief Officer, Housing and Assets
<b>Type of Report</b>	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 and some of the projected challenges that face the Council.

Part 2 of the Housing (Wales) Act 2014 places a statutory duty on each Council in Wales to carry out a homelessness review and formulate a homelessness strategy. North Wales are developing a Regional Strategy with local action plans informed by independent reviews carried out in each county. The development of the strategy is progressing well and will be presented to Cabinet for sign off at the end of the year.

In 2017/18 the Council saw an increase in the number of households presenting at risk of homelessness and increased use of temporary accommodation. The Council is committed to prevent rough sleeping and has worked to model the services and grant funding to mitigate the risk of increased temporary accommodation costs.

The Flintshire Homeless Review has identified that the availability of suitable and affordable accommodation across housing sectors is not adequate to meet presenting need and that there is a requirement for particular focus on options for those most vulnerable or with complex needs. The findings of the review will inform the action plan and the initiatives being developed to tackle homelessness in the County.

## RECOMMENDATIONS

1	Scrutiny to support the update on the management of the new legislation within the Housing (Wales) Act 2014.
2	Scrutiny to support the emerging themes within the Regional Homeless Strategy, and note the challenges that the Council has faced finding suitable housing options for households and the plans to mitigate further risks.
3	Scrutiny to support the proposals to alleviate homelessness in the County.

## REPORT DETAILS

<b>1.00</b>	<b>Explaining the Housing (Wales) Act 2014 – Homelessness Legislation</b>
1.01	<b>Background</b>
1.02	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.
1.03	The legislation has introduced an explicit focus upon the prevention of problems rather than simply processing people through crises and, if implemented effectively, aims to result in fewer households experiencing the trauma of homelessness.
1.04	The 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.
1.05	Part 2 of the Housing (Wales) Act 2014 places a statutory duty on each Council in Wales to carry out a homelessness review and formulate a homelessness strategy.
1.06	A homelessness strategy, under section 50 of the Act, is a strategy for achieving the following objectives in the local housing authority's area; <ul style="list-style-type: none"><li>• prevention of homelessness</li><li>• that suitable accommodation is and will be available for people who are or may become homeless</li><li>• that satisfactory support is available for people who are or may become homeless.</li></ul>

1.07	<b>HOMELESS PREVENTION OUTCOMES</b>																																				
1.08	<b>Triage Service</b>																																				
1.09	The triage service is the 'gateway' for all enquiries from people who are in housing need or require assistance. 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.																																				
1.10	The effectiveness of the triage service has relieved pressure on the specialist 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 and no longer process referrals and applications for the housing register, Bond Scheme or support services.																																				
1.11	<p>In 2017/18, there were 3,495 triage applications completed for customers approaching for housing assistance which represents a 3.9% increase in enquiries when compared to the same reporting period in 2016/17. 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 52% of cases being managed at first point of contact or referred to other teams.</p> <table border="1"> <thead> <tr> <th></th> <th>Number of Triages</th> <th>Number of Referrals to Duty</th> <th>%</th> <th>Number of referrals to other Housing Solutions</th> <th>%</th> </tr> </thead> <tbody> <tr> <td><b>Quarter 1</b></td> <td>815</td> <td>419</td> <td>51%</td> <td>396</td> <td>49%</td> </tr> <tr> <td><b>Quarter 2</b></td> <td>818</td> <td>398</td> <td>48%</td> <td>420</td> <td>52%</td> </tr> <tr> <td><b>Quarter 3</b></td> <td>816</td> <td>423</td> <td>51%</td> <td>393</td> <td>49%</td> </tr> <tr> <td><b>Quarter 4</b></td> <td>1046</td> <td>475</td> <td>45%</td> <td>571</td> <td>55%</td> </tr> <tr> <td><b>Total</b></td> <td><b>3,495</b></td> <td><b>1,715</b></td> <td><b>48%</b></td> <td><b>1,780</b></td> <td><b>52%</b></td> </tr> </tbody> </table>		Number of Triages	Number of Referrals to Duty	%	Number of referrals to other Housing Solutions	%	<b>Quarter 1</b>	815	419	51%	396	49%	<b>Quarter 2</b>	818	398	48%	420	52%	<b>Quarter 3</b>	816	423	51%	393	49%	<b>Quarter 4</b>	1046	475	45%	571	55%	<b>Total</b>	<b>3,495</b>	<b>1,715</b>	<b>48%</b>	<b>1,780</b>	<b>52%</b>
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1.12	<b>Homelessness</b>																																				
1.13	During the period April 2017 to March 2018, the Housing Options Team received 1,715 referrals for households who believed they were homeless or at risk of homelessness. This is an increase of 39% in comparison to the previous financial year. 1275 referrals resulted in an assessment in line with the legislation and from this 1092 were accepted as either homeless or at risk of homelessness within 56 days. The remaining 183 were provided with advice and assistance in relation to their housing situation.																																				

