

Thurrock: A place of opportunity, enterprise and excellence, where
individuals, communities and businesses flourish

Housing Overview and Scrutiny Committee

The meeting will be held at **7.00 pm** on **6 February 2018**

Committee Room 1, Civic Offices, New Road, Grays, Essex RM17 6SL

Membership:

Councillors Luke Spillman (Chair), Gerard Rice (Vice-Chair), John Allen,
Terry Piccolo, Jane Potheary and Joycelyn Redsell

Lynn Mansfield, Housing Tenant Representative

Substitutes:

Councillors Russell Cherry, Gary Collins, Oliver Gerrish, Ben Maney and
Kevin Wheeler

Agenda

Open to Public and Press

		Page
1	Apologies for Absence	
2	Urgent Items	
To receive additional items that the Chair is of the opinion should be considered as a matter of urgency, in accordance with Section 100B (4) (b) of the Local Government Act 1972.		
3	Declaration of Interests	
4	Homelessness Reduction Act Update	5 - 14
5	Homelessness Service: Review of Mental Health and Domestic Violence Cases	15 - 32

Queries regarding this Agenda or notification of apologies:

Please contact Wendy Le, Democratic Services Officer by sending an email to Direct.Democracy@thurrock.gov.uk

Agenda published on: **29 January 2018**

Information for members of the public and councillors

Access to Information and Meetings

Members of the public can attend all meetings of the council and its committees and have the right to see the agenda, which will be published no later than 5 working days before the meeting, and minutes once they are published.

Recording of meetings

This meeting may be recorded for transmission and publication on the Council's website. At the start of the meeting the Chair will confirm if all or part of the meeting is to be recorded.

Members of the public not wishing any speech or address to be recorded for publication to the Internet should contact Democratic Services to discuss any concerns.

If you have any queries regarding this, please contact Democratic Services at Direct.Democracy@thurrock.gov.uk

Guidelines on filming, photography, recording and use of social media at council and committee meetings

The council welcomes the filming, photography, recording and use of social media at council and committee meetings as a means of reporting on its proceedings because it helps to make the council more transparent and accountable to its local communities.

If you wish to film or photograph the proceedings of a meeting and have any special requirements or are intending to bring in large equipment please contact the Communications Team at CommunicationsTeam@thurrock.gov.uk before the meeting. The Chair of the meeting will then be consulted and their agreement sought to any specific request made.

Where members of the public use a laptop, tablet device, smart phone or similar devices to use social media, make recordings or take photographs these devices must be set to 'silent' mode to avoid interrupting proceedings of the council or committee.

The use of flash photography or additional lighting may be allowed provided it has been discussed prior to the meeting and agreement reached to ensure that it will not disrupt proceedings.

The Chair of the meeting may terminate or suspend filming, photography, recording and use of social media if any of these activities, in their opinion, are disrupting proceedings at the meeting.

Thurrock Council Wi-Fi

Wi-Fi is available throughout the Civic Offices. You can access Wi-Fi on your device by simply turning on the Wi-Fi on your laptop, Smartphone or tablet.

- You should connect to TBC-CIVIC
- Enter the password **Thurrock** to connect to/join the Wi-Fi network.
- A Terms & Conditions page should appear and you have to accept these before you can begin using Wi-Fi. Some devices require you to access your browser to bring up the Terms & Conditions page, which you must accept.

The ICT department can offer support for council owned devices only.

Evacuation Procedures

In the case of an emergency, you should evacuate the building using the nearest available exit and congregate at the assembly point at Kings Walk.

How to view this agenda on a tablet device



You can view the agenda on your [iPad](#), [Android Device](#) or [Blackberry Playbook](#) with the free modern.gov app.

Members of the Council should ensure that their device is sufficiently charged, although a limited number of charging points will be available in Members Services.

To view any “exempt” information that may be included on the agenda for this meeting, Councillors should:

- Access the modern.gov app
- Enter your username and password

DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF

Breaching those parts identified as a pecuniary interest is potentially a criminal offence

Helpful Reminders for Members

- *Is your register of interests up to date?*
- *In particular have you declared to the Monitoring Officer all disclosable pecuniary interests?*
- *Have you checked the register to ensure that they have been recorded correctly?*

When should you declare an interest at a meeting?

- **What matters are being discussed at the meeting?** (including Council, Cabinet, Committees, Subs, Joint Committees and Joint Subs); or
- If you are a Cabinet Member making decisions other than in Cabinet **what matter is before you for single member decision?**



Does the business to be transacted at the meeting

- relate to; or
- likely to affect

any of your registered interests and in particular any of your Disclosable Pecuniary Interests?

Disclosable Pecuniary Interests shall include your interests or those of:

- your spouse or civil partner's
- a person you are living with as husband/ wife
- a person you are living with as if you were civil partners

where you are aware that this other person has the interest.

A detailed description of a disclosable pecuniary interest is included in the Members Code of Conduct at Chapter 7 of the Constitution. **Please seek advice from the Monitoring Officer about disclosable pecuniary interests.**

What is a Non-Pecuniary interest? – this is an interest which is not pecuniary (as defined) but is nonetheless so significant that a member of the public with knowledge of the relevant facts, would reasonably regard to be so significant that it would materially impact upon your judgement of the public interest.

Pecuniary

If the interest is not already in the register you must (unless the interest has been agreed by the Monitoring Officer to be sensitive) disclose the existence and nature of the interest to the meeting

If the Interest is not entered in the register and is not the subject of a pending notification you must within 28 days notify the Monitoring Officer of the interest for inclusion in the register

Unless you have received dispensation upon previous application from the Monitoring Officer, you must:

- **Not participate or participate further in any discussion of the matter at a meeting;**
- **Not participate in any vote or further vote taken at the meeting; and**
- **leave the room while the item is being considered/voted upon**

If you are a Cabinet Member you may make arrangements for the matter to be dealt with by a third person but take no further steps

Non- pecuniary

Declare the nature and extent of your interest including enough detail to allow a member of the public to understand its nature



You may participate and vote in the usual way but you should seek advice on Predetermination and Bias from the Monitoring Officer.

Vision: Thurrock: A place of **opportunity**, **enterprise** and **excellence**, where **individuals**, **communities** and **businesses** flourish.

