



# Homelessness Reduction Act 2017: Call for evidence

## Submission from Homeless Link, October 2019

### Introduction

1. Homeless Link is the national membership charity for frontline homelessness agencies and the wider housing with health, care and support sector in England. With over 750 members, we work to improve services and campaign for policy change that will help end homelessness.
2. Homeless Link is a member of the Making Every Adult Matter Coalition (MEAM), alongside Clinks and Mind, formed to improve policy and services for people facing multiple needs. Together the charities represent over 1,300 frontline organisations that have an interest in the criminal justice, substance misuse, homelessness and mental health sectors. We support local partnerships across the country to develop effective, coordinated approaches to multiple needs that can increase wellbeing, reduce costs to public services and improve people's lives.
3. We welcome the opportunity to submit a response to the Homelessness Reduction Act 2017 call for evidence. Our response has been informed by discussions with member services working across England, and with wider sector partners. We gathered the views of our members and others via our National Advisory Council (NAC), interviews with Homeless Link members and people with lived experience of homelessness and a policy forum event held with members.
4. Homeless Link would be glad to elaborate further on any of the information provided. For any questions about this submission, please contact Sue Christoforou, Policy Manager at: [sue.christoforou@homelesslink.org.uk](mailto:sue.christoforou@homelesslink.org.uk)

## Let's end homelessness together

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This response is a collation of the opinions and experiences of people with lived experience of applying to their Local Authority following the Homelessness Reduction Act 2017, our member organisations and wider sector partners. These views and experiences were gathered via face-to-face interviews, a policy forum event, submissions of written evidence and discussion at our National Advisory Council (NAC) of member organisations.

We have structured our response around the following areas outlined in the Consultation document:

- Overall impact of the Homelessness Reduction Act (HRA)
- Impact on the approach taken by Local Authorities (LAs) and their partners
- The experience of individuals approaching their Local Authority
- Resourcing of the Act

## **Section 1: Overall Impact of the HRA**

### **Question 1**

The feedback we received showed there is a very mixed view of how the HRA is being implemented and its impact to date. Some felt it had made a tangible difference to the way agencies are working together to prevent homelessness and offer individuals a higher quality service. Others, however, were disappointed with the progress being made and felt very little had tangibly changed since the Act had come into force.

There were comments from agencies working across LA boundaries which highlighted the variability in how the HRA is being implemented. Inconsistency of practice was a recurring theme from our consultation, and it was felt that overall some areas need to do much more. *"... we work with over 200 local authorities and so 200 ways of implementing the HRA - in the most extreme cases, it's almost like the HRA was never implemented..."* [national provider]

One of the most commonly shared views was that even where the HRA had improved the accessibility of advice and support for individuals, it had done little to increase the options available to people which might prevent or relieve their homelessness in the long term. This meant people were still being left in housing need because the solutions which were needed simply were not available or affordable in their local area. This led to a sense of frustration, particularly with regards how the HRA was at odds with aspects of the welfare system – for example availability of accommodation within Local Housing Allowance (LHA) rates.

The majority of people who shared evidence with us were from the voluntary sector. Some discussed the increased availability and use of temporary accommodation (TA). While this can be important to prevent homelessness, many felt this was of poor quality with examples given where the PRS was being divided into smaller, unsuitable units in order to create more accommodation. Some providers also pointed out that the support people required was not provided alongside the TA, meaning their homelessness was still not necessarily addressed. *'there is more TA for those who may have slipped through the net previously, but still no support.'* [homelessness service provider]

This is not a long term solution. Several agencies were concerned about the conditions in which some of their clients were living, both in TA and within the wider PRS. *'we are finding that it leads to more and earlier accessibility to the Housing Options service at the local authority but also to a significant rise in people being offered substandard PRS "shoeboxes" at maximum LHA rates which*

exceed the Total Benefit Cap. This leads to misery, an inability to find work that covers rent, debt, and ultimately further homelessness. There is a rise in rogue landlords, a further subdivision of already-small units, and exploitation of tenants.' [homelessness day centre]. We suggest this issue is an important one to investigate further.

