

 Brent	Community and Wellbeing Scrutiny Committee 19 January 2021
	Report from the Strategic Director of Community Wellbeing
Homelessness and Rough Sleeping Strategy 2020-2025	

Wards Affected:	ALL
Key or Non-Key Decision:	Non Key
Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
No. of Appendices:	Appendix 1 – Homelessness and Rough Sleeping Strategy Update
Background Papers:	None
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1.0 Purpose of the Report

- 1.1 To update Community and Wellbeing Scrutiny committee of delivery to date on the objectives of the Homelessness and Rough Sleeping Strategy 2020-2025, (the Strategy).
- 1.2 To update Community and Wellbeing Scrutiny committee on the Council's response to provide emergency accommodation to single homeless people, as a result of the COVID pandemic and the request by central government for local authorities to accommodate all rough sleepers, and people at risk of sleeping rough, including people with No Recourse to Public Funds.

2.0 Recommendations

- 2.1 That the committee note the information provided in this report on the Homelessness and Rough Sleeping Strategy, as well as the Council's response to accommodate single homeless people during the COVID pandemic.

3.0 Background

- 3.1 In February 2019, a review of homelessness in Brent was undertaken, in order to evaluate current services, and draft a homelessness and rough sleeping strategy¹. The Council worked with local delivery partners, through the Brent Homelessness Forum, to conduct a gap analysis to take a snapshot of homelessness services available across the borough and identify any gaps in services.
- 3.2 Following the review, a draft Strategy was presented to PCG on 26 September 2019 and approval was given to commence the consultation process. The consultation ended on 25 November 2019, and following member engagement, and having had regard to the feedback received during the consultation period, Cabinet agreed the final version of the Strategy on 14 January 2020.
- 3.3 Action planning sessions took place with members of the Homelessness Forum and Brent officers, to identify the priorities that should be worked on, in the first year of the strategy. However, on 26 March 2020, Luke Hall MP, Minister for Local Government and Homelessness wrote to all Local Authorities, regarding the COVID–19 pandemic. He advised that part of the government’s strategy to reduce the impact of the pandemic was to ask local authorities to accommodate all rough sleepers, and people at risk of sleeping rough, including those people with no recourse to public funds. This is generally referred to as the ‘everyone in’ policy.
- 3.4 The Housing Needs Team started work to provide emergency accommodation to this cohort, including those with no or low vulnerabilities. This supported individuals to safely quarantine if required, as well as follow general social distancing guidelines.
- 3.5 As well as accommodating verified rough sleepers, both directly from the streets and from emergency night shelters, which were required to be decanted, there was a surge in demand from single people. These people were typically making temporary arrangements such as “sofa surfing”, and were new “flow” onto the streets, or were at risk of becoming rough sleepers.
- 3.6 On 29 June 2020, the Ministry for Housing Communities and Local Government (MHCLG) announced that it had updated the Homelessness code of guidance for local authorities, which sets out guidance on how local authorities should exercise their homelessness functions under the Homelessness Reduction Act 2017 and the Housing Act 1996. The update states that applicants who have been identified by their GP or a specialist as clinically extremely vulnerable are likely to be assessed as having priority need. The vulnerability of applicants who are clinically vulnerable should also be considered in the context of COVID-19

¹ All Local Authorities were committed to having a published Homelessness and Rough Sleeping Strategy by winter 2019.

- 3.7 The “everyone in” policy was therefore ended on 6 July, and officers used the amended code of guidance, to determine whether or not emergency accommodation should be provided. However, the surge in demand from single people since the lockdown commenced in March, resulted in 423 single homeless people approaching the Council for assistance. A breakdown of the applications and referrals received is set out in table 1 below.

Table 1: Breakdown of Single Homeless approaches and referrals received

Direct Housing Application	219
St Mungo’s	139
Crisis Brent	29
Ashford Place	21
Winter shelters/Shared sleeping spaces	15
Total	423

- 3.8 This unprecedented spike in demand from people who were sleeping rough, or were at imminent risk of street homelessness required a massive response from the Single Homeless Team. Officers were seconded from other teams to assist with the business as usual type cases, and a specialist multi-disciplinary team was created, who were dedicated to dealing with the COVID cohort.
- 3.9 During this period the service continued to work on progressing the Strategy, albeit very much around the context of the pandemic, as set out in Section 4 below, and Appendix 1.

4.0 Response to the COVID-19 Pandemic

- 4.1 Of the 423 applications and referrals received, 76 people were not provided with emergency accommodation. A breakdown of the reasons is set out in table 2 below.