To achieve our vision, we have identified five strategic priorities:

1. Create a great place for learning and opportunity

- Ensure that every place of learning is rated “Good” or better
- Raise levels of aspiration and attainment so that residents can take advantage of local job opportunities
- Support families to give children the best possible start in life

2. Encourage and promote job creation and economic prosperity

- Promote Thurrock and encourage inward investment to enable and sustain growth
- Support business and develop the local skilled workforce they require
- Work with partners to secure improved infrastructure and built environment

3. Build pride, responsibility and respect

- Create welcoming, safe, and resilient communities which value fairness
- Work in partnership with communities to help them take responsibility for shaping their quality of life
- Empower residents through choice and independence to improve their health and well-being

4. Improve health and well-being

- Ensure people stay healthy longer, adding years to life and life to years
- Reduce inequalities in health and well-being and safeguard the most vulnerable people with timely intervention and care accessed closer to home
- Enhance quality of life through improved housing, employment and opportunity

5. Promote and protect our clean and green environment

- Enhance access to Thurrock's river frontage, cultural assets and leisure opportunities
- Promote Thurrock's natural environment and biodiversity
- Inspire high quality design and standards in our buildings and public space

6 February 2018		ITEM: 4
Housing Overview & Scrutiny Committee		
Homelessness Reduction Act Update		
Wards and communities affected: All	Key Decision: Non-Key	
Report of: Lorrita Johnson, Housing Solutions Manager		
Accountable Assistant Director: John Knight, Assistant Director of Housing		
Accountable Director: Roger Harris, Corporate Director of Adults, Housing & Health		
This report is Public		

Executive Summary

Following the report to the Housing Overview and Scrutiny Committee on 17 October 2017, there have been a number of further developments affecting the implementation of the Homelessness Reduction Act 2017 (HRA17), which takes effect from April 2018.

As set out in that report the HRA17 originated as a private member's bill tabled by Bob Blackman MP, based on changes made to the Welsh homelessness legislation in 2016, and was fully endorsed by government during its passage.

The thrust of the Act is to create a series of new duties for Council to prevent homelessness wherever possible through early intervention, working with applicants to arrive at a Personal Rehousing Plan, and brokering solution with private sector landlords, the voluntary sector and others to resolve the housing problems of applicants without accepting the full range of rehousing duties associated with previous Acts (temporary accommodation followed by permanent social housing). The new duties apply to all applicants who are homeless or threatened with homeless, while the more substantive existing duties still only apply to households who are a) in priority need and b) not intentionally homeless.

Since the previous report there has been confirmation of the 'new burdens funding' allocation for Thurrock, and the publication of a new draft Homelessness Code of Guidance for consultation, to which we have contributed.

This report provides a summary of the updates generated from central government, and the Housing Solutions service's progress in preparing for implementation through a re-modelling of the service, the acquisition of a new bespoke system for casework and statutory returns, work to strengthen existing partnerships, data

analysis and staff training and analysis to ensure the service is fit for purpose at implementation.

1. Recommendation(s)

- 1.1 That the Housing Overview and Scrutiny Committee comment on the information provided on the introduction of the Act and the continued work of the Housing Solutions Service in preparing for implementation.**

2. Government updates

- 2.1 Thurrock has received our individual allocation from the total of £72.7 million transitional 'new burdens' funding given to authorities in England to support the implementation of the Homelessness Reduction Act (HRA17). The total sum allocated to Thurrock is £242,544. This will be distributed as follows:

£81,700 -2017/18

£74,837- 2018/19

£86,007- 2019/20

An additional grant of £9,202 (one off payment) has been awarded in year one to cover the upgrade of IT systems. The 'new burdens' funding is ring-fenced to specifically resource the provision of homelessness prevention services.

- 2.2 Thurrock has also provided an individual response to the consultation of the draft revised Homelessness Code of Guidance. This consultation closed on 11 December 2017 and the final version of the Code is expected to be published in spring this year. The draft Code provides some helpful clarification on the range of new legal duties established by the Act, and fleshes out some of the government's expectations around the provision of an effective prevention service, including the creation of a personal rehousing plan for all applicants who are eligible and homeless or threatened with homelessness.
- 2.3 The 'trailblazers' projects in a number of local areas, which were awarded £20m by the Ministry of Housing, Communities and Local Government (formerly DCLG) to pilot the new prevention duties, have completed a year of trialling the prototype service. Southwark Council as a trailblazer borough has been sharing its experience to inform other local authorities at a number of workshops days, one of which was attended by managers and staff from the Housing Solutions service in Thurrock.

3. Housing Solutions Team - Update

- 3.1 The Housing Solutions service pilot in Thurrock continues, and has given an insight into how the service can be further re-designed to meet the new anticipated demand and apply the new ways of working created by the Act.

The current service model offers a clear division between the prevention and statutory homelessness enquiries functions.

- 3.2 Essentially the team currently operates in a two-function system where 60% of staff focus on the prevention of homelessness, carrying out initial assessments of the circumstances and needs of all eligible applicants who are homeless, or threatened with homelessness within 56 days, in accordance with the HRA17 framework. This extension from the previous specified period of 28 days is intended to provide more time for effective prevention casework (something Thurrock already undertakes on an extra-statutory basis), and aligns with the notice period for Assured Shorthold Tenancies in the private sector. During this period the Council must take 'reasonable steps' to prevent homelessness – again this puts into law the approach already followed by the service in negotiating with landlords, mediating with parents in 'family exclusion' cases, referring older people for sheltered housing, etc.
- 3.3 As the priority need and intentionally homeless tests in the legislation are not applied at this prevention stage, this also means that single applicants in particular must be provided with a meaningful casework service, rather than 'turned away' or provided with minimal information, on the basis that even if homeless they will not be entitled to direct provision of accommodation. Our 'offer' to single applicants with no apparent priority need will be enhanced to reflect this requirement.
- 3.4 The initial assessment by Options Advisors incorporates the circumstances leading to the customer's homelessness or threat of homelessness, their housing needs and wider support needs. Following the assessment a Personalised Housing Plan is drawn up setting out the 'reasonable steps' the authority and the applicant will take to assist in preventing the homelessness. Officers make real efforts to assist applicants to stay in their current accommodation; this often involves negotiations with the current landlords, mediation with friends/family, robust review of tenancies agreements/contracts, advising applicants of their security of tenure and close working with the Private Sector Housing team where harassment and/or disrepair has been alleged.
- 3.5 As an example of pro-active prevention, an enhanced partnership with progress with Children's Services is now active where children with families have received notice to leave their accommodation, either from the Council itself as a social tenant or from a private landlord, and are at risk as a result of being found intentionally homeless. Staff in the Multi Agency Service Hub ('MASH') with responsibility for children's welfare are now being notified at an early stage that a negative decision on a homeless application may be upcoming, allowing them to assess the need for a social services intervention at an early stage and avoid a late 'shuttling' of homeless families from one service to another. Similarly, joint working is being developed to utilise the skills of housing staff to identify suitable private accommodation where

families can be placed under the Children Act if they have no right to be accommodated under homelessness legislation.

