

CHALLENGES OF THE HOMELESSNESS REDUCTION ACT 2017

Housing and Health Advisory Committee - 18 September 2018

Report of Chief Officer Communities & Business

Status: For Information

Key Decision: No

Executive Summary: To update Members on the new Homelessness Reduction Act and provide details of key implications and challenges as a result of this Council's new duties.

This report supports the Key Aim of providing the right support at the right time, reducing health inequalities and improving health and wellbeing for all

Portfolio Holder Cllr. Lowe

Contact Officer(s) Hayley Brooks Ext. 7272

Recommendation to Housing and Health Advisory Committee: That the report and information be noted.

Introduction and Background

- 1 As a local housing authority, this Council has a legal duty to comply with the Housing Act 1996 (as amended by the Homelessness Act 2002). This duty includes providing advice and support to people who are homeless or at risk of homelessness.
- 2 The new Homelessness Reduction Act (HRA) 2017 sets out a framework for the biggest changes to homelessness legislation since the Housing Act 1996.
- 3 The HRA received Royal Assent and became an Act of Parliament in April 2017, and come into effect from 3 April 2018. The new 'Homelessness Code of Guidance for Local Authorities' provides guidance on how to exercise and monitor the Act.

Homelessness Reduction Act 2017

- 4 The Act amends Part 7 of the Housing Act 1996 with 13 main changes that amend existing duties and provides a number of new duties. These changes affect the homelessness prevention work of this Council's Housing Advice Service within the Communities and Business Team.

- 5 The Act introduces new legislation to carry out homelessness prevention advice and support at an earlier stage and for a longer period, for anyone who needs help as they are at risk or threatened with homelessness.
- 6 As part of the new Act, there is a greater emphasis on providing free information and advice to anyone who approaches the Council because they are at risk of homelessness. This advice must include:
 - Preventing homelessness;
 - Securing accommodation if homeless;
 - The rights of people who are homeless or threatened with homelessness, and;
 - How people at risk of becoming homeless can access other support services;
 - Services designed to meet the needs of particular groups at increased risk of becoming homeless, such as care leavers, people leaving prison, armed forces personnel, victims of domestic abuse and people leaving hospital.
- 7 Members will be updated at the meeting with a presentation on this work.

Key Implications

Financial

- 8 From April 2017, Government funding has been allocated to local housing authorities to support the enablement of the new duties as part of this legislation.
- 9 The Government's Flexible Homelessness Support Grant (FHSG) provides Councils with annual funding to provide services to prevent and deal with homelessness. Funding allocations for two years were confirmed as £155,434 for 2017/18 and £178,842 for 2018/19. Government will announce further allocations for future years during 2018/19.
- 10 The Government have also provided Transitional Funding to recognise the new burden the HRA places on councils. The confirmed allocations are £35,528 for 2017/18, £32,544 for 2018/19 and £34,401 for 2019/20. It is not expected that this funding will continue beyond this period.

Legal Implications and Risk Assessment Statement.

- 11 As a local housing authority, this Council has a legal duty to comply with Part 7 of the Housing Act 1996 (as amended by the Homelessness Act 2002), the Equalities Act 2010, Localism Act 2011 and the new Homelessness Reduction Act 2017 to reduce and prevent homelessness, taking those with priority need into consideration.

- 12 Risk Assessment Statement - The following risks have been assessed with the knowledge and detail available to the Council when implementing the HRA changes.
- 13 Risks are scored from 1 (a low impact / likelihood) to 5 (a high impact / likelihood).

Risk	Likelihood	Impact	Total	Comments and controls
That the new Policy may comply with Government guidance and legislation resulting in a possible legal challenge by customers	1	4	4 Low	Increased staff resources and new operational processes developed to deliver our legislative duties
Lack of funding to meet the new burdens relating to the new duties	1	4	4 Low	External funding continues to be sourced to increase resources, existing Government funding maximised
Housing IT system inadequate to monitor and deliver new HRA duties	1	4	4 Low	This Council is part of the Kent Homechoice Partnership which provides an integrated and upgraded IT system across Kent, HRA compliant from April 2018.
Lack of affordable housing options for customers to prevent homelessness	2	4	8 Medium	Maximising available housing options through the private rental market through targeted incentives with landlords. Early intervention with HERO service to increase customer affordability. Close working partnership with Registered Housing Providers to increase housing opportunities. Updated Housing Allocations Policy to make Housing Register efficiencies for those with the greatest need.

Equality Assessment

- 14 Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to (i) eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010, (ii) advance equality of opportunity between people from different groups, and (iii) foster good relations between people from different groups.
- 15 The impact has been analysed and does not vary between groups of people. The HRA changes implemented by this Council will better assist all residents at risk of homelessness.

Conclusions

- 16 The new Homelessness Reduction Act 2017 brings significant changes to the way this Council's Housing Advice Service is delivered.

Appendices: Appendix A - Equalities Impact Assessment

Background Papers:

Lesley Bowles

Chief Officer Communities & Business