Table 2: Breakdown of reasons why people were not accommodated

Lost contact	25
Accommodated by GLA	18
Refused offer	19
Made own arrangements	6
Not Homeless	3
Accommodated by another LA	2
Application withdrawn	3
Total	76

- 4.2 The majority of these 76 people were, accommodated by the GLA or another Council, made their own arrangements, were not homeless or withdrew their application. The majority of the 19 people who refused the accommodation

offered were expecting to receive offers of settled housing as opposed to B&B, and chose not to take the emergency accommodation offered. It is not known what housing arrangements these people, nor the 25 people with whom we lost contact made. However, they did not appear as street homeless in Brent, and whilst it is possible they may have been sleeping rough in another borough, the same “everyone in” offer was available nationwide, so there was a safety net in place.

- 4.3 Of the 347 single homeless people who were placed into emergency accommodation, 62 people were not eligible for housing assistance under homelessness legislation, because of their immigration status. This is because they are either EEA nationals with no access to benefits and services in the UK, or other non UK Nationals with no recourse to public funds, by condition of their immigration status. A breakdown of people’s eligibility status, who were secured emergency accommodation is set out in Table 3 below;

Table 3. Breakdown of homeless people accommodated, by eligibility

Eligible clients	285
EEA nationals, not eligible for housing assistance	46
Non EEA nationals with no recourse to public funds	16
Total	347

- 4.4 EEA nationals with no access to benefits and services in the UK were eligible to receive support under the Suspension of the Derogation², until 31 December 2020. The Housing Needs team secured grant money under the Next Steps Accommodation Programme (NSAP), which was used to pay for emergency accommodation, food and travel costs, while officers work to secure their settled status in the UK.
- 4.5 Suspension of Derogation ceased at the end of the transition period for the UK leaving the EU on 31st December. The Immigration and Social Security Coordination (EU Withdrawal) Act 2020 is now law and protects the rights of EEA citizens and their family members living in the UK before 31 December 2020.
- 4.6 Resident EEA citizens, and their family members, can continue to live, work, study, and access benefits and services in the UK on the same basis as they do now, after the end of the transition period (31 December 2020) and for the duration of the grace period (1 January to 30 June 2021). EEA citizens will have to apply to the EU Settlement Scheme before the deadline of 30 June 2021 to remain lawfully in the UK.

² suspension of restrictions on non-statutory homelessness services that are ordinarily applied to many EEA national rough sleepers

- 4.7 Officers have secured 50 rooms at a hotel in Wembley, until the end of the grace period, on 30 June 2021 to enable the cohort of EEA nationals to continue to receive support, while officers work to secure their settled status in the UK. These 50 rooms can be used for any EEA national who arrived in the UK before the 31 December 2020, and will therefore be used to meet the demand from this cohort, with new people being placed, as and when rooms become available. When people secure their immigration status in the UK, they will be supported to move, into more settled accommodation, creating voids to assist other people from this cohort. It is unlikely that the government will extend the grace period beyond 30 June 2021, and so it will be important that applications for settled status are progressed during this period.
- 4.8 EEA nationals are able to apply for either Settled Status (if they have been resident in the UK for more than 5 years) or Pre Settled Status (if they have been resident in the UK for less than 5 years). For those people who are only eligible to apply for Pre Settled Status, they are required to secure employment to be eligible to access benefits and services in the UK.
- 4.9 The majority of this cohort have now been supported to submit their application for either settled or pre settled status, based on the number of years they have been resident in the UK. A full breakdown of the current position is set out in table 5 below;

Table 5. Breakdown of the current status of non eligible EEA nationals

Non Eligible EEA Nationals	
Received Settled Status	10
Received Pre Settled Status	9
Awaiting the outcome of their application	19
Working to submit their application*	21

* Includes people picked up after “everyone in” policy ended on 6 July

- 4.10 Good progress has been made, and 19 people have now secured their immigration status in the UK, with a further 19 people likely to receive their status, following an application being submitted. 21 people are still working with services to submit their application.
- 4.11 Non EEA nationals with no recourse to public funds are only eligible to receive support if they are deemed to be extremely clinically vulnerable. The Housing Needs Team made a successful bid to the Protect Programme³, which secured an additional £120K of funding until 31 March 2021, to protect rough sleepers during the winter months.
- 4.12 This cohort of non-EEA nationals are also currently being supported in emergency accommodation, during the cold winter months. However, unlike citizens from the EEA, there is no clear exit strategy. This is because they are either failed asylum seekers, people who entered the UK with a visa, which has now expired, or entered the UK illegally. They have all been offered free

³ A Government scheme to help protect the most vulnerable people in our communities from COVID-19

legal advice from the North Kensington Law Centre, regarding their immigration status in the UK.