- 3.6 Where an applicant is homeless on approach, or all efforts at prevention of homelessness have been unsuccessful, the statutory homelessness assessments are conducted by the Homeless Caseworkers who carry out detailed homelessness enquiries within the guideline timescales, in accordance with the legislation, having regard to the Code of Guidance and relevant case law. On completion of assessments they issue formal homelessness decisions (section 184 notifications) and where an accommodation duty has been triggered they make the necessary recommendations for the provision of temporary accommodation.
- 3.7 A new Reviews Officer has been recruited on an interim basis to manage reviews and all initial legal challenges of s184 decisions. This follows the winding-up of the previous arrangement under which a Reviews Officer in Basildon fulfilled this duty for Thurrock, but is still compliant with the legislation as the officer is senior to the officers making the 'first instance' decisions and has no involvement in those decisions, coming afresh to the case after a review has been requested.
- 3.8 Work is underway with St Mungos outreach team and local faith groups to establish a Homelessness Forum in the borough which would include third sector and voluntary organisations to combine efforts to identify and tackle homelessness at earlier stages. This will steer the 'no first night' out agenda where rough sleepers are identified on the day of bedding down and provided with options to relief their homelessness and eradicating the potential for an applicant to become in homelessness.
- 3.9 The Housing Solutions Team is also participating in a free trial of a new bespoke IT system which has been built and tailored to the requirements of HRA17. This will help to capture and accurately assess applicants at the first point of contact and also streamline the process for gathering data for the new quarterly statutory return, Homelessness Case Level Information Collection (H-CLIC) – this replaces the current 'P1e' return for homelessness statistics which is used to produce the government's 'statistical release' on homelessness. The first HCLIC return will be for the period from April to June 2018. The new system has been demonstrated to staff who have received it enthusiastically, and will interface with the main database so that all key transactions are reflected on both systems.
- 3.10 A full programme of internal staff briefings and training has been developed to provide awareness and knowledge of the new Act, the primary aim is to increase the cross-service prevention culture, highlighting each team's role in preventing homelessness. The additional "referring duty" of the HRA17 places a duty on public services to notify a local authority if they believe someone is homeless or likely to become homeless. This requires management of interaction between a number of agencies and public bodies. In light of this

staff from Adult Social Care were included in training provided by the National Practitioner Support Service on the changes of the Act.

- 3.11 A service Team Plan has been developed to specifically target essential tasks and actions required in implementing the requirements of the new Act. This includes the development of robust policies and procedures for staff to refer to when assessing applications at the new 'prevention duty' stage.
- 3.12 A Landlord Forum has also been arranged on 31st January 2018 to build on our dialogue with private sector landlords and lettings agents as to how we can better work together and deliver in the new context of the Act.

4. Further considerations on potential impact of the Act

- 4.1 The HRA17 will place greater statutory obligations on local authorities to prevent homelessness for all families and single applicants from April 2018.
- 4.2 For local authorities, partnership working is essential to tackling homelessness. The assistance of a wide range of partners from the statutory, private and the third sectors through the provision of temporary accommodation, settled housing and access to diverse sources of advice and support is central to local efforts to tackle homelessness.
- 4.3 However, there are recent policy developments and market trends that risk undermining these activities and partnerships, including:
- An ongoing undersupply of social and other affordable housing as recognised nationally in the Housing White Paper ('*Fixing the Broken Housing Market*', 2017) and subsequent Budget announcements.
 - The ongoing need for efficiencies and savings in local government (although the new burdens funding for the Act will offset this general trend for the first 3 years)
 - Increased financial pressures on Housing Associations and stock-retaining local authorities as a result of the mandatory 1% rent reduction policy.
 - In the context of an increasingly deregulated environment, Housing Associations are required to be more business minded and this may lead to some reluctance to house people perceived to be high risk in terms of welfare dependency and their ability to maintain a tenancy without ongoing/ intensive support.
 - A tendency to "cherry pick" tenants who are perceived to be low risk also applies to a large proportion of private landlords. Recent research from the National Landlords Association (NLA) indicates that the proportion of landlords who say they are willing to let their property to Housing Benefit claimants fell to 20%, down from 34% at the start of 2013. This supports the view that Universal Credit, now being fully rolled out in Thurrock, may make private landlords more risk averse to people dependent on benefits.

- The Localism Act 2012 gave Local Authorities the power to discharge applicants into the private rented sector; many authorities continue to use their budgets to offer landlords cash incentives ranging from £2,000 to 6,000 in some cases.
- The effect of this on Thurrock has been an increased 'out of borough' placements of applicants by other local authorities particularly London Boroughs exercising their power to discharge into the private rented sector. Geographically the location of Thurrock makes it a good location for London boroughs to meet its statutory duties as market rents are relatively cheaper, coupled with adequate amenities, and transport links connecting to London areas.

5. Local context

- 5.1 The estimated number of homelessness approaches in Thurrock – i.e. customers approaching with a new episode of actual or threatened homelessness in Thurrock - has been steadily rising in recent years. In 2013/14 the figure was 1252, rising to 2,600 in 2016/2017. As a result the number of households owed the full housing duty is also increasing, although in recent months it has reduced as a percentage of all applications as achieved preventions have increased. The increase is also reflected on the housing register where the level of agreed homeless priority cases, placed in band 3, as a percentage of all applications, has increased from 0.5% in 2013 to 2% in 2017.
- 5.2 It is envisaged that potential advice and prevention case load will increase- the London Borough of Southwark trailblazers pilot found an increase of approximately 50% in homelessness applications.
- 5.3 It is likely that Thurrock will experience a similar impact. It is estimated that if Thurrock did not effectively respond to the changes the number of homeless approaches could rise considerably, the number of booked housing options and homelessness appointments could rise to over 2,040, and the number of homeless decisions could also increase to over 300.

The likely effects of the main changes in the new Act on levels of demand in Thurrock are as follows:

- I. The meaning of 'threatened with homelessness' extended from 28 days to 56 days –duty to attempt to prevent homelessness in every case.

Cases presenting at the to the Council earlier with a longer prevention window.

- II. Duty to 'relieve' homelessness for all eligible customers (not just those in priority need & unintentionally homeless).

Homelessness applications to rise by up to 50% (estimate derived from experience in LB Southwark) as non-priority cases are newly eligible for support planning.

- III. Duty to assess and agree personalised housing support plans for all eligible cases.

Significant increase in casework, and need for closer working with other Thurrock Council departments, and public/community organisations.

- IV. Duty to give notice to people who do not cooperate or follow their agreed support plans.

Requirement for extended casework times and longer legal processing of challenges (reviews) – although it is encouraging to note that Southwark’s reviews reduced from 106 in 2016/17 to 60 in 2017/18, partly due to the fact that they did not issue formal non-compliance notifications.

- V. Duty of all public authorities to refer people to council housing services.

Increased levels of referrals in to the service – in Southwark’s case this impact was apparent but mitigated in part by the a partnership with certain external agencies tasked with completing Personal Housing Plans, helping to reduce the service volumes.

- VI. Duty to make reasonable efforts to help secure accommodation, regardless of priority need level or if intentionally homeless.

