



Community and Wellbeing Scrutiny Committee

21 September 2021

Report from the Strategic Director of Community Wellbeing

Homelessness and Services for Families

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 – End to End Process
Background Papers:	None
Contact Officer:	Laurence Coaker Head of Housing Needs Laurence.coaker@brent.gov.uk

1.0 Purpose of the Report

- 1.1 To update Community and Wellbeing Scrutiny Committee about the support for families in the borough who are homeless, or at risk of becoming homeless, including the performance of services, demand for services, delivery of support and improved outcomes for service users.

2.0 Recommendations

- 2.1 That the committee note the information provided in this report and is assured about the support for families in the borough who are homeless, or at risk of becoming homeless.

3.0 Introduction

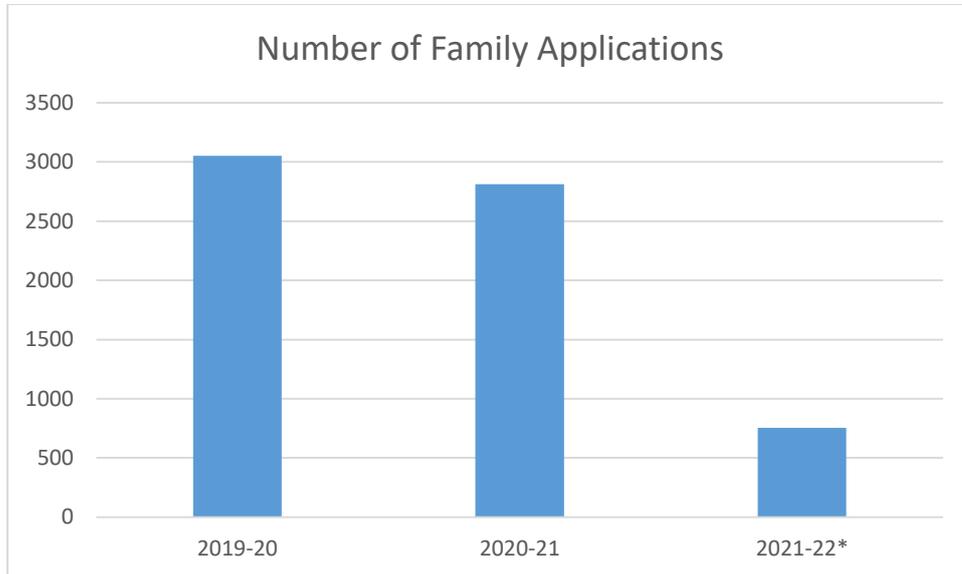
- 3.1 The Housing Options Team, within the Housing Needs Service, support families who are homeless or threatened with homelessness. A separate team within the Service specialise in supporting single people, and couples without children.
- 3.2 The team work within the legal framework of The Housing Act 1996, Part 7 (the Act). The Homelessness Reduction Act 2017; implemented on 3 April

2018, places new duties on housing authorities to intervene earlier to prevent homelessness and to take reasonable steps to relieve homelessness for all eligible applicants, not just those that have a priority need under the Act. This Act does not replace the previous legislation but 'bolts on' new duties, to the main housing duty.

