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**Decision Session: Executive Member for Housing &  
Public Protection**

**15<sup>th</sup> September 2020**

Report of the Corporate Director of Health, Housing and Adult Social Care

**Homeless Review 2019/20**

**Summary**

1. This report looks at the activity governed by the Housing Act 1996, as amended by the Homeless Reduction Act 2017 and City of York Council's Homelessness & Rough Sleeping Strategy 2018-2023 in respect of the financial year 2019/20. The primary focus is to report on prevention and relief work, main duty decisions and requirements placed on the Local Authority by Ministry of Housing, Communities and Local Government (MHCLG) to reduce rough sleeping.
2. Note should also be taken in respect of other legislation introduced this year which is starting to have an impact on homelessness, namely, the Housing and Planning Act 2016 and the Homes (Fitness for Human Habitation) Act 2018.
3. The report incorporates the work and contribution of partner agencies in delivery of a comprehensive service to homeless households across York, many of whom are the most socially excluded people in society. Each agency contributes to this success and is a vital part of the homeless service delivery.
4. The report identifies targets and priorities for 2020/21. And to consider reporting and target setting process in the context of delivery of services during the Covid 19 pandemic including learning from the experience of the emergency and identifying appropriate responses to the recovery.

**Recommendations**

5. The Executive Member is asked to:
  - a. Note the progress made by the service;

- b. Agree the priorities and targets for 2020/21 as set out in paragraph 32

**Reason** – To ensure the council continues to adhere to its statutory duties under the Housing Act 1996 (as amended) and the Homeless Reduction Act 2017, to reduce rough sleeping in the city and supports the most vulnerable in society.

### **Background and overview of service**

6. There is a duty on the Local Authority to provide an advice service to all homeless people and those at risk of homelessness.
7. The **Homeless Reduction Act 2017 (HRA17)** took effect on 3<sup>rd</sup> April 2018, is now in its second year and we are seeing the impact of it.
8. Under the Homelessness Reduction Act 2017 (HRA17) households who are homeless are owed legal duties that fall into three main categories:
  - I. **Prevention duties** include any activities aimed at preventing a household threatened with homelessness from becoming homeless. This would involve activities to enable an applicant to remain in their current home or find alternative accommodation in order to prevent them from becoming homeless. The duty lasts for 56 days but may be extended if the local authority is continuing with efforts to prevent homelessness.
  - II. **Relief duties** are owed to households that are already homeless and require help to secure settled accommodation. The duty lasts 56 days, and can only be extended by a local authority if the households would not be owed the main homelessness duty.
  - III. **Main homelessness duty** describes the duty a local authority has towards an applicant who is unintentionally homeless, eligible for assistance and has priority need. This definition has not been changed by the 2017 HRA. However, these households are now only owed a main duty if their homelessness has not been successfully prevented or relieved.
9. The Local Authority has a duty to provide temporary accommodation for certain households in accordance with the Homeless Reduction Act 2017
10. Statutory decisions under the Homeless Reduction Act 2017 are made by the council's Housing Options Team, the Youth Homeless Workers and the Specialist Housing Adviser (frail elderly and physically disabled).

11. The reduction of rough sleeping is a priority in York and at a national level.
12. The remit of the work carried out by the Homeless Service (which incorporates Housing Options, Housing Registrations, Resettlement Services and Temporary Accommodation) is set out in legislation and in the City's Homelessness Strategy 2018-23 '*Preventing homelessness and Rough Sleeping together*'. The current action plan identifies actions to tackle homelessness/ rough sleeping and develop services.
13. The Homeless Strategy 2018-23 was adopted on 21<sup>st</sup> June 2018 and sets out 5 strategic aims in the Action Plan to:
  - **Strategic aim 1.** Reduce Rough Sleeping
  - **Strategic aim 2.** Prevent Homelessness
  - **Strategic aim 3.** Ensure appropriate accommodation for people who are homeless or at risk of homelessness.
  - **Strategic aim 4.** Ensure appropriate support for people who are homeless or at risk of homelessness.
  - **Strategic Aim 5.** Maintain and develop partnership working and strategic direction
14. There is a commitment in the strategy to reduce rough sleeping by providing specialist advice to single homeless (18+) via The Salvation Army Early Intervention and Prevention Team and support and advice via The Complex Needs Rough Sleeper Team, which is a multi-disciplinary / multi agency team. Resettlement accommodation is provided by both CYC and partner agencies.