- 4.13 Throughout the “Everyone in” period, 16 people (Non-EEA) with No Recourse to Public Funds were provided with emergency accommodation. 6 of these people abandoned the accommodation, and as with the other cohorts with whom we lost contact, we do not know where these people went, however, they did not appear as street homeless in Brent.
- 4.14 Of the 10 remaining people, referrals to the Law Centre have resulted in 2 people being granted indefinite leave to remain in the UK. This means that they are now eligible to access benefits and services in the UK, and they are being supported to move into the appropriate settled accommodation.
- 4.15 Where people in this cohort were not street homeless at the time of their approach, and were making temporary arrangements, officers are working to try to reinstate these temporary living arrangements, whilst work continues to regularise their status in the UK.

5.0 Eligible Cohort

- 5.1 An assessment of the 285 eligible people who were placed into emergency accommodation was conducted to determine their level of vulnerability and therefore the appropriate move on plan, to move them out of the emergency accommodation.
- 5.2 Four housing pathways were established to meet the housing needs of this cohort. The four pathways are:

1. One suitable offer of private rented sector accommodation

This pathway is for people with **no support needs**. As the main driver of homelessness across London is affordability, this cohort were homeless, but the majority had a fragile housing situation (i.e. sofa surfing or living with friends). They became roofless during the COVID-19 pandemic, as a result of these temporary housing arrangements ending. They were therefore not street homeless, and had no vulnerability preventing them from maintaining accommodation in the private rented sector.

2. Private rented sector accommodation with 1 – 2 hours of floating support per week

This pathway is for people with **low support needs**. These individuals may require some help initially with paying bills, claiming benefits or finding employment but generally are able to sustain a tenancy.

3. Supported housing accommodation with between 1 – 7 hours of on-site support per week

This pathway is for people with **medium to high support needs**. These individuals may have mental health issues or challenges with substance misuse and require support to cook, clean and manage a budget. Individuals moving into supported housing schemes are expected to be able to move on and live independently within 12 – 18 months.

4. A Housing First model⁴ with 10 hours of support per week

This pathway is for those with **complex, intensive support needs**. This cohort are likely to be entrenched rough sleepers with multiple needs who require wrap-around support from multiple services.

5.3 The majority of the 285 eligible people who were placed into emergency accommodation have now been moved on into settled housing. A full breakdown of the outcomes are set out in table 4 below;

Table 4. Breakdown of the outcomes of the homeless people accommodated who are eligible

Eligible clients	285
Moved to Private Rented Sector	118
Moved to Private Rented Sector (with floating support)	7
Moved to Supported Housing Accommodation	49
Moved to Housing First	1
Still waiting for suitable accommodation	28
Abandoned accommodation	28
Declined offer and made own arrangements	25
Went to prison	8
Refused to cooperate	7
Admitted to hospital	4
Application withdrawn	3
Returned to Home country	3
Returned to pre COVID accommodation	2
Accommodated by another LA	2
Total	285

⁴ 'Housing First' is a model for supporting those with multiple and complex needs to resolve their homelessness. The individual is usually given stable, long-term accommodation as a starting point and then receives wrap-around support from multiple services to address any additional needs i.e. substance misuse, mental health etc.

- 5.4 175 people have been successfully moved to appropriate settled accommodation, with a further 28 people still waiting for accommodation. The majority of these people require supported accommodation, and are waiting for the appropriate supported scheme to become available.
- 5.5 On a less positive note, 53 people either abandoned the emergency accommodation, before a suitable offer could be made, or they declined an offer and made their own arrangements. As with the other people with whom we lost contact, we do not know where these people went, however, they did not appear as street homeless in Brent.

6.0 Overview of Current Rough Sleeping in Brent

- 6.1 The enormous amount of work that has taken place, supporting rough sleepers and single homeless people, has resulted in a 57% decrease in the number of rough sleepers in Brent.
- 6.2 The Outreach Team conducted an annual street count in November. This is a nationwide annual count, and the statistics are published by the Government, as a snapshot of rough sleeping across the country. Over the previous 3 years, there has been an average of 28 people recorded as sleeping rough in Brent, as set out in Table 6 below;

Table 6 Annual Rough Sleeping Snapshot in Brent 2017- 2019

Year	Number of people recorded
2017	29
2018	30
2019	25

In the count that took place in November 2020, the number of people who were recorded as sleeping rough had reduced to 12. However, it should be noted that only people actually seen bedded down, are recorded, and at the time the actual figure was probably 20, based on the knowledge of rough sleepers known to the Outreach Team. Having said that, the same would have been true in previous years counts, where the number of people recorded would have been lower than the actual number who were sleeping rough.