- 3.3 **Duty to prevent homelessness:** The team support families who are at risk of losing their home as soon as they are threatened with homelessness within 56 days, by helping them to remain in their current accommodation, if the property is suitable and reasonable for them to continue to occupy.
- 3.4 **Duty to take steps to relieve homelessness:** This duty is triggered when a family are already homeless. The team provide advice and assistance to help people find suitable accommodation in the private rented sector for themselves and their families. Families are supported to find their own accommodation, and if it is suitable, and affordable, will pay the owner an incentive payment, to secure the property.
- 3.5 Under both of these duties, officers work with the family to agree the reasonable steps that both the family and the Council will take to either prevent or relieve homelessness (depending on which of the duties is owed). These steps are recorded on a Personal Housing Plan (PHP) – which is an agreement between the person and their caseworker, detailing the circumstances of their homelessness, their housing and support needs. The PHP also provides the actions that both the Council and the person will take, working together to resolve their housing issue.
- 3.6 **The Main Housing Duty:** After 56 days, the relief duty comes to an end if the family have not been able to secure suitable alternative accommodation. The team will then assess whether or not the main housing duty (under the Housing Act 1996) is triggered. The main housing duty is owed to those families who remain homeless after the relief duty, are in priority need and have not made themselves intentionally homeless. The Council will be under a duty to secure suitable accommodation, which is likely to be in the private rented sector.
- 3.7 There is also lesser duty to families who have a priority need but who have made themselves intentionally homeless. The local authority has a duty to secure accommodation for those families for a reasonable period, generally a few weeks to give them an opportunity to secure alternative accommodation; and provide them with advice and assistance in securing accommodation.
- 3.8 In addition, the local authority has a duty when a family is intentionally homeless and includes a child under 18, to offer to refer the case to social services, (the applicant must consent), and if the applicant has consent, share the facts of the applicant's case and the local authority's decision with social services, Social services has separate duties towards such children which includes the provision of housing so that the family does not become street homeless. Such intentionally homeless families will be referred to Children's Services through the Family Front door.

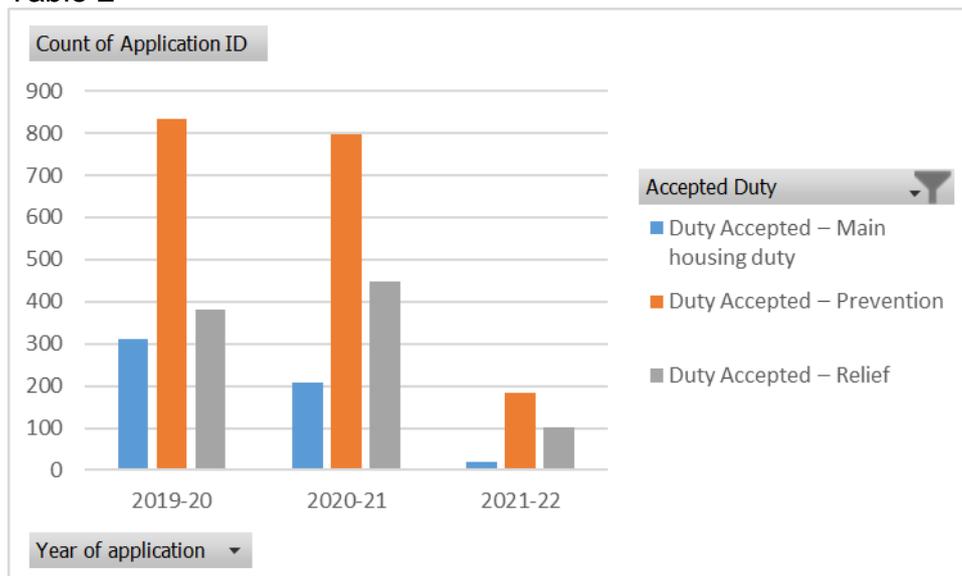
3.9 Table 1 below shows the number of applications received from families 2019/20, 2020/21 and *01/04/21 to 31/07/21

Table 1.



3.10 Table 2 is a breakdown of the number of prevention duties accepted, number of relief duties accepted and number of main duties accepted over the same period. Applications which did not result in one of these duties being accepted are a combination of families who were not homeless or threatened with homelessness, not eligible, ongoing enquiries, and lost contact.