Significant increase in demand on service, officer time, and greater dependence on the private rented sector.

6. Reshaping the service post the Code of Guidance

- 6.1 A further key feature of HRA17 is the duty placed on local housing authorities to make reasonable efforts to prevent or relieve homelessness for all applicants who are a) eligible for assistance and b) homeless or threatened with homelessness, irrespective of whether or not they may have a priority need for accommodation. If a housing authority is unable to prevent an applicant from becoming homeless, or to help them to secure accommodation at the ‘relief’ stage, they are required to reach a decision as to whether the applicant has a priority need for accommodation.
- 6.2 There is a case for aligning the current allocations policy with the HRA17 assessment framework. Currently, the banding structure means that agreed homelessness applicants are recognised for increased priority banding where a section 193 main housing duty is owed by the authority (‘reasonable preference’ must be given to this group under the Housing Act 1996). The

new Act recognises and places a duty on the authority where an applicant is threatened with homelessness within 56 days, thus commencing the prevention duty. If unchanged there is a risk of not fulfilling the requirements of the HRA17 by creating a sub-set of homeless applicants favoured by the allocations policy, and excluding a large group of applicants who may be able to gain a tangible option through the housing register and/or an intervention to prevent them becoming homeless. Subject to consultation it should be possible to award an equivalent priority to prevention cases so that they do not lose priority by not pursuing a homeless application.

- 6.3 The Housing Solutions Service has been preparing intensively for the challenges of the Act including the anticipated new levels of demand with a focus on early intervention, prevention and targeting of the key cohorts driving the demand.
- 6.4 In summary, as set out above the service is preparing for the range of potential impact through changes to the service structure, the acquisition of a bespoke IT, intensive work with landlords and other agencies assisting with prevention. The actual impact of the new framework will be actively monitored, and further initiatives will be considered as trends in demands and outcomes become known over the first 6 months from April 2018.

7. Reasons for Recommendation

- 7.1 Required as part of statutory service to provide homelessness service, assessing needs and providing resolutions.

8. Consultation (including Overview and Scrutiny, if applicable)

- None

9. Impact on corporate policies, priorities, performance and community impact

- Review of the Allocations Policy as highlighted above.

10. Implications

10.1 Financial

Implications verified by: **Julie Curtis**
HRA and Development Accountant

The service intends to meet the majority of the increased demand through the new ring-fenced `new burdens; grant as set out in the main body of the report. As this is for a transitional period only work will be undertaken to ensure that reliance on this funding reduces over time. Following confirmation of the

allocation of funds, the service will continue with the regular monitoring to ensure the viability of forecasts and spend.

10.2 Legal

Implications verified by: **Martin Hall**
Housing Solicitor/Team Leader

It is expected that the service would need to grips with the new duties in a relatively short time frame, effective training delivered to staff to be legally compliant and provide a robust service limiting successful lawful challenges.

It is expected that the service would need to be familiar and competent with the new duties in a relatively short time frame, effective training delivered to staff to be legally compliant and provide a robust service limiting successful lawful challenges. It is prudent that Thurrock Council has recruited its own Review Officer to deal with additional legal challenges and casework that will be posed by the HRA 2017 when it comes in to effect.

10.3 Diversity and Equality

Implications verified by: **Natalie Warren**
Community Development & Equalities Manager

The new MHCLG data collection is being set up to receive household level rather than aggregated local authority level data. It will cover a broader range of households, including all those who receive homelessness assistance from the local authority rather than, as now, focusing primarily on those that authorities are currently legally obliged to help under the statutory homeless definition.

The design of the new data collection has been shaped by the Homelessness Reduction Act and will collect data to enable the effects of the Act to be monitored. We will continue to monitor trends for adverse impacts the protected characteristics and review any deviance from local data.

10.4 Other implications (where significant) – i.e. Staff, Health, Sustainability, Crime and Disorder)

- Staffing levels may need to be reviewed to effectively manage any increased demand.

11. Background papers used in preparing the report (including their location on the Council's website or identification whether any are exempt or protected by copyright):

- None

12. Appendices to the report

- None

Report Author:

Lorrita Johnson

Housing Solutions Manager

Housing Department

6 February 2018		ITEM: 5
Housing Overview & Scrutiny Committee		
Homelessness Service: Review of Mental Health and Domestic Violence Cases		
Wards and communities affected: All		Key Decision: Non-Key
Report of: Lorrita Johnson, Housing Solutions Manager		
Accountable Assistant Director : John Knight, Assistant Director of Housing		
Accountable Director: Roger Harris, Corporate Director of Adults, Housing & Health		
This report is Public		

Executive summary

This report focuses on the customer journey of two cohorts of homeless applicants and their particular experience having been through the Housing Solutions Service.

1. Recommendation(s)

- 1.1 That the Housing Overview and Scrutiny Committee comment on the information provided and the actions outlined to improve the service for these customers in the context of the Homelessness Reduction Act.**

2. Introduction and Background

- 2.1** At the request of the Chair of the Committee, a review has been undertaken of the experience of two separate cohorts of customers being dealt with by the Housing Solutions service – a) applicants with mental health issues, and b) those becoming homeless as a result of domestic violence. The report summarises the findings of this review and sets out the service's plans to improve the service provided to these two cohorts, in the context of the wider changes already underway to effectively implement the Homeless Reduction Act 2017 (HRA17)
- 2.2** Statutory homelessness and the use of temporary accommodation have increased in Thurrock (as elsewhere) in recent years. The Housing Solutions has been re-modelled on a pilot basis to embed a service model more focussed on homelessness prevention and numbers have been contained as a result while our success in preventing homelessness has increased. It is important in this context that the service works with customers in a way that is

positive and non-judgemental, and creates a partnership between the customer and their case officer, with the shared objective of achieving the most appropriate resolution of the customer's housing issue. While this will often be homelessness prevention, there will also be cases – especially in relation to domestic violence – where the viable options for prevention are limited, and the service must prioritise the safety of the customer and their family without prolonging the casework and assessment stages.

2.3 The HRA17 will create new legal obligations which are congruent with this approach, and we are actively considering greater specialisation at the casework stage. In this context this report provides a timely opportunity to assess how far the service currently provided to customers with a particular profile provides them with a customised service.

2.4 A range of actions are in progress to ensure that the service is fit for purpose when the new Act takes effect. Among these, we have asked the National Practitioner Support Service (NPSS) to conduct an assessment of the service against the homelessness 'gold standard challenge' a framework introduced by government in 2010 and recognised as the 'industry standard' for homelessness services.

2.5 Details of NPSS timeline and methodology

The challenge follows a 10 step continuous improvement approach that starts with a pledge for local authorities aspiring to 'strive for continuous improvement in front line housing services' and culminates in an application for the Gold Standard Challenge.