- 6.3 The government announced that financial resources would be available to bid for through the Next Steps Accommodation Programme (NSAP), to support local authorities to move people who had been provided with emergency into accommodation, and prevent them from returning to the streets.
- 6.4 When this grant was announced there was optimism that we may have been able to secure funding to support the NRPF (Non EEA) cohort, which was communicated to politicians. However when we met with the Department they took a firm line, and officers were advised that any bid which explicitly included this cohort would be rejected.

6.5 A bid was therefore submitted to fund the following outcomes.

Outcome	Cost
Secure current emergency housing and move on for eligible people with no /low support needs	£247,789
Support ineligible EEA Nationals, under suspension of derogation	£498,488
Provision of cold weather accommodation	£94,500
Total	£840,777

6.6 The Council had already received £827,422 in January 2020 through a successful bid to the Rough Sleeper Initiative (RSI) Grant. Two interventions that were due to be funded from the RSI grant were no longer relevant following the lockdown, and therefore £223,845 was repurposed to contribute to the above outcomes.

6.7 The GLA also secured funding to deliver longer-term move on accommodation with support for rough sleepers. A bid was submitted and confirmation was received on 21 October that the Council had received an overall allocation of £2,769,968 to deliver 24 homes by 31 March 2021.

6.8 As well as the above, additional grant money has been secured as set out below;

- Cold Weather Emergency Provision £94,500
- Cold Weather Fund - £90K
- Protect Programme - £120,375

7.0 Delivery to date of the Homelessness and Rough Sleeping Strategy

7.1 The Homelessness and Rough Sleeping Strategy contains five core strategy commitments, as set out below.

1. We seek to fully understand the challenges of homelessness in Brent and how individuals experience it so we can develop informed, targeted solutions and continually improve the quality of the services we deliver.
2. Our services are prevention focused, we ensure the right advice, and support is available to those who need it.
3. We work to increase the supply of and access to stable and affordable homes across the borough
4. We minimise the use of temporary accommodation, but where this is unavoidable, work to improve the quality of accommodation offered and keep the stay as stable and short as possible
5. We seek to personalise our services to individual's needs, and work collaboratively with our partners to ensure those needs are met.

7.2 As stated in 3.4 above, meetings have taken place with members of the Homelessness Forum and Officers, to determine the priorities for 2020, based on current strengths and weaknesses in the service. Priorities identified to deliver under each commitment included;

Commitment 1.

- Embed service standards that foster a culture of respect and empathy and work with front-line officers to drive forward a person-centred approach to our services.
- Review data collection to ensure data quality is maintained so resources can be more effectively targeted
- Develop mechanisms for gaining insight through a variety of feedback routes

Commitment 2.

- Get upstream of homelessness, enabling earlier and more effective prevention work, and put in place effective pre-crisis intervention
- Ensure online advice and signposting information is accurate and up to date
- Identify opportunities to support homeless households to access employment

Commitment 3

- Deliver our own new build programme, providing new affordable homes across the borough
- Work with Registered Providers to develop more homes in the borough
- Maximise the supply of stable, affordable private rented sector accommodation
- Drive up conditions in the private rented sector across Brent through licensing and enforcement processes

Commitment 4

- Increase the supply of Council-developed temporary accommodation
- Improve the quality of temporary accommodation and ensure individuals with specific or complex needs are provided accommodation through Housing Related Support Services
- Develop opportunities for temporary accommodation residents to give regular feedback

Commitment 5

- Provide additional staff training so officers are equipped to provide tailored advice
- Provide holistic advice and support, improving health, wellbeing and access to employment
- Share information across our partner organisations and our community hubs so we can deliver a more joined-up approach to providing support

- Work in partnership with the Homelessness Forum to develop a better understanding of those with complex needs and pilot an approach to supporting them more holistically
- 7.3 The Housing Needs response to the COVID pandemic has had a significant impact on the actions taken to date to deliver on the above priorities, with a significant amount of work targeting actions to support single homeless people and rough sleepers as outlined above. A full update on progress made against the actions identified for each of the five commitments is attached at Appendix 1.