Table 2



4.0 End to End Process

- 4.1 If a family is homeless, or threatened with homelessness, they are required to make a new application for housing assistance via the Council's website. This is done by creating and activating an account through "My Account", or signing in to their account if they are an existing My Account customer.
- 4.2 If a family do not have access to a computer, they are advised to visit our Customer Services Centre at the Brent Civic Centre, or one of the hubs, or their local library to use a computer. If they need assistance to complete the on-line application, support is provided at all of these venues, or they can choose to nominate a friend or family member to assist in completing their application online.
- 4.3 The applicant will then be presented with a short list of questions, which capture their personal details, as well as their housing circumstances. The system will then determine whether the person is homeless or threatened with homelessness, and eligible for assistance. An appointment is then created for them to be interviewed by a Housing Options Officer, and the system advises them what documentation they should upload in preparation for the interview. These documents may include their tenancy agreement, proof of ID, children's birth certificates, and proof of income.
- 4.4 The Officer will then conduct the interview with the applicant, to determine whether the Prevention or Relief Duty is triggered, and develop their Personal Housing Plan, as set out above. Due to the Pandemic the interview is conducted remotely over the telephone, or through Teams. However, if circumstances require a face to face appointment is offered. Whilst supporting the family to prevent or relieve their homelessness, the officer will also be assessing the case under the Housing Act 1996, in preparation to make a decision regarding the Main Duty, if prevention or relief is not successful.
- 4.5 There are five tests within the Act, which an applicant must meet for the Council to owe them the Main Duty. If the Council has reason to believe that the applicant meets the first three tests, then the "Interim Duty" to provide accommodation is triggered. This is often referred to as emergency accommodation, and the Council has historically relied upon private providers of nightly paid "Bed and Breakfast" accommodation, to meet this duty.
- 4.6 The five tests within the Act are
 1. Homelessness - to be categorised as homeless, a person must either have no accommodation that is available, or they have accommodation, but it is not reasonable for them to continue to occupy it. For example, due to the condition of the property, or if continuing to live there would put them at risk of violence.
A person is also threatened with homelessness, if they are likely to become homeless in the next 56 days.

2. Eligibility - a person is not eligible for assistance if they are subject to immigration control within the meaning of the Asylum and Immigration Act 1996. Or if they have 'no recourse to public funds', or fail the Habitual Residence Test.
3. Priority Need – a person is in priority need if they are a pregnant woman, or live with dependent children. Vulnerable because of old age, mental illness, physical disability, or other special reason. A victim of Domestic Abuse, or have been made homeless because of an emergency such as flood, fire, or other disaster. A person may also be vulnerable if they have spent in hospital, prison, or the armed forces, or are over 21 and have spent time in care.
4. Intentionality – a person may be considered intentionally homeless if they have deliberately engaged in something that made them lose their home. For example, if somebody voluntarily left their accommodation without a good cause, or if they were evicted because they did not pay their rent, which they could afford to pay.
5. Local Connection – to have a local connection, a person must have lived in Brent, have immediate family who have lived in the area for 5 years, or they work in Brent. If the applicant does not have a local connection, the council may refer them to an area in which they do. However, if a person is homeless due to Domestic Abuse, they will not be referred back to an area where they may be at risk

4.7 If the Main Duty is accepted, the applicant may be offered suitable accommodation in the Private Rented Sector (PRS), to end the duty. This is known as a Private Rented Sector Offer (PRSO). Or they may be offered Temporary Accommodation (TA). This is accommodation that has been leased in the PRS, and does not end the Main Duty, so the applicant is technically still homeless. The family will then either be offered a PRSO or social housing to end the main duty.

4.8 A flowchart is attached at Appendix 1, which sets out the end to end process

5.0 Response to the COVID-19 Pandemic

5.1 Evictions from private rented sector properties were banned in England at the start of the first lockdown in March 2020. The ban was put in place by the Government to suspend bailiff action, to protect renters from eviction during the Pandemic. Evictions from the private rented sector was the main cause of homelessness in Brent, prior to the pandemic. The initial impact of the ban was a 30% reduction in the number of approaches from homeless families, from the previous year. However, by the end of the financial year, the reduction in approaches from families had only reduced by 8%, despite the ban on evictions not being lifted until 31st May 2021.