There are a total of 10 challenges of which Thurrock completed 2 in 2015 and achieved 'bronze standard'. The remaining 8 will be completed in two phases.

2.6 The Table below details the timeline for completion of the review which will run from April to July.

Phase 1	Date of completion
To adopt a corporate commitment to prevent homelessness which has buy in across all local authority services	April 2018
To actively work in partnership with voluntary sector and other local partners to address support, education, employment and training needs	April 2018
To not place any young person aged 16 or 17 in Bed and Breakfast accommodation	April 2018

To not place any families in Bed and Breakfast accommodation unless in an emergency and for no longer than 6 weeks	April 2018
Phase 2	
To have housing pathways agreed or in development with each key partner and client group that include appropriate accommodation and support	June 2018
To develop a suitable private rented sector offer for all client groups, including advice and support to both client and landlord	July 2018
To actively engage in preventing mortgage repossessions including through the Mortgage Rescue Scheme	July 2018
To have a homelessness strategy which sets out a proactive approach to preventing homelessness and is reviewed annually to be responsive to emerging needs	July 2018

- 2.7 An Advisory Committee comprising of the NPSS personnel, the voluntary sector partners, housing and local government membership organisations and, ultimately, recognised Gold Standard local authorities, will assess, verify and confirm attainment of Local Challenges.
- 2.8 It is important to note that under the new legal framework all customers who are both a) eligible for assistance (based on their nationality and immigration status) and b) homeless or threatened with homelessness will be entitled to a full prevention service before a decision is made on whether they are in priority. In the case of customers with mental health issues in particular this will drive an approach which can be far less binary than the current legislative framework, and should result in a more flexible and sympathetic service being provided to those who may 'fail' the statutory test of vulnerability in the event that it needs to be applied.
- 2.9 The following sections look in detail at each of the two cohorts.

3. Mental ill Health - Priority Need Definition

- 3.1 This part of the report deals with the cohort of homeless applicants whose 'presenting reason' to be treated as having a priority need is the presence of one or more mental health conditions – it does not include those with such conditions who are separately classed as being in priority need because they have dependent children, although in such cases consideration of mental

health issues will form part of the overall service provided, for example when determining the suitability of temporary accommodation.

- 3.2 The threshold and assessment for establishing vulnerability of applicants with mental health issues dates from the Homeless Persons Act 1977, is included in the current Housing Act 1996, and is unchanged in the new Homelessness Reduction Act which takes effect in April 2018. The definition of vulnerability contained on the Act has been expanded and refined through a number of key legal cases, including *Pereira v LB Camden (Court of Appeal, 1998)* and more recently *Hotak v LB Southwark (UK Supreme Court, 2015)*. It is important to couple an understanding of the legal principles which must be applied with a wider focus on understanding the specific needs of this particular cohort, combined with strengthened partnerships, customised services, and resources to assist in finding alternative accommodation.
- 3.3 When assessing the vulnerability of an applicant citing a mental health condition as the reason they should be assisted and/or regarded as vulnerable within the meaning of the Act, officers are guided by the legislation and case law above and also by the Homelessness Code of Guidance, which details the practical considerations officers are to undertake.
- 3.4 Sections 8.14 to 8.25 of the new draft Code of Guidance lay out the factors and considerations to be made when assessing the vulnerability of an applicant.
- 3.5 Crucially, the Code confirms that *“it is a matter of judgement whether the applicant’s circumstances make them vulnerable”*. However, when determining whether an applicant is vulnerable, the housing authority should determine whether, if homeless, the applicant would be *“significantly more vulnerable than an ordinary person would be if they became homeless”* (this test derives from the *‘Hotak’* case above and supersedes the *‘Pereira’* test previously referenced in the Code). The assessment must be a composite one taking into account all of the relevant facts and circumstances, and involves a consideration of the impact of homelessness on the applicant when compared to an ordinary person.
- 3.6 There are no notable changes in the new draft Code to the definitions of this priority need category, and the guidance remains essentially the same as before – notwithstanding this, the new HRA17 is intended to result in a very different customer experience for single applicants with mental health issues, particularly those who can be thought of as ‘borderline’ cases when considering whether or not they ‘pass’ the statutory test of vulnerability. Since the new framework requires active casework interventions to prevent and relieve homelessness for all eligible applicants, the pivotal nature of the application of the vulnerability test should reduce, with a higher level of service being provided to all cases before the priority need determination is potentially even made.

4. Applications to the Housing Solutions Service – customers with mental health issues

4.1 This section captures the findings of a 'desktop' exercise to establish the numbers and outcomes for this cohort of customers for the twelve months to December 2017, using the service's main database including detailed notebook entries for each case.

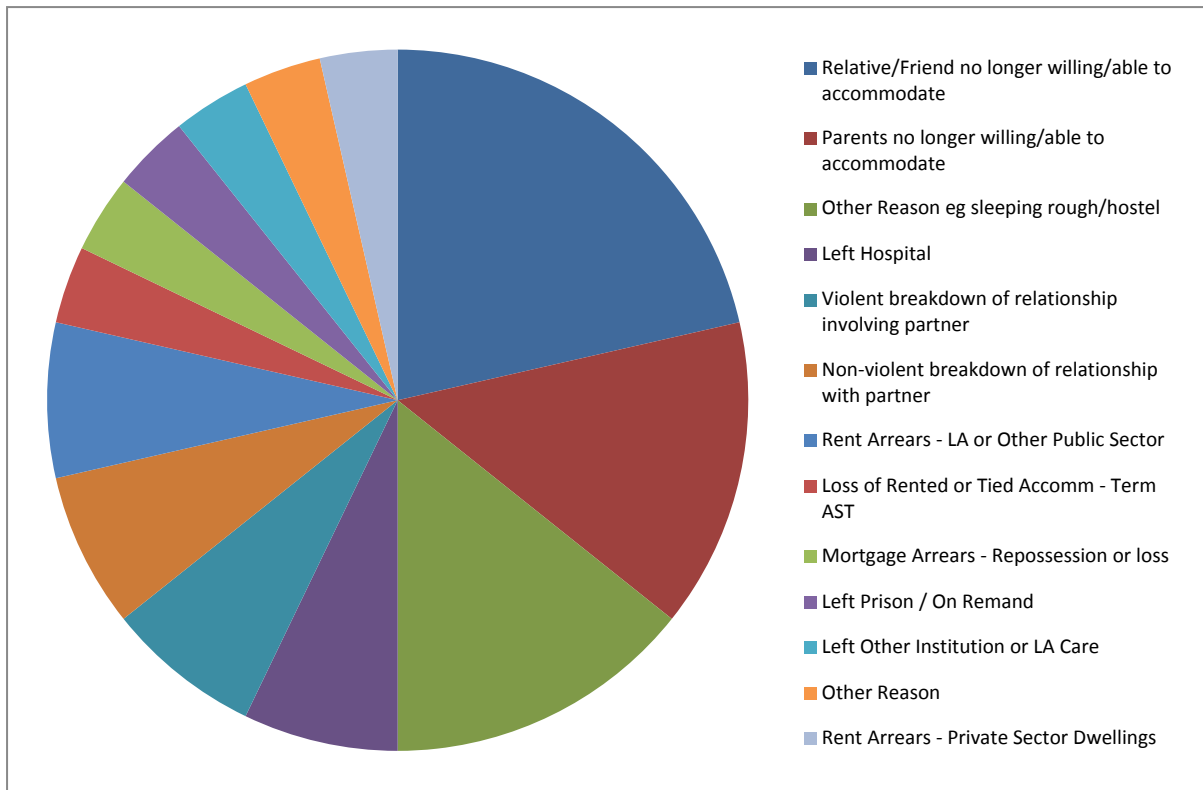
4.2 Mental health as presenting reason for priority need