## **Section 2: Impact on the approach taken by LAs and their partners**

### **Questions 3-14**

#### **Culture and partnership working**

We heard from a number of members about the challenging, yet often positive impact of the HRA on the culture of some local authority housing options services. This is believed to be borne out of a new transparency, through the requirement to deliver advice and information to those without priority need for housing as well as an obligation to engage constructively with non-priority applicants for help with housing. Some Local Authority representatives we spoke to said staff had really embraced the new Act and now felt more 'empowered' in their ability to help people under the universal provision for prevention and relief duty. Some of their internal processes had also become more efficient. At the same time, other Local Authority staff felt under pressure due to the shift in culture and had seen high rates of long term sick leave and other types of absenteeism.

Again, feedback was not uniform. Some people felt there was a much more open and constructive dialogue between the LA and other local services, both across the voluntary and statutory sectors. More LAs were initiating contact with other services locally, and it was felt this stemmed from a greater shared sense of purpose and recognition of the role different partners across the voluntary and statutory sector need to play. Others felt Housing Options had initiated a culture change in terms of better accessibility, transparency and level of customer service.

#### **Case study**

Homeless Link has been supporting the roll out of training for frontline staff involved in the HRA. To date we have delivered training to nearly 1,000 staff across England, the majority in LA housing options teams, supporting expertise and skills in areas including Partnership working for better outcomes; Effective communication; Motivational interviewing in a housing and homeless assessment; Trauma Informed Approaches and PIE; and Reflective practice and resilience.

The feedback from these sessions shows the appetite to continue to drive positive change in the way frontline staff work with vulnerable people and reflects the culture change which is evident in some areas. *"[I'm taking forward learning about] body language, tone and attitude when conducting interviews, and how this can affect relationship with clients...the way we communicate with clients can positively or negatively affect how we work together to prevent or relieve homelessness"; "Going forward [we must] ensure that customers strengths are identified"; "I will be more person-centred and flexible i.e. why make customers wait in reception?"*

Building on this and ensuring it is consistent from frontline staff through to management level was a theme to emerge from our consultation.

However, there was also some caution about the extent to which the HRA had improved partnerships. Some felt partnerships are being developed in response to financial incentives, and that without this funding, the positive partnerships that have developed may not have occurred, and may not continue. Another worrying trend which was reported related to the significant pressure being 'passed on' to voluntary sector partners by Local Authorities who were struggling to meet

demand under the HRA. Members felt that in the absence of other resources, they were being asked to do more within existing contracts to help LAs meet their duties – for example provide additional emergency beds in services which were already at capacity. This was felt to be detrimental to the running of the service and other residents, as it impacted on their resourcing and could lead to potentially risky situations. Voluntary sector partners reported they felt unable to refuse given the precarious nature of the contracting arrangements with their LAs. *'We're being asked to flex our services - to do more for same money, including providing crash beds. This is inherently more risky'* [homelessness accommodation provider]. Members also expressed concern that if they do not comply with these requests, less adept organisations might step in and provide an inappropriate or unsuitable service.

### **Duty to refer**

Contributors to our Policy Forum confirmed that in some cases, the duty to refer was working well, with a greater number of referrals from the Probation Service and hospitals. One member from our National Advisory Council told us that they have seen fewer patients being discharged from hospital to the streets. Other contributors reported better liaison between housing and adult and children's services. However, members felt that for the duty to refer to be comprehensive and effective, additional public authorities, such as police services, primary and secondary health care services and schools, should also be subject to the duty.

### **Section 3: the experience of people approaching their local housing authority for help** **Questions 15-17**

Again, experiences of people with lived experience was very mixed. Some reported that engagement had been much more positive, and they had felt satisfied with the outcome of their assessment and subsequent support. *"... they gave me temporary housing virtually straight away, so I can't fault XX Council for that..."* [Single male applicant]. Peer supporters at our Policy Forum also told us that they were surprised and impressed when witnessing the understanding and compassion with which their clients with complex needs were engaged with by frontline staff. Some of the staff we spoke to felt there had been a visible improvement to the support their clients had received from the LA since the HRA. *'Proper assessments are occurring, whereas previously people may have simply been told they couldn't be helped'* [homelessness service provider].