Table 3 – Number of approaches from homeless households

Year	Number of approaches
2019-20	3051
2020-21	2801
01/04/21-31/07/21	741

- 5.2 The Housing Options Service was aware that many people had been furloughed from employment, or had been made redundant, and were therefore struggling with rent arrears and meeting basic costs. It was forecast that when the ban was lifted there would be an increase in homelessness caused by evictions from the private rented sector. In December 2020, the service began preparations to launch a project to help residents potentially at risk of eviction, and or experiencing financial difficulties, in an attempt to prevent homelessness ahead of time. This is a proactive initiative, enabling the service to reach out before the resident presents as being threatened with homelessness, and provide support and advice at the earliest possible stage.
- 5.3 Two full time Homelessness Prevention & Relief Officers were seconded to the project, reporting to a Team Leader in the Housing Options Service. The project team worked with a range of voluntary sector and statutory services, to make them aware of the project and encourage referrals. Officers met with community leaders, places of worship, foodbanks, the Brent Hubs, the DWP, as well as in-house services. The aim was to inform our partners about the project, to enable them to identify people who were struggling financially, or could be at risk of eviction.
- 5.4 The project team also obtained records for the households who had made a claim for financial assistance through Discretionary Housing Payment, and the Resident Support Fund, so that these residents could be contacted directly and offered support.
- 5.5 Officers also attended the Brent Landlord Forum, to give a presentation and encourage Brent's Landlords to engage with the project at the start of any potential issues with rent arrears etc.; to ensure support could be provided at the earliest possible stage, and prevent issues escalating to eviction.
- 5.6 Since the inception of the project, 404 Brent Residents (136 single people and 268 families) have received support and advice to either retain their current accommodation, or in securing alternative accommodation in the private rented sector. This proactive approach has meant that the service has been able to engage with residents, and prevent homelessness, before a Landlord has undertaken eviction proceedings. This early intervention, to families who may not have approached the Council for assistance until they were at the crisis stage of being evicted, has resulted in families avoiding the stress and disruption of being made homeless, and avoided the use of emergency bed and breakfast accommodation.

5.7 Residents have also been referred to wider support services beyond housing. These include assistance to secure employment, with 122 referrals made through Brent works, as well as 180 referrals to food banks, 11 referrals to the Citizens Advice Bureau and 16 referrals to the Brent Hubs to help on wider issues. Some of these referrals have resulted in discussions with Children's Services and the Family Wellbeing team, in cases where family advice was needed.

6.0 Domestic Abuse Service

6.1 Following the Council's Outcome Based Review (OBR) on Domestic Abuse (DA), one of the recommendations was to create a dedicated Domestic Abuse Service for survivors/victims of Domestic Abuse. In 2018, the Housing Needs Service implemented a DA Housing Service and one member of staff became the Domestic Abuse Housing Officer responsible for families at risk of or experiencing DA. However, by October 2018 it was clear more resources were needed to meet demand and another DA Housing Officer was appointed. There are now 5 dedicated DA housing Officers (4 permanent and 1 secondment).

6.2 The service provides housing, financial, practical and emotional advice and support to female, male and transgender victims (both families and singles) of domestic abuse. Officers ensure that the service response is appropriate to the needs of the individual and in line with good practice to provide safe accommodation. The goal is to provide personalised housing options and additional support services for victims/survivors of DA. The service ensures that the right help and support is available so that fewer victims and their children reach crisis point, and the harm caused by DA against everyone is reduced.

6.3 Internal and External services can refer clients directly to the DA Housing Service. Referrals are mainly received from Children Social Care, EACH, Advance and Asian Women's Resource Centre. Professionals from these services help applicants to complete the online application. As well as provide a detailed summary regarding the situation.

6.4 The Domestic Abuse Housing Team will respond to all emergency referrals on the same day- usually within 30 minutes of receiving the referral. They deal with DA in a confidential, sensitive and non-judgemental way. Information is shared with partner services, including Depaul UK, EACH, Brent Housing Management, Advance, Southall Black Sisters, Adult and Children's Social Care, Community Safety, Asian Women Resource Centre, Eastern European Resource Centre, NHS, National DV Helpline, National Centre for DV, and the Police, to ensure that the client receives the appropriate support. The team also contributes to the Brent Multi Agency Risk Assessment Conference (MARAC) to ensure they are part of and support an effective strategic approach in supporting survivors/ victims suffering DA. Their first priority is to protect the survivor by assessing the risk.