Between Jan and Dec. 2017 a total of **28** customers approached the service whose 'presenting reason' for being in priority need was vulnerability due to mental health issues (**17** women, **11** men).

Total applicants who approached service	Female Applicants	Male Applicants
28	17	11

The reasons for homelessness were as follows:

Relative/Friend no longer willing/able to accommodate	6
Parents no longer willing/able to accommodate	4
Other Reason e.g. sleeping rough/hostel	4
Left Hospital	2
Violent breakdown of relationship involving partner	2
Non-violent breakdown of relationship with partner	2
Rent Arrears - LA or Other Public Sector	2
Loss of Rented or Tied Accom - Term AST	1
Mortgage Arrears - Repossession or loss	1
Left Prison / On Remand	1
Left Other Institution or LA Care	1
Other Reason	1
Rent Arrears - Private Sector Dwellings	1



4.3 Nature of mental health issues recorded include agoraphobia, anxiety, bipolar disorder, depression, dissocial personality disorder, emotional personality disorder, mixed personality disorder, paranoid schizophrenia.

In 10 cases we provided temporary accommodation during the investigative stage – in 6 cases the applicant remained at their approach address. In the other 12 cases customers made other temporary arrangements during the assessment stage.

Temporary Accommodation Provided by Thurrock Council	Applicant remained at application address	Applicant made own temporary accommodation arrangements
10	6	12

4.4 Where temporary accommodation was provided it was in the following categories

- Nil- furnished lets,
- B&B,
- 5 hostels,
- private owned nightly paid accommodation.

Furnished Let	B&B	Hostel	Nightly let	Refuge
0	2	5	3	1

4.5 Following the initial assessment 11 cases were accepted for long-term housing. In 1 case our decision was the applicant was not homeless, and this decision was appealed. In 14 cases our decision that the applicant had no priority need, of which 2 decisions were appealed In 1 case our decision was that the applicant was intentionally homeless. 1 case is still under assessment.

	Number of cases	Cases with subsequent decision appeals
Case accepted for long term housing	11	-
Case decision – not homeless	1	1
Case decision – no priority need	14	2
Case decision – intentionally homeless	1	0
Case still under assessment	1	-
TOTAL	28	3

4.6 On average those cases that were agreed took (57 days from first approach to duty accepted/42 days from application taken to duty accepted) days to

determine.

Where a negative decision was made the average assessment time was (31 days from first approach to negative decision/22 days from application taken to negative decision) days.

Overall average took (43 days from first approach to duty accepted/31 days from application taken to decision) days.

	Agreed Cases	Negative Decisions	All cases
Average working days from first approach to duty decision	57	31	43
Average working days from application submission to duty decision	42	22	31

- 4.7 A total of 14 cases were referred to Nowmedical for a recommendation on vulnerability. In 4 cases the recommendation was to accept a priority need and the final decision was to accept.

In 10 cases Nowmedical recommended no priority need. In 4 of these 10 cases (40%) the service accepted a duty despite the recommendation being 'non priority'.

	Cases sent to NowMedical for recommendation	Cases where duty was accepted following NowMedical recommendation
Priority Need Recommendation	4	4
Non-Priority Need Recommendation	10	4

Total	14	8
-------	----	---

- 4.8 Of the 14 cases where a negative decision was made, 3 requested a review. In the 2 cases which were reviewed due to negative priority need decisions, both decisions were upheld. In the 1 case which was reviewed due to a negative homelessness decision, the original decision was overturned.

	Negative Decisions – Not Appealed	Negative Decisions - Appealed	Total Negative Decisions	Decision upheld following appeal	Decision overturned following appeal
Non-Priority Need Decision Appeal	11	2	13	2	0
Not Homeless Decision Appeal	0	1	1	0	1
Total	11	3	14	2	1

4.9 Medical Assessments- Clinical input

Where appropriate the service uses Nowmedical Ltd, a private consultancy staffed by qualified clinicians including mental health practitioners, to provide an independent assessment of whether an applicant meets the vulnerability test set out above. This enables the service to make the overall composite assessment taking into account both the views of the applicant's own GP, consultant, etc. and the views of an independent medical adviser, along with all the other relevant information on file bearing on vulnerability. This approach is endorsed in the Code of Guidance and has been found valid in multiple Court cases as a means for authorities to balance all the medical considerations relevant to an application.

All staff in the service are aware that the Nowmedical assessment is advisory only and cannot be treated as effectively the decision on the case, which is for the local authority to make. This principle was clearly set out in the case of *R v Lambeth ex p. Carroll (1988)*, where the decision was overturned on the basis that the Council had fettered its discretion by 'rubber-stamping' the

medical opinion obtained on the case rather than genuinely reaching its own decision with regard to the medical advice. It is important to note in this context that although Nowmedical Ltd, is a private organisation, the payments it receives from Thurrock are made per assessment, and based on workload, quality and expertise rather than their substantive views in individual cases.

When assessing the vulnerability of applicants the housing staff refers to the Mental Health team based at Grays Hall. This is usually for applicants with diagnoses of an enduring mental health condition who have accessed the secondary services and with an allocated clinician. The process and structure of the mental health service means that applicants presenting with milder forms of mental health conditions are referred to seek the assistance of their Primary Health Trust professionals such (GPs)

5. Applicants having left accommodation because of violence

5.1 This part of the report deals with the sub-section of homeless applications made by customers whose 'presenting reason' for being homeless or threatened with homelessness is that they are subject to domestic violence at the time of their approach for assistance.

5.2 Section 8.35 of the Code of Guidance states *"A person has a priority need if they are vulnerable as a result of having to leave accommodation because of violence from another person, or threats of violence from another person that are likely to be carried out. It will usually be apparent from the assessment of the reason for homelessness whether the applicant has had to leave accommodation because of violence or threats of violence."*

5.3 DV/DA as presenting reason for homelessness

Between Jan and Dec. 2017 a total of **30** customers approached the service whose 'presenting reason' for homelessness was domestic violence (29 women, 1 men). 23 had dependent children and 7 were single. Their outcomes are captured below.