The graph below shows the increase between 2015/16 to 2017/18.



1.14 A further 440 referrals were received by the team that did not lead to an assessment under the homeless legislation and their situation was able to be resolved by signposting the customer to other housing services. These 440 referrals do not have an assessment therefore they are not recorded as positive outcomes in the performance reporting figures.

1.15 The performance reporting figures demonstrate the team has successfully prevented or relieved homelessness in 70% of cases that were closed within the reporting period. The figures for the full year show that there has been a significant increase in the number of people approaching the service for assistance.

1.16 In instances where the team has been unable to prevent or relieve homelessness within the timescales the household still continue to receive support and assistance.

1.17 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 housing options that are affordable, and can be made available to households accessing the service. The shortage of available options has been highlighted as a growing issue within the Flintshire Homeless Review and will be a focus of the action plan and the initiatives laid out within this report.

1.18 **Supporting People**

1.19 The Council has focussed its Supporting People commissioning function on ensuring that services funded by Supporting People Programme Grant are contributing to homeless prevention. Targeting funding at those services

	that can demonstrate the contribution and evidence of homeless prevention outcomes is a core aspect of the monitoring and review process.
1.20	The Support Gateway which sits alongside the Housing Solutions Service handled 1466 referrals in 2017/18. This represents a higher number than the cases at immediate risk of homelessness forwarded to the homeless service and demonstrates the key role these services play in easing pressure on the statutory service by delivering early support, advice and assistance.
1.21	In 2017/18 Supporting People funded services were able to provide additional capacity to support the homeless function deal with an increase in referrals. In September 2017 Cabinet committed to realign prevention services to targeting interventions at the earliest opportunity. In 2018/19 funding has been realigned to joint fund a service with the Income Team to target those at the earliest stage of arrears to prevent households reaching crisis point.
1.22	<b>Development of a Regional Homeless Strategy</b>
1.23	In June 2016, the Heads of Housing of the six North Wales local authorities, together with the Chartered Institute of Housing Cymru, undertook a commitment to work together to develop a regional homelessness strategy.
1.24	The core strategic commitment from the six local authorities in North Wales is to create a culture of improved and effective collaboration across the region, in terms of addressing the specific issues causing homelessness.
1.25	That agenda will be cemented into the strategic approach of each authority by adoption of the Regional Homelessness strategy which Cabinet will be asked to adopt at the end of the current financial year. The common themes within the strategy are <ul style="list-style-type: none"> <li>• People (youth homelessness, rough sleepers, complex needs and prison leavers)</li> <li>• Homes (Housing first, improved access to accommodation – supply, temporary accommodation)</li> <li>• Services (prevention, mitigation of welfare reform, health)</li> </ul>
1.26	Each authority is developing its own local action plan based on the priorities of the regional strategy. The homeless review in Flintshire includes analysis of past, current and future levels of homelessness and an audit of current services and level of resources available. The emerging issues and priorities for tackling and preventing homelessness fit well within the overarching strategy themes. Some of the keys messages are:- <ul style="list-style-type: none"> <li>• The need to develop wider housing options that are affordable</li> <li>• Meeting the need of the vulnerable and those with complex needs</li> <li>• Preventing rough sleeping</li> <li>• Youth homelessness</li> </ul>
1.27	These priorities are already being fed into wider planning and strategies and are reflected in the priority developments within this report. Progress on the