Yet positive engagement was not noted as something common to all local authorities. One of the main weaknesses reported was the poor quality of personal housing plans (PHPs).

- Both services and individuals we spoke to felt there had been little evidence of PHPs, and they were often simply not used.
- Where they are used, PHPs were often seen as generic and simplistic, resembling a 'tick box' list with little regard for individual circumstance. *"...the ones [personal housing plans] we've seen do seem quite template-based and it's, 'go and check out listings in newsagents and here's a couple of lettings agent sites and off you go'. On the whole I don't think we've seen any that I would particularly say are particularly geared to an individual's circumstance."* [national homelessness provider]
- Services were frustrated that LAs were not providing copies of PHPs to them (where client consent had been given) and felt LAs as a minimum could be encouraging clients to share their PHPs with support services they are engaged with. Opportunities were being missed to join up support. *'We have seen only one relief action plan and no prevention plans for any of our young people since 1st April 2018. The HRA legislation would suggest that we should be seeing young people with these plans on a regular basis...We have requested copies of*

*action plans when we have received referrals for our community support service from [XX LA]. As yet the local authority has not been able to provide us one.’ [Homelessness provider, south-east England]*

- None of the people with lived experience we spoke either received a PHP or found what they were given useful. We heard about examples where PHPs included options which were totally unrealistic for the individual – for example a deposit.
- Members echoed this and told us that some local authorities are issuing poor quality PHPs, which place unrealistic expectations on applicants (see discussion of complex needs below). When unable to fulfil these expectations, applicants are told that any prevention or relief duty that had been owed to them by the local authority, had been discharged.

#### **Case study provided by member organisation:**

A 24 year old client was only issued with a PHP when his advocate requested one. The PHP required the client, who was given a list of landlords and estate agents, to find a landlord that would take an under 25-year-old claiming benefits. The list provided was “*woefully out of date ... a few of [the landlords] had officially stopped taking housing benefit, housing element about four, five years ago*”. As the client was unable to identify a landlord that would accept him, the local authority determined that they had discharged their duty to client.

Another issue raised was the lack of, and difficulty, getting face to face appointments in some areas. Some individuals felt they were still being discriminated against (for example due to perceived use of drug and alcohol use or intentionality).

#### **The experience of those experiencing multiple disadvantage**

As above, the feedback shared shows support is often insufficient for individuals with complex needs.

During the consultation we heard about people with complex needs who are threatened with or experiencing homelessness, being advised that any duty owed was dependent on their meeting unrealistic conditions. For example, people with drug or alcohol dependency issues have been asked to stop using substances, whilst people fleeing domestic abuse have been required to provide extensive documentary evidence of their circumstances. Less than flexible responses to those with complex needs impacts people from across the neurodiversity spectrum, with some experiencing processes as overwhelming and/or alienating. Our members tell us that an applicant’s inability to meet unreasonable conditions, or engage with administrative processes, can result in a local authority determining that they have discharged their duty to that applicant.

### **Section 4: Resourcing the implementation of the Act**

#### **Question 20, 21**

There was a consistent view from stakeholders that to achieve the ambitions of the HRA, more resources are needed.

LA representatives we spoke to felt the initial ‘new burden’ funding is not sufficient to meet the increased demand. The increased costs to temporary accommodation were specifically raised as being unmanageable in the long term. This frustration was shared more widely by our stakeholders who generally felt the potential impact of the HRA is being limited because ultimately there are not enough resources for the accommodation and support services needed for people who are approaching their LA in housing need.