Total applicants who approached service	Female Applicants	Male Applicants	Applicants with Dependent Children	Single Applicants
30	29	1	23	7

5.4 In 11 cases we provided temporary accommodation during the investigative stage – in 11 cases applicants remained in the refuge where they were living at the time of their approach. In the other 8 cases customers made other

temporary arrangements (and we were satisfied they were not at risk at the address)

Temporary Accommodation Provided by Thurrock Council	Applicant remained in refuge	Applicant made own temporary accommodation arrangements
11	11	8

- 5.5 Following the assessment 23 cases were accepted for long-term housing. In 21 cases they had a priority need through their children – in 2 cases they were vulnerable on other grounds (medical etc). In 3 cases our decision was no priority need as they were not vulnerable as a result of dv. 3 cases are still under investigation and a final decision is yet to be made.

Priority Need – Dependent Children	Priority Need – Other Reason (Eg Medical)	No Priority Need	Still under assessment
21	2	3	3

- 5.6 On average those cases that were agreed took (29 days from first approach to duty accepted/24 days from application taken to duty accepted) days to determine.

Where a negative decision was made the average assessment time was (27 days from first approach to negative decision/26 days from application taken to negative decision) days.

Overall average (29 days from first approach to duty accepted/24 days from application taken to decision) days.

	Agreed Cases	Negative Decisions	All cases
Average working days from first approach to duty decision	29	27	29

Average working days from application submission to duty decision	24	26	24
---	----	----	----

- 5.7 Where temporary accommodation was provided it was in the following categories 2 furnished lets, 5 B&B, 0 hostels, 3 nightly lets, 1 refuge.

Furnished Let	B&B	Hostel	Nightly let	Refuge
2	5	0	3	1

In 1 case the case was referred to another borough for a reciprocal offer in that area.

- 5.8 The Housing Solutions service has an established holistic process for assessing applicants who have experienced violence in the form of Domestic Abuse, based on the professional input at every stage of the Housing Safeguarding team working alongside caseworkers in Housing Solutions. This partnership approach goes beyond what is required in legislation and the Code of Guidance and is intended to ensure that customers in this situation receive a comprehensive response, rather than one which is overly focussed on the Council's legal duties under housing law at the expense of full consideration of the customer's safety and wellbeing.
- 5.9 The established protocol for assessing and assisting customers fleeing Domestic Abuse (DA) covers Council tenants and all members of the public for whom Thurrock Council has a duty of care. The process is governed by the Anti-Social Behaviour, Hate Crime and Domestic Abuse Strategy and the Domestic Abuse Policy Statement. Key to the strategy is determining the level of risk as early as possible to ensure an appropriate response. The level of risk is subject to change based on further disclosure from the client. A risk assessment should be reviewed following any further disclosure from the customer.
- 5.10 The Housing Safeguarding Team and Housing Solutions Team jointly assess the support and housing needs of all applicants approaching because of Domestic Violence.

6. Current Housing Solutions Team Structure

- 6.1 The team structure consists of 10 Housing Solutions Officers (HOS) and 2 Housing Solutions Team Managers.

Officers operate in the pilot model conducting either prevention functions or statutory homelessness assessments. The job descriptions detail the requirement to have knowledge of the current legalisation, case law and code of guidance. It focuses on the ability to interact with applicants offering advice and assistance. There is currently no requirement to have specialist qualifications, experience or skills in dealing with the different cohorts of applicants presenting to the service.

6.2 Current management of demand

- Applicants contacting the service through telephone and in person are routed to the Customer Services Centre; they generate a 'contact slip' for action by the housing solutions team.
- A duty roster is in place for Housing Solutions Officers to lead in processing daily contact slips from customer services and assess applicants presenting as homeless on the day. The equivalent of 2 FTE cover these functions on a daily basis, other officers conduct casework of allocated cases.
- If threatened with homelessness applicants are offered a Housing Options interview appointment to meet with an officer who will complete an initial housing needs assessment, drawing a personalised housing plan with agreed timescales for review by both officer and applicant.

Officers work through the cases prioritising where possible those with impending homelessness.

The current practise limits the opportunity to conduct detailed and focused prevention casework with specific cohorts.

7. Housing options for single applicants

7.1 Currently all single applicants with mental health issues approaching the Housing Solutions service can be offered the following prevention options, either before they become homeless or in the event of a negative decision which means they will not be directly provided with accommodation by the service:

- Sign posting to Open Door service a third sector agency working with lettings agents who provide shared accommodation for applicants over 35 years. Direct referral to private sector agents providing shared accommodation for single applicants from 35 years.
- Offer of deposit/advance rent to secure self-contained accommodation in the private rented sector for those over 35
- Housing Register application awarded band 4 which is a relatively low priority on the Housing Register but offers good long term prospects for a successful bid. The current average waiting time for sheltered

accommodation for applicants aged 55 plus is 2 months, the success rate is based on an the applicants flexibility for different property types and area of choice.

- Referral to night shelters for emergency accommodation- operating in neighbouring boroughs.(Basildon, Colchester, Chelmsford)

8. Considerations for future service delivery

8.1 The review of the service coupled with the new ways of working within the pilot operating model substantiates the awareness that in order to better manage the demand the anticipated demand, the service would be most effectively organised around two key strands of activity a) targeted prevention for selected cohorts and b) service improvements and efficiencies.

8.2 The two selected cohorts for the new service design and approach to manage/reduce demand are:

- Single males/females between 25-45 years old –the anticipated greatest driver of new demand post Homelessness Reduction Act implementation.
- Single applicants with identified mental health/complex needs- greatest driver of current demand as reason for priority need for this group.

8.3 The developed service provision for these cohorts would allow the provision of specific prevention tools, partnership and pathways to be formulated around the groups driving demand into the service, rather than a 'one size fits all' solution.

8.4 As part of the new service design, a dedicated lead officer would in post to offer the specialist support to identify and implement a comprehensive pathway of housing options for single applicants with a strong focus on meeting the needs of those with an identified mental health condition, particularly those considered to be 'border line' often not meeting the threshold of the composite assessment to be determined as vulnerable within the meaning of the Act.

9. Homelessness Reduction Act - considerations for service design

9.1 The government did not utilise the opportunity to change the statutory assessment framework. HRA17 maintains its position on the framework for assessment, whilst there is a move away from conducting and establishing the 5 statutory tests (Eligibility, Homelessness, Priority Need, Intentionality and Local Connection) at the first point of approach, applicants who are homeless on approach are expected to meet the same tests in order to trigger the duty to be accommodated on an interim or long term basis.

9.2 There is ongoing commitment to increase the staff knowledge of mental health disorders/conditions which would aid in undertaking of assessments and ultimately tackling the root of the issues presented by applicants.