- 6.5 Risk levels and safeguarding concerns are assessed using the Safe Lives DASH risk assessment. All cases are referred to Children's Services through the Brent Family Front Door, if the family are not already known to Social Care.
- 6.6 In order to be assisted, clients must be eligible for assistance and deemed homeless. If a client is found to be ineligible for assistance, but has a dependent child(ren), the case will be referred to Brent Family Front Door on the same day, so they can be assisted through the Children's Social Care service. The client will also be assisted to apply for Destitution Domestic Violence Concession (DDVC) in order to claim public funds for up to 3 months whilst UK Visas and Immigration considers their application to settle in the UK.
- 6.7 The respective DA Housing Officer will discuss additional support services and make the relevant referrals (EACH, IDVA, Advance, AWRC etc). In addition, they will discuss the housing options, including injunctions, supported accommodation, refuge, private rented accommodation, management transfer, Pan London Reciprocal, Sanctuary Scheme, B&B (only arranged as a last resort) and the DA Units for females only. The Support Worker provides the necessary support and completes a safety and support plan with clear outcomes. The team works collaboratively with support workers and advocates to ensure the best outcome for the service user is achieved.
- 6.8 The team arrange and pay for travel warrants and taxis for clients in receipt of benefits or who do not have sufficient funds to travel to a refuge. Food and essential items are also purchased, and the service can also pay for moving costs once the client has secured settled alternative affordable accommodation.
- 6.9 Having a safe and secure home environment is essential for DA clients. A female only, six bedroom house was procured in Wembley, in January 2020, to provide good quality and safe emergency accommodation. In August 2020 a five bedroom house was procured in Colindale, for clients who cannot remain in the borough.
- 6.10 In January 2020, a successful bid was made to secure £40k to pay for a Support Worker, to support the women residing at both properties. Since procuring the properties, the DA Service has provided emergency safe accommodation to 79 women and avoided the use of B&B accommodation, which is wholly unsuitable accommodation for DA clients. The grant was extended from 1st April 2021 until 31st March 2022.
- 6.11 The Domestic Abuse Housing Alliance (DAHA) is part of the Government's 'Ending Violence against Women and Girls strategy'. DAHA accreditation is the UK benchmark for how housing providers should respond to domestic abuse. The DA Team applied for DAHA Accreditation which was awarded in October 2020, in recognition of the Council's commitment to prioritising, recognising and responding to domestic abuse as well as demonstrating a good practice approach.

Performance and Outcomes of the DA Team

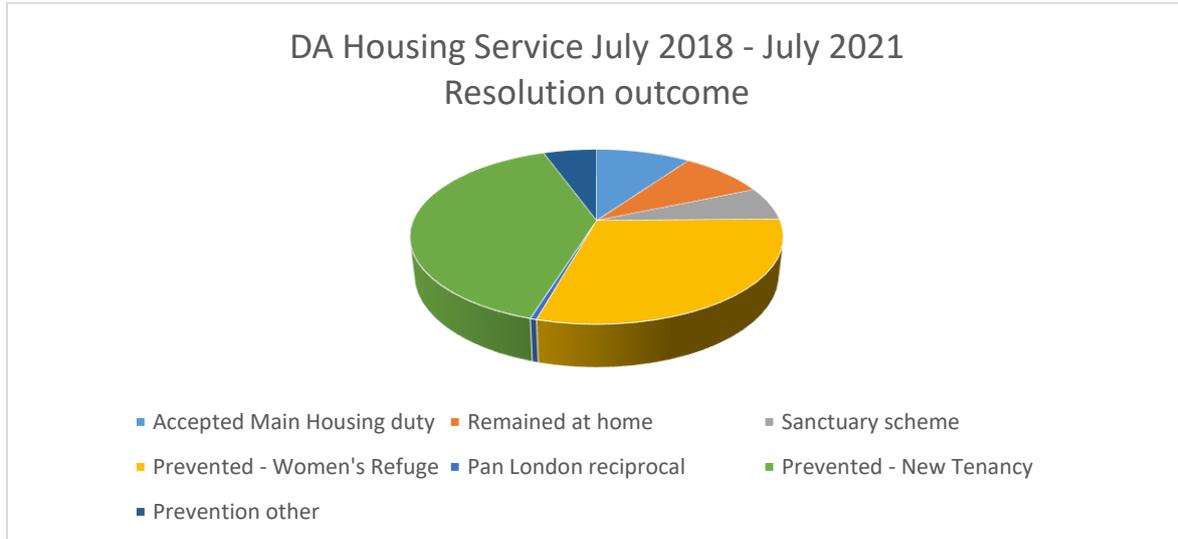
- 6.12 Since the inception of the DA service in July 2018, there have been 1,576 referrals made, with a 108% increase in demand from 2019/20 to 2020/21, which may be attributed to the pandemic, and subsequent lockdown. If demand is sustained at the same rate as Q1 of 2021/22, the out turn forecast is 825 referrals.