### **Targets (general)**

15. The council's targets for the service are based upon the local priorities as set out in the Homeless Strategy and The Ministry of Housing and Communities and Local Government (MHCLG) priorities. The City of York Council Plan 2019-24 contains targets / key performance indicators around rough sleeping and use of temporary accommodation.

### **Key Points 2019/20**

16. The details of the activity and performance of the service are contained in appendix 1 and set out a comprehensive picture of the excellent services provided across York.

17. Statutory homeless statistics are not directly comparable to pre 2018 statistics (P1e) as a result of the introduction of the Homeless Reduction Act 2017 (HRA17). The current statistics (Hcllc) are downloaded directly by Ministry of Housing, Communities and Local Government (MHCLG). There is a time delay in publication of final statistics, as of 22<sup>nd</sup> May 2020 statistics up to end December 2019 are publicly available <https://www.gov.uk/government/statistical-data-sets/live-tables-on-homelessness> (select York)
18. Publicly available statistics for rough sleeping can be viewed at <https://www.gov.uk/government/statistical-data-sets/live-tables-on-homelessness> (Rough sleeping tables)
19. The Homeless Strategy 2018-23 agreed on 21<sup>st</sup> June 2018 was renamed in October 2019 to recognise the issue of rough sleeping in York. The title is now *'Preventing homelessness and rough sleeping together'*. The strategy and action points remain the same.
20. An updated action plan can be seen on <https://www.york.gov.uk/downloads/download/719/homelessness-action-plan>
21. The key points of this report are:
  - A Local Authority has a statutory duty under HRA17 to give advice to anyone who is homeless or at risk of homelessness. In conjunction with partner agencies the focus is to prevent homelessness / re-house in a planned way.
  - Housing Options remains busy with an increased number of initial assessments where the customer was owed a prevention or relief duty (898). This increase was anticipated following the introduction and establishment of the Homeless Reduction Act 2017. The additional flexible homeless support grant is used to increase capacity. This service will continue to evolve under the impact of the legislation.
  - In 2019/20 there were 275 successful prevention duty cases where accommodation was secured or retained and 192 successful relief duty cases (find alternative accommodation if prevention is not achieved). Statistics are now recorded only by the Local Authority following a statutory decision.
  - Only if prevention and relief is unsuccessful is there a main duty decision. There were 99 accepted homeless households in 2019/20

- Partner agencies continue to provide non statutory prevention interventions which are not recorded in MHCLG statistics (Hcllc)
- The Rough Sleeper Initiative (RSI) and Rapid Response Pathway (RRP) funding, ensures the Complex Needs Rough Sleepers Team has resources and flexibility to work with rough sleepers in York. As of October 2019 there were 7 rough sleepers. This number had reduced to 2 in March 2020 (unofficial) due to additional accommodation being provided as a result of the Covid 19 lockdown.
- The Housing Development Team reports that the number of affordable housing completions have increased over 100% from 60 in 2018/19 to 124 in 2019/20 additional affordable properties. This comprises predominantly new build homes but also includes some properties purchased by the council on the open market through the 2<sup>nd</sup> hand shared ownership scheme.

### **In Year Service Improvement**

22. A number of significant service improvements were achieved in 2019/20 (further details in appendix 1):
23. Homeless Strategy '*Preventing Homelessness Together*' 2018-23 renamed to '*Preventing Homelessness and Rough Sleeping Together*' 2018-23 this was a requirement of the MHCLG to ensure Local Authorities were paying due diligence to rough sleeping in their homelessness strategies. The York strategy contains a priority section on rough sleeping and the rebranding highlighted our advanced approach to what was once perceived as a non-statutory requirement.
24. Throughout 2019/20 significant work has continued both internally and with partner agencies to improve the direct service to customers and the overall provision, in particular the provision of the Housing Mental Health Worker on a permanent basis. This post is intrinsically linked to Tees Esk and Wear Valley (TEWV), enabling access to relevant health IT systems, inclusion at relevant meetings and TEWV provides appropriate clinical supervision.
25. There is ongoing work with TEWV to restructure the mental health accommodation pathway to include provision for people with complex needs, this will replicate the resettlement pathway and will include provision of a housing first route also.

26. A decision about the allocation policy and delivery of housing registrations service (North Yorkshire Home Choice) was made July 2018 and it was agreed to leave North Yorkshire Home Choice and adopt a CYC allocations policy in conjunction with new CYC IT system. The Business Change Team is still aiