

The Homelessness Reduction Act 2017

What it means for professionals and customers

- Background to the new legislation
- Current legislation
- Will be from 3rd April 2018
- New duties
- Advisory services
- Prevention
- Relief
- Local connection
- Personalised Housing Plan
- Duty of public authorities to refer

Background to the new legislation

- In April 2015, HRA introduced in Wales
- Aim to assist further categories of people facing homelessness, at an earlier stage.
- The HRA started life as a private member's Bill, introduced in the House of Commons by Bob Blackman (Conservative MP for Harrow East).
- Amends the current homelessness legislation contained in Part VII of the Housing Act 1996 and the Homelessness (Suitability of Accommodation) (England) Order 2012.
- Comes into force on Monday 3rd April 2018.

Current legislation

In order for a person to be owed a duty under s193 Housing Act 1996 they must fulfil 5 criteria:

They must be homeless or threatened within
28 days

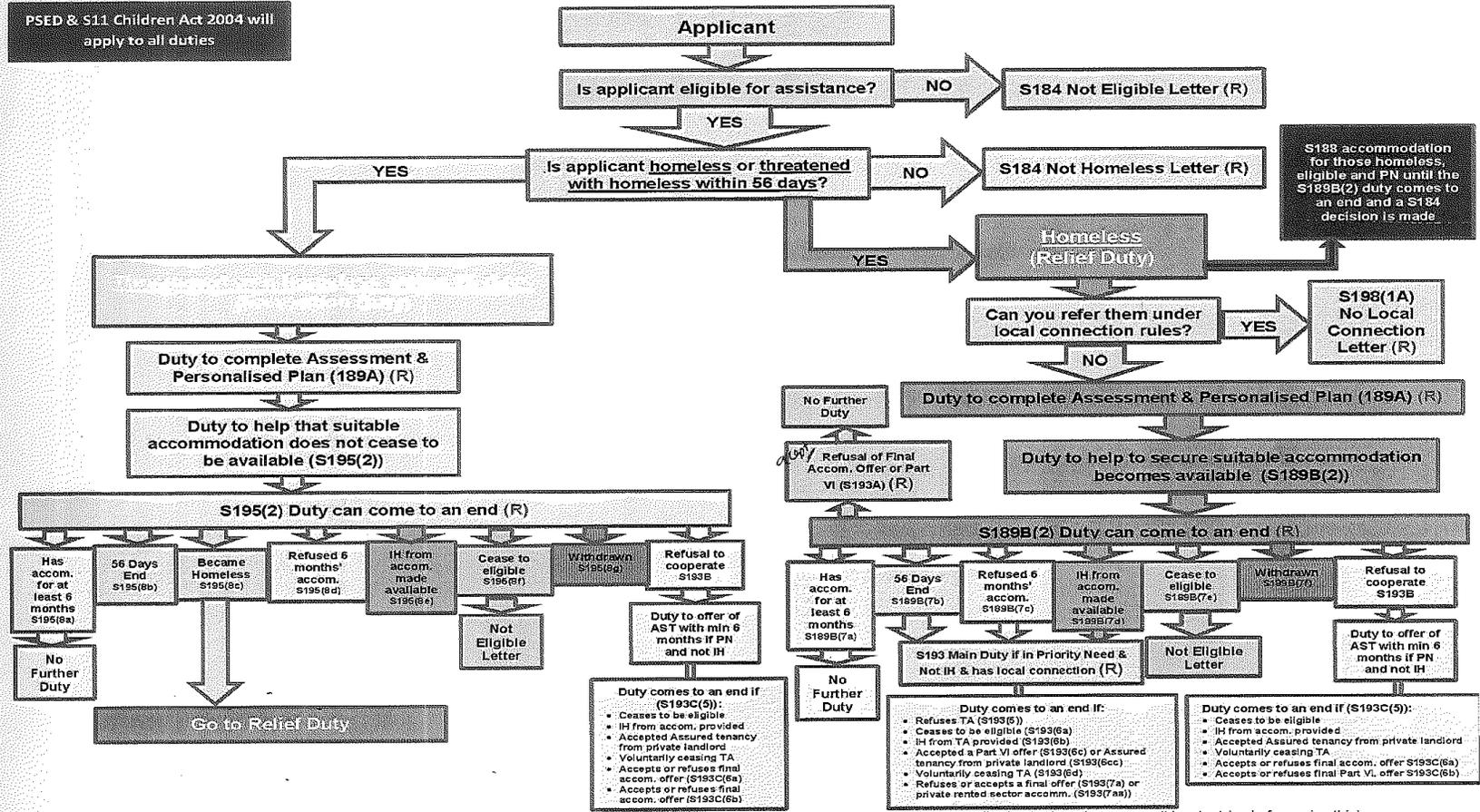
They must be eligible for assistance

They must have a priority need

They must not be intentionally homeless

They must have a local connection

S193 Main duty owed



Will be from 3rd April 2018

New duties

- Advice services
- **Prevent** the homelessness of those threatened with homelessness within 56 days
- **Relieve** the homelessness of anyone who is already homeless, or whose homelessness cannot be prevented
- A duty to refer for other public bodies

Advisory Services

- Tailored advice for individual clients
- Targeted advice for recognised vulnerable groups
- Provided in writing to the client
- ✓ Preventing homelessness
- ✓ Securing accommodation when homeless
- ✓ The rights of persons who are homeless or threatened with homelessness, and the duties of the Authority

Prevention

Duty to take 'reasonable steps to help the applicant to secure that accommodation does not cease to be available' s.195 HA 1996

- All **eligible** applicants who are threatened with homelessness within **56 days**
- Duty to assess
- Personalised housing plan (PHP)

Relief

Duty to take 'reasonable steps to help the applicant to secure that suitable accommodation becomes available for the applicant for at least 6 months' s.189B(2) HA 1996

- All **eligible** applicants who are **homeless**
- Local connection applies
- Duty to assess
- Personalised housing plan (PHP)
- During this 56 days, the LA may issue a s184 homeless decision i.e. non-priority/intentional, but the 56 relieve duty remains

Relief Duty Ending

- 56 days has passed since the s.198B(2) duty first arose (not intentionally homeless but with a priority need)
- Have suitable accommodation and a prospect of occupying it for 6 months
- Refused accommodation likely to last for 6 months
- Are intentionally homeless from accommodation provided
- Are not eligible for assistance
- Have withdrawn their application
- Refused final accommodation offer under s.193A- **non-cooperation**

Personalised Housing plan (PHP)

- Full assessment in writing
- Current situation
- Housing need
- Steps the applicant is required to take
- Steps the Authority are required to take
- Customer Portal
- Non- cooperation

Local Connection

- Lived in the borough for 6 out of the last 12 months or 3 out of the last 5 years
- Permanent job in the borough
- Close relative (parent, sister, brother or adult child) who has lived in the borough for the last 5 years
- There is a special reason
- **Prevention stage**- no need to consider local connection & no provision to refer
- **Relief stage**- if no local connection the other Authority will be notified and once the applicant has been advised, a referral will be made to the other Authority.

Local Connection Care Leavers

- Non-unitary Authority areas; **County Council** rather than the **District Council** owes the duties
- When a young person has been looked after by a County Council, s/he will have a local connection with all the districts within that County Council area.
- If a person has been housed in the district of the Local Housing Authority for a continuous period of at least 2 years, (and at least part of this time was when they were under 16), this will also give them a local connection to that Authority- (until their 21st birthday)

Duty of public authorities to refer

- S.213B, new duty, applying to certain public authorities in England to notify local Housing Authorities of people using their service who they think are, or may be, homeless or at risk of homelessness.
- The person to be referred has to give consent
- Client can choose which Local Authority they wish to be referred
- Client will provide contact details which will be passed to the relevant Local Authority
- Commencement delayed until October 2018
- List of public authorities, not yet confirmed, but suggested will include; prison, probation, hospitals, MH, SS's, GP's, midwife's, substance misuse services, schools, health visitors, Job Centre Plus, universities, HB, refuge provider, NASS, community safety, faith organisation, LA LL, HA, EH, street services for rough sleepers.