	development of the strategy and action plan is within prescribed timescales and consultation on the strategy and action plan will commence over the next weeks with key partners and stakeholders.
1.28	<b>CHALLENGES FACING THE COUNCIL</b>
1.29	<b>The Social Housing Register</b>
1.30	The numbers on the social housing register are increasing and as such waiting times for vacant properties are becoming longer. There were 960 households on the list in April 2016, this increased to 1,478 in April 2017 and increased again to 1,649 in April 2018. The households that were let properties in quarter four of 2017/18 for one, two and three bedroom properties had been waiting on average between twelve to eighteen months.
1.31	This may be a reasonable timeframe for those in most categories of housing need but can lead to extending temporary accommodation stays for those at risk of homelessness within 56 days.
1.32	Only 6% of the housing stock across all the social landlords in the county are one beds or bedsits available for single applicants under 60 whereas a third of the households on the register are requiring one bed accommodation.
1.33	This leads to excessive waiting times for single households. The need for smaller units has been identified as a priority within the homeless review and housing associations in the County have committed to work with the Council to resolve this issue.
1.34	<b>Private Rented Sector</b>
1.35	The private rented sector continues to be a housing option for many people who are either: <ul style="list-style-type: none"> <li>• unable to afford to get onto the property ladder</li> <li>• require the flexibility private renting can offer</li> <li>• or as the only option available due to the shortage of social / affordable rented housing. From the Council's perspective the private rented sector provides a further option for individuals who are urgently in need of housing, as identified in the Homelessness Review, the Local Housing Market Assessment (LHMA) and as an emerging priority for the Housing Strategy.</li> </ul>
1.36	North East Wales (NEW) Homes and the Bond Scheme make available a supply of private sector options for households. 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.
1.37	However, there are increasing challenges identifying suitable and affordable properties in the private rented sector. A significant proportion of private rented properties, particularly shared housing, in Flintshire is below the minimum required standard and the requirement to meet these standards

	has caused delays and reduced the availability of suitable private rented options.
1.38	The shortage of accommodation for single people is a huge challenge in relieving homelessness in the first instance and moving people on from interim accommodation. This 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 being advised that within the private rented sector, their maximum Housing Benefit award will be capped at the rent for a room in a shared house. Frequently, such accommodation is not appropriate especially for those with access to children to have overnight stays. Very often this means that for those in receipt of benefits, the only affordable option is a one-bedroomed property in social housing.
1.39	However, as mentioned above the demand for one-bedroomed social housing flats outstrips supply.
1.40	In addition, it is important to recognise that the county does not have a large supply of shared housing within the private rented sector and even good quality shared housing does not meet the expectations of many single households and some choose to not accept the accommodation.
1.41	The numbers of bonds issued over the past three years demonstrates the reduction in availability. 346 bonds were issued in 2015, this dropped to 63 in 2016 and only 13 in 2017.
1.42	This reduction has had a significant impact on the ability of the homeless team to prevent and relieve homelessness.
1.43	<b>Interim Accommodation</b>
1.44	Once the Council has accepted a duty to prevent homelessness for a household, the focus is to enable the household to stay in their existing accommodation, if this is possible, or identify suitable and affordable alternative accommodation. If neither of these options are successful and a household has to leave their property, if there are no safe options to stay with family or friends then the council has a duty to accommodate those who are deemed an apparent priority need.
1.45	In Flintshire, the Council currently goes beyond the statutory duty and provides interim accommodation for anyone who has nowhere to stay irrespective of their priority need status. Families with dependent children are always a priority so it is mainly single people with no vulnerability who are placed under a 'power' whilst support is provided to find alternative options. Over the past two years some of these placements became quite extended stays due to the lack of suitable and affordable move on options from interim accommodation.
1.46	The Cabinet report in September 2017 committed to reducing the use of Bed and Breakfast (B&B) accommodation as a priority. The capacity, structure and focus of the Housing Options Team has been modelled to deliver improved outcomes in this area by handling more manageable sized