Table 4 – Number of referrals made to The DA Service

	Jul18-Mar 19	2019/20	2020/21	Apr 21 – Jul 21	Total
Demand	134	378	788	275	1,576

- 6.13 Approximately 10% of the referrals made (151) are not suitable for the DA service as they are non DA related. These referrals include, gang related violence or other fear of violence, which is not Domestic Abuse.
- 6.14 Due to the success in providing the appropriate advice and support, or securing accommodation for the applicants who have approached the service, the majority of clients have had a positive outcome. A breakdown of the outcomes is illustrated in the chart below.

Breakdown of DA Outcomes



7.0 Other Initiatives to Manage Homelessness

- 7.1 The service is also developing other initiatives to improve the quality of the Temporary Accommodation used to house homeless families, and increase the supply of affordable accommodation in both the Private Rented Sector, and Social Housing to help meet demand.
- 7.2 Currently, the Council is dependent on non-self-contained Bed and Breakfast and self-contained annexe accommodation, to use as emergency Temporary Accommodation for homeless households. However, a new purpose built building has been developed at Anansi House, in Harlesden, which is due to

be completed in mid-October 2021. This is a 94 room scheme, which will be used as emergency accommodation in the future, and will replace the use of Bed and Breakfast and annexe accommodation.

- 7.3 The service has also taken over the Temporary Accommodation portfolio of private leased accommodation, from Network Homes Housing association in October 2020. The 350 properties in this portfolio have been added to the existing in-house leasing scheme – Brent Direct Leasing (BDL), to create a portfolio of over 400 temporary accommodation units that are now managed in house.
- 7.4 Brent was also one of the founder member boroughs of Capital Letters, a joint endeavour between 21 London boroughs to jointly procure affordable Private Rented Sector accommodation across London, used for the prevention and relief of homelessness or to end a main homelessness duty.
- 7.5 We have set an ambitious Council house building programme, which will deliver 1000 new Council homes over five years to 2024. To date we have delivered 295 new homes, with a further 546 on site, and we expect to exceed this target. The Council has also secured a further £111m GLA grant to develop an additional 700 homes by 2028
- 7.6 We are looking at every way to increase supply in order to meet the housing need.
- Identifying new development opportunities on existing Council owned land and new sites
 - Working with partner Registered Providers and I4B to maximise the amount of affordable housing they are able to provide and tailoring this to housing need in Brent
 - Being aware of new private developments and the proposals for Affordable Housing and working with Planning colleagues to maximise the amount.

8.0 Financial Implications

- 8.1 The Housing Needs service sits within the Housing General Fund. The budget for this service is provided through both Council funding and direct grant funding.
- 8.2 Housing Benefit income is received for eligible households. However, in most instances, this income is subsequently paid out to accommodation providers so has no net impact on the budget.
- 8.3 Overall grant funding of £8.5m is expected to be received in 2021/22. Most of this is funding is derived from two MHCLG grants. The Homelessness Prevention Grant of £7.0m combines what were previously the Flexible Homelessness Support Grant and Homelessness Reduction Grant. The Rough Sleeping Initiative Grant of £1.3m provides support to prevent rough sleeping.