For example whilst the extension of the period of time to prevent homelessness has increased from 28 to 56 days, some individuals felt this merely delayed things as the HRA had not been able to create the housing stock which is needed. *“they haven’t really contacted me since. It was temporary housing for 56 days, which runs out at the end of this week, but I’ve not had no contact from them since to say ‘it’s over, you’ve got to be out’ or its continuing ... so I’m just waiting basically to hear from them.”* [Single male applicant]

One of the major factors contributing to this was seen as the silting of services and lack of accommodation, particularly in the PRS available under LHA rates. A policy forum contributor told us, for example, about fierce competition for PRS between four north London boroughs as a consequence of the paucity of move-on accommodation. In addition, members report applicants being housed out of borough, isolated from support provided by friends and family. Issues with welfare reform are particularly acute for certain groups, such as younger people, due to the limitations of the Single Room Rent restriction.

We would urge the call for evidence to consider how the impact of the HRA can be vastly enhanced if the Government reviews the levels of LHA rent, restoring them at a minimum to at least 30% of properties in any given area and in line with rises in annual rents.

The call for evidence is also an opportunity to consider the other funding streams which interact with the HRA. The majority of LAs have reduced their spending on homelessness in recent years which limits the support and accommodation on offer to those who seek help, and has reduced the range of prevention activity in some areas<sup>1</sup>. Recent research found that council spending on support for single homeless people in England fell by 53% between 2008-9 and 2017-18. This means that local authorities in England are now spending almost £1bn less a year on these homelessness services compared to ten years ago<sup>2</sup>. The success or otherwise of the HRA cannot be considered in isolation of this, and we would ask the call for evidence to consider how local spending on homelessness interacts with the ability to provide a high quality service under the HRA.

Other issues raised through the consultation:

- There is an opportunity for staff undertaking assessments within the HRA to refer, where appropriate, to Care Act assessments. Some felt awareness of this as a means to help meet applicants’ care and support needs was very poor and that the provision within these two Acts could be better linked.
- The consultation document seeks views on whether the Act has resulted in earlier intervention and support to prevent or relieve homelessness where an applicant has been served with a valid S21 notice. We did not hear any conclusive feedback on this point and feel it would merit further exploration. There is a hope that the extension of the period under the HRA to prevent homelessness would enable work to take place which can either retain the tenancy or find alternative accommodation. It was felt in some areas LAs were doing more to improve opportunities to do this where section 21 is served – eg through landlord liaison schemes, tenancy advice, PRS access schemes. However more evidence and understanding of this was felt to be helpful to further share practice.

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<sup>1</sup> The National Audit Office report on Homelessness (2017) found that Local authorities have increased their spending on homelessness (including temporary accommodation) while simultaneously reducing spending on preventing it <https://www.nao.org.uk/wp-content/uploads/2017/09/Homelessness-Summary.pdf>

<sup>2</sup> *Local Authority Spending on Homelessness, WPI Economics, (2019)*

## Conclusion

Overall, the experience of our stakeholders, including people with lived experience, of the implementation of the HRA to date has been mixed. The intended culture shift has in some cases empowered staff, and in others allowed staff to be more resourceful and take a self-learning approach to ensure that they fully understand the Act, and are able to work with individuals to deliver on it. The partnership working that the Act encourages has been successful in some cases, with local authorities working closely with local voluntary sector partners. However, this has sat alongside underlying concerns about the financial incentives on which these partnerships are being based.

One of the major challenges for people with lived experience however is the continued poor quality of Personal Housing Plans. Some of the people that we spoke to were unaware of them, and given that this is one of the key aspects of the Act that ought to have addressed poor practice, there is still some way to go. Additionally, people living with complex needs who face multiple disadvantage also need to feel that they can be supported effectively to prevent homelessness.

Ultimately, a strong message to emerge from our consultation was that the HRA duties are insufficiently funded and inconsistently implemented. The Homelessness Reduction Act can only be fully effective if it is accompanied by the resources and the housing stock that is needed to truly reduce and prevent homelessness. Part of the solution will be for Government to ensure that housing that is available to people at risk of homelessness is truly affordable, which must include a review of Local Housing Allowance levels to the 30<sup>th</sup> percentile of private sector rents, and a wider programme to increase the levels of social housing stock across the country.

Homeless Link has an ongoing programme of work with national and local partners to help implement the Act. This includes sharing and learning from good practice, training for frontline staff, and supporting our members locally. We welcome the opportunity to continue and build on this work.

### **For further information, please contact:**

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