	caseloads and a focus on reducing temporary accommodation stays. Implementing changes in services does take time and the use of B&B accommodation in 2017/18 increased significantly from the level in 2016/17. There was an increase in the number of households accommodated and the average length of stay increased.
1.47	However, the Council has started to see numbers reduce and in the first week of June 2018 there were no families in B&B and 11 single households accommodated. This follows a trend of reducing numbers and is significantly lower than at any time during 2017/18.
1.48	Continuing to develop initiatives to increase the availability of suitable and sustainable properties across sectors remains a priority to maintain this success.
1.49	<b>Rough Sleepers</b>
1.50	Rough sleeper figures show a 30% increase in rough sleeping across Wales each year over the past two years. The Council currently accommodates all those that have no safe place to stay and the lack of available move on options means that these stays can become weeks rather than days. A review of the placements and costs during the key winter months would suggest that 14% of the B&B budget is spent on households where the Council has no duty to accommodate but does so to prevent rough sleeping.
1.51	This approach is creating an increasing financial burden on the Council. Current legislation places a duty on the Council to accommodate anyone with an apparent priority need, this will include for example someone with a vulnerability due to age, mental health issues, a learning difficulty or drug and alcohol problems. The Council is committed to preventing rough sleeping but recognises the need to seek alternative options to the use of B&B and hotel places that are costly and at certain times are scarcely available.
1.52	<b>MANAGING THE PRESSURES</b>
1.53	<b>Single Households</b>
1.54	The Council recognises that adequate availability of permanent, affordable housing is key to preventing homelessness in the county. The mismatch between supply and demand, particularly for single households is highlighted within the Flintshire Homeless Review. In recognition of the urgent need to increase affordable provision for single households, the Council will be prioritising this group within the housing strategy and the homelessness strategy.
1.55	Affordable accommodation for single households will be included in a bid to the Innovative Housing Fund. The bid will propose to build smaller single units for those willing to engage in work programmes as a condition of their tenancy. This is an important collaboration between housing strategy, homeless prevention services and Communities for Work that recognises that sustainable housing is not just about buildings but providing tenants with the skills and opportunities to maintain accommodation. Support from

	homeless prevention funding can bring aspects of a 'housing first' approach to this model by enabling individuals to occupy high quality housing rather than having to reside in unsuitable accommodation whilst they transition into meaningful employment and feel able to manage a tenancy without further support.
1.56	<b>Vulnerable and Complex Needs</b>
1.57	The development of the Regional Homelessness Strategy has identified that more work is needed to ensure the Council can meet the needs of the most vulnerable and those with complex needs.
1.58	Reviews of Supporting People funded projects will establish if the current configuration and specification of services is appropriate to meet the need of some of the most complex cases.
1.59	Supporting People funding is wholly funding or contributing to a number of important projects and services that are assisting the Council to manage homelessness and support those who are vulnerable and need assistance. Reductions to this grant funding presents a significant risk of a growing financial burden and increases in homelessness.
1.60	The Council acknowledges that preventing rough sleeping and addressing the housing needs of household or individuals who are vulnerable or present with complex needs requires a partnership approach with wider statutory services such as Social Services and Health and Third Sector providers.
1.61	This partnership approach will be reflected in the Regional Homeless Strategy and the local action plan.
1.62	<b>Preventing Rough Sleeping</b>
1.63	The Council has a good supply of supported temporary accommodation for families and occasionally has to use private hotels in urgent cases or when spaces are not available.
1.64	The Council currently uses private shared accommodation for single people. This accommodation is expensive to use and delivers limited positive outcomes in terms of move on or tenants sustaining accommodation. It is expected that moving forward in the interim, even taking forward other initiatives and developments, there will remain a requirement for some level of temporary accommodation for single households.
1.65	Preventing rough sleeping is a Welsh Government priority and a priority for the Council. A Cabinet report in September 2017 proposed to develop a more efficient and effective model for providing emergency accommodation. The Welsh Government has made short term funding available for Councils and their partners to address this issue. The Council and Pennaf (Registered Social Landlord), have used this funding to refurbish and provide enhanced management arrangements in an existing provision which will provide more suitable emergency accommodation. An initial pilot period will establish whether this has eased pressure on emergency accommodation costs and provided a more effective solution that allows engagement to address issues and break the cycle of homelessness.

1.66	<b>Increasing Availability of Private Rented Sector Properties</b>
1.67	The figures laid out in this report demonstrate the challenges the Council has experienced finding suitable and sustainable private rented properties. It is expected that identifying properties in the private rented sector will become more challenging over the next few years.
1.68	Therefore, it is clear that a broader range of offers and incentives are needed and a more proactive targeted approach developed. Welsh Government have provided some in year funding to support this area of work. The Council is reviewing its current approach and will be using this funding to take forward a pilot for 12 months which aims to identify the barriers, increase the number of properties available, provide sustainable tenancies and mitigate the risk of increasing temporary accommodation costs.

<b>2.00</b>	<b>RESOURCE IMPLICATIONS</b>
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, 2016/17 and 2017/18 they made transitional funding available to assist Local Authorities to meet these additional costs on a sliding scale. The funding was providing some key functions within the Housing Solutions Service and therefore a pressure was submitted to maintain these important posts when the funding ended in 2018/19. As this report demonstrates the demand on the service is growing and the service would be unable to prevent homelessness with reduced capacity.
2.02	New developments are being wholly funded from available in year grant and will include robust exit strategies to mitigate any financial burden for the Council.