- 8.4 A variety of Covid related grants were received in 2020/21, totalling £1.0m. This grant funding has not continued in 2021/22. However the funding from the core grants provided above has increased, which has led to overall grant income remaining constant at £8.5m in 2021/22.
- 8.5 The Council has continued to seek opportunities to provide services in a cost-effective manner. This has included securing in-house Temporary Accommodation, reducing reliance on external landlords. The Council has also joined Capital Letters, the pan-London non-profit company established by 21 London Boroughs, to co-ordinate the procurement of accommodation at lower cost.

9.0 Legal Implications

- 9.1 Under the Housing Act 1996 (HA 1996), as amended by the Homelessness Reduction Act 2017 (HRA 2017) all local authorities have statutory duties towards applicants for housing assistance and their households who are either threatened with homelessness under s.195(2) of HA 1996, “the prevention duty”; or homeless under s.189B(1) of HA 1996, (“the relief duty”) and are eligible for housing assistance. Under both duties there is an obligation to carry out an assessment under s.189A of HA 1996, of the reasons for their homelessness, their housing and support needs. They also need to agree with the applicant, the reasonable steps to enable them to secure that suitable accommodation is available to them for at least six months. These steps are recorded in personalised housing plan, known as a PHP.
- 9.2 Both the prevention and relief duty are for a period of 56 days and they can be ended in the following circumstances:
- In the case of the prevention duty, if the applicant has been homeless, rather than just threatened with homelessness.
 - 56 days have passed and the authority has not yet made a decision or is satisfied that the applicant does not have a priority need or is intentionally homeless.
 - the applicant has deliberately and unreasonably refused to take a step in their PHP.
 - The applicant has suitable accommodation for at least six months.
 - The applicant has refused an offer of accommodation, include a final offer
 - The applicant has become intentionally homeless from the accommodation provided under the relief duty.
 - The applicant is not longer eligible
 - The homeless application has been withdrawn
- 9.3 Under s.188 of HA 1996, if homelessness has been confirmed and the local authority has reason to believe that an applicant or a member of their household may have a priority need, then, during the relief duty, there is a statutory duty to provide the applicant and their household with interim emergency accommodation, this is irrespectively of whether they have made themselves intentionally homeless.

- 9.4 In the case of families, there usually will be a priority need if the applicant has dependant children under the age of 18, in addition, there could be additional reasons for priority need in families if a member of the family is vulnerable due to a disability, and following the introduction of the Domestic Abuse Act 2021, the applicant or a member of their household is a victim of domestic abuse.
- 9.5 At the end of the relief duty, if the homelessness has not been relieved, then it is necessary to make a decision as to whether or not a main housing duty under s.193(2) of the HA 1996 is owed.
- 9.6 Unless the applicant has made themselves intentionally homeless, if the applicant's family contains a dependant child under the age of 18 or there are other members of the applicant's family household with care needs or disabilities, the applicant will have a priority need under s.189 of the Housing Act 1996 and the main housing duty will be owed.
- 9.7 If an applicant has made themselves intentionally homeless under s.191 of the HA 1996, then the main duty is not owed. However the local authority will still owe a lesser duty under s.190(2) to (a) secure that suitable accommodation is available for a reasonable period to give the applicant a reasonable opportunity to secure other accommodation (b) provide advice and assistance, based on the updated PHP to help them secure somewhere to live.
- 9.8. Local authorities also have duties towards families under s.17 of the Children's Act 1989, which places an ongoing general duty to safeguard and promote the welfare of "children in need" (and those of their families) in their area. This duty can include providing families with accommodation until the child in need reaches the age of 18.

10.0 Diversity Implications

- 10.1 A full Equalities Assessment has been carried out to determine which groups with protected characteristics under equalities legislation are over or under-represented in terms of being supported by services.
- 10.2 The "protected characteristics" are: age, disability, race (including ethnic or national origins, colour or nationality), religion or belief, sex, sexual orientation, pregnancy and maternity, and gender reassignment. Marriage and civil partnership are also protected characteristics for the purposes of the duty to eliminate discrimination.
- 10.3 The outcome of these assessments confirms that the groups with protected characteristics being supported by services, generally matches the groups who apply as for services

Report sign off:

Phil Porter
Strategic Director of. Community
Wellbeing