8.0 Financial Implications

- 8.1 Financial modelling of the projected reduction in the use of temporary accommodation has already taken place. However, the ongoing and recurring impacts from the pandemic were not fully anticipated in this earlier model and as such the ability to deliver planned savings may be at risk.
- 8.2 There are two key financial risks to the successful delivery of the strategy and the related financial savings. The first of these is the significant reduction in the proportion of rent collected since the pandemic commenced earlier this year. Some of this reduction is temporary, due to the initial focus on housing individuals over processing their Housing Benefit applications. However, any ongoing reduction in rent collected will impact on the ability to achieve planned savings.
- 8.3 The second of these risks relates to future demand for temporary accommodation. Historically, the Council has been successful in significantly reducing the numbers of those in Temporary Accommodation. However, there is likely to be increased demand following the recent ending of the ban on evictions. Any future spikes in demand may prevent or delay the planned reductions in use of Temporary Accommodation and the related costs.
- 8.4 Additional COVID related grants have been received as outlined in Section 6 above. However, these are unlikely to fully cover the substantial additional costs which have been incurred with the Housing General Fund this year.

9.0 Legal Implications

- 9.1 The relevant legislation relating to homelessness reviews and strategies are set out in sections 1 to 3 of the Homelessness Act 2002 (“the 2002 Act”). Further details as to what should be included in a homelessness strategy are set out in section 3 of the 2002 Act. Details as to what a homelessness review should cover are set out in section 2 of the 2002 Act and in section 2(3) of the 2002 Act, it states that the results of the Council’s homelessness review must be available for public inspection after its completion.
- 9.2 Under section 1 of the 2002 Act, local housing authorities may from time to time carry out a homelessness review for their district and formulate and publish a homelessness strategy based on the results of that review. They must ensure

that a new homelessness strategy is published within five years of the date of the publishing of their last homelessness strategy.

- 9.3 As set out in section 3(7A) of the 2002 Act, in formulating or modifying a homelessness strategy, a local housing authority shall have regard to—
- (a) its current allocation scheme under [section 166A](#) of the Housing Act 1996;
 - (b) its current tenancy strategy under [section 150](#) of the [Localism Act 2011](#); and
 - (c) in the case of an authority that is a London borough Council, the current London housing strategy that is prepared by the Mayor of London. The Council's allocations scheme was amended by the Cabinet in June 2019. The Council's updated tenancy strategy was approved by the Cabinet in June 2020.
- 9.4 The Council has powers to provide interim temporary accommodation under Part 7 of the Housing Act 1996 (“the 1996 Act”) to applicants who make homeless applications to the Council. Under section 188(1) of the 1996 Act, if the Council as a local housing authority has reason to believe that an applicant may be homeless, eligible for assistance and have a priority need, the Council must secure that accommodation is available for the applicant's occupation until the homelessness application is processed and a decision is made by the Council regarding the application.
- 9.5 A local authority will accept the full homelessness duty to provide temporary accommodation if it is satisfied that the homeless applicant is homeless, eligible for assistance (this usually means not excluded on immigration grounds), in priority need of accommodation, not intentionally homeless and the applicant has a local connection with the borough (this last condition is subject to a number of exceptions).
- 9.6 During the COVID-19 pandemic, the argument for a priority need of accommodation based on the applicant's vulnerability is strengthened where the applicant: is 70 years old or above, or has at least one of the underlying health conditions listed in Schedule 1, The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020 SI 2020/350, i.e. conditions which have been identified in as increasing the risk of a serious outcome of a COVID-19 infection.
- 9.7 The Minister for Local Government and Homelessness provided guidance to local housing authorities in a letter dated 26 March 2020 as summarised in paragraph 3.4 of this report. In that letter, the Minister states that one of the four basic principles in relation to the Government's response to COVID-19 and rough sleeping is to *“utilise alternative powers and funding to assist those with no recourse to public funds who require shelter and other forms of support due to the COVID-19 pandemic”*.

10.0 Diversity Implications

- 10.1 As we have identified within the strategy, we are placing a renewed focus on improving the data we hold; which currently limits our ability to fully understand both the nature of the homelessness challenges in Brent, and the potential

equality impact of these strategy commitments. We have plans in place to address this, both through specific data projects, and through collecting evidence from pilot initiatives such as our complex needs panel, which will inform more robust EIAs to be completed where appropriate.

- 10.2 Where an initiative has already started, such as Capital Letters, an EIA has already been carried out, but in the most part, initiatives detailed within the strategy will have a project specific EIA carried out as they are being developed. This in turn will then enable us to carry out a cumulative impact assessment of the strategy as a whole.

Report sign off:

Phil Porter

Strategic Director of Community
Wellbeing