<b>3.00</b>	<b>CONSULTATIONS REQUIRED / CARRIED OUT</b>
3.01	None

<b>4.00</b>	<b>RISK MANAGEMENT</b>
4.01	The need to use B&B /temporary accommodation is dependent on the balance between the number of households presenting in need of housing assistance and the availability of suitable and affordable accommodation. The priority is for the team to prevent homelessness by assisting households to stay in their own property by overcoming the various problems which are putting their continued occupation at risk.
4.02	However, each year there are a number of households who cannot remain

	<p>at home and the team must source alternative suitable and affordable accommodation either in the social housing or private rented sectors. Where this cannot be sourced in a timely fashion, then households may have to be placed in temporary accommodation or B&amp;B accommodation. Should the availability of affordable housing options reduce then the requirement to use temporary housing options, including B&amp;B, will increase.</p>
4.03	<p>Even if the number of households presenting to the Council at risk of homelessness remains steady over the next few years, there is already evidence that the availability of alternative accommodation for these households, to prevent their homelessness, is reducing and predicted to reduce further. This will lead to the increased usage of B&amp;B as temporary accommodation for homeless households.</p>
4.04	<p>The largest risk to increased use of B&amp;B will be single people. In order to maintain or reduce the level of B&amp;B, there is a need to focus on:-</p> <ul style="list-style-type: none"> <li>• Alternative housing solutions particularly for single under 35 group</li> <li>• Maintain the level of prevention activity with a focus on performance and demonstrable outcomes.</li> </ul>
4.05	<p><b>Mitigation</b> Continue the effective use of funding spend to save prevention projects that should become self-funding if they successfully reduce the need for B&amp;B to be used as temporary accommodation. For example;</p> <ul style="list-style-type: none"> <li>• A post focussed on working with landlords and increasing the availability of affordable housing options in the private rented sector through incentives and management options for landlords.</li> <li>• Additional prevention activity and funding to reduce the numbers that become homeless by assisting them to remain in their home or support to move to alternative accommodation.</li> <li>• The change in homeless legislation with an additional focus on prevention is intended to achieve a reduction in numbers actually becoming homeless and requiring temporary accommodation. This remains a key performance target for the officers who are encouraged to think and use the budget available to them creatively.</li> <li>• Taking forward alternative models to increase supply i.e. new developments, innovative housing, shared housing models and re-designation of existing stock.</li> <li>• A focus on modelling Supporting People projects to ensure they are contributing to homeless prevention.</li> <li>• Expanding on joint work between housing and social services to support young people and care leavers.</li> <li>• Continuing housing support at the earliest opportunity through the Flintshire Early Help Hub.</li> </ul>
4.06	<p>There are wider factors to consider and reductions to the Supporting People budget is a significant unknown that could impact on the risks and ability to mitigate against these risks.</p>

<b>5.00</b>	<b>APPENDICES</b>
	None

<b>6.00</b>	<b>LIST OF ACCESSIBLE BACKGROUND DOCUMENTS</b>
6.01	Contact Officer: Katie Clubb Telephone: 01352 703518 E-mail: Katie.clubb@flintshire.gov.uk

<b>7.00</b>	<b>GLOSSARY OF TERMS</b>
7.01	<b>Welsh Government Ten Year Homelessness Plan</b> – 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.
7.02	<b>Housing Solutions Triage</b> – the initial discussion with the customer about their circumstances and housing need.
7.03	<b>Welsh Government In Year Funding</b> – Homeless prevention funding provided by Welsh Government for specific purposes to be used within the current financial year.
7.04	<b>Bond Scheme</b> – The team which facilitates access to the private rented sector by issuing a ‘Bond’ which underwrites the deposit. This is an important service for those on low incomes who would struggle to afford a cash deposit.
7.05	<b>Housing First</b> – The housing first model was developed in the United States and has demonstrated high degrees of success in both housing and supporting those with multiple and complex needs. It is founded on the principle of housing being a basic human right and provides permanent accommodation for people straight from the street. The model has no preconditions of addressing wider social care and support needs.
7.06	<b>Single Access Route to Housing (SARTH) Policy</b> – the regional common policy for all major social landlords allocating social housing properties across Conwy, Denbighshire and Wrexham.
7.07	<b>Early Help Hub</b> – a multi-agency team focussed on delivering preventative services and interventions for families to prevent issues escalating and reduce pressure on statutory services.