9.3 It is anticipated that an increased partnership and joint working arrangements between the Mental Health and Housing services would provide the platform for providing the specialist support and assistance required for this cohort.

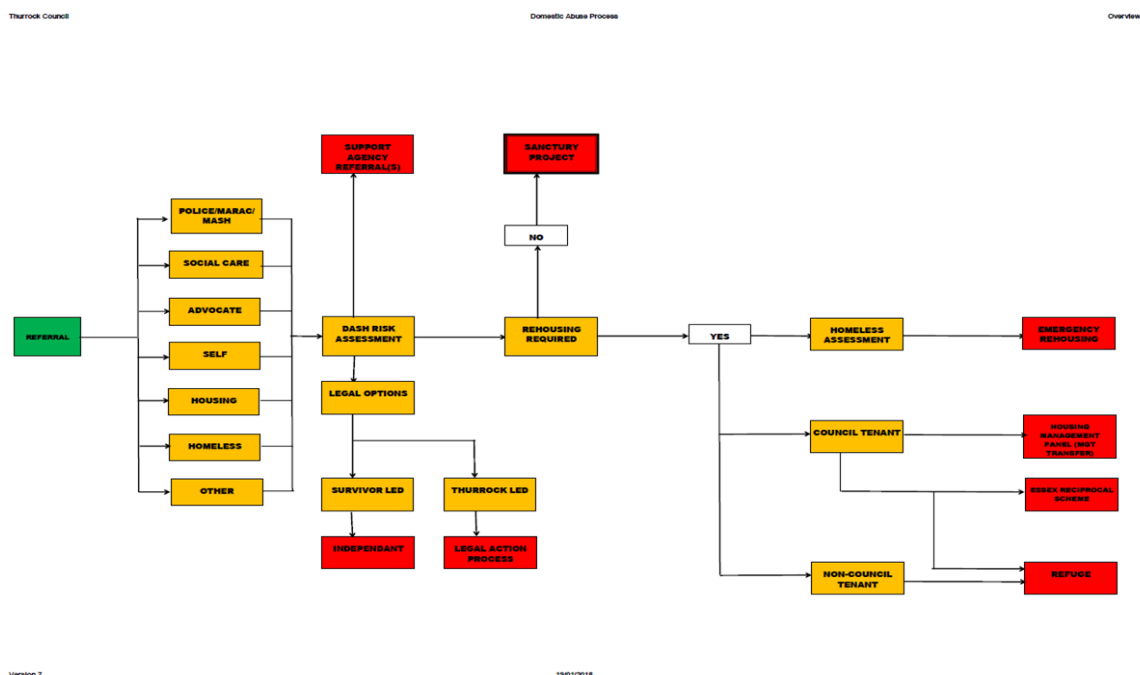
9.4 The consideration is for an in-house mental health clinician to be co-located with housing staff to provide advice, insight, knowledge and support staff in assessing the vulnerability of applicants. This will enable robust and efficient assessments at first point of contact.

10. Partnerships

10.1 The teams work with a variety of other agencies to deliver a response service in Domestic Abuse, including the following:

- a) Police
- b) Thurrock Multi Agency Risk Assessment Conference (MARAC)
- c) Multi Agency Safeguarding Hub (MASH).
- d) Children's Services / Adult Social Care
- e) Changing Pathways, the third sector provider commissioned by Thurrock to provide support to women experiencing domestic violence
- f) Other advocacy organisations such as National Women's Aid and other local refuges.
- g) Other statutory partners e.g. environmental protection – noise nuisance service.

The below table illustrates the process of referrals and assessment of an applicant with Domestic Abuse.



- 10.2 The Housing Safeguarding team provide specialist support and advice when assessing the need of an applicant. The team members hold the relevant qualifications and are all trained as Independent Domestic Violence Advocacy (IDVA) officers, capable of completing risks assessment and support/safety plans to assist an applicant.

The plan includes:

- a) An identification of the required relevant support agencies.
- b) An applicant's housing circumstances and their legal standing in the home.
- c) Their immediate safety and that of their household members.
- d) The possible legal options.
- e) Other areas of concern such as sexual abuse, child protection and adult safeguarding.

10.3 Summary of 'Exit Interview'

For the purpose of this report an exit survey was conducted with previous customers to gain their views on the experience of the service. A sample of 5 applicants were identified, of which only 1 accepted to participate in the survey.

At the time of writing this report further surveys are underway. It is anticipated that a larger pool of participants will complete the survey to give a broader view and feedback for the service review.

The table below details the questions and the customer responses.

Survey Questions	
Question	Response
How were you dealt with by staff at the reception desk	Everything was fine
How long did you have to wait before first being seen	1 week, first made a phone call then approached
Did you understand the process when you made your application	yes it was explained
Was it explained to you why the Council needed the information we requested	yes when I first spoke with an officer
Did you know the name of the officer who assessed your application (Caseworker)	Yes
How quickly were you given accommodation	had to wait, but cannot remember – long time ago

Did the officer show empathy when dealing with you	Yes, very supportive
How do you think we could improve our service in future for other people in your situation	Good service helped a lot

11. Reasons for recommendation

- Required as part of statutory service to provide homelessness service, assessing needs and providing resolutions.

12. Consultation

- None

13. Impact on Corporate Policies, Priorities, Performance and Community Impact

- None

14. Implications

14.1 Financial

Implications verified by: **Julie Curtis**
HRA and Development Accountant

There are no direct financial implications as a result of this report. Any impact on the costs associated with the service will be closely monitored and forecast using the recently established finance model.

14.2 Legal

Implications verified by: **Chima Obichukwu**
Housing Solicitor/Team Leader

The preparations and systems in place to deal with the implementation Homelessness Reduction Act 2017 are adequate and legally compliant. The Homelessness Reduction Act 2017 does not abolish the existing statutory framework but imposes an earlier duty to prevent & relieve homelessness to all approach the Council especially vulnerable persons.

14.3 Diversity and Equality

Implications verified by: **Natalie Warren**
Community Development & Equalities Manager

The redesign of the new MHCLG data collection and Housing Solutions service has been shaped by the Homelessness Reduction Act to enable the effects of the Act to be monitored. The proposal seeks to directly formulate a service which addresses the needs of vulnerable individuals and does not directly discriminate or disadvantage other cohorts. We will continue to monitor trends for adverse impacts on the protected characteristics and review any deviance from local data by conducting a Community Equality Impact Assessment into the proposed service.

14.4 Other implications

- None

15. Background Papers used in preparing the report (including their location on the Council's website or identification whether any are exempt or protected by copyright):

- Homelessness Reduction Act 2017
- Homelessness Code of Guidance 2017

16. Appendices to the report

- None

Report Author:

Lorrita Johnson
Housing Solutions Manager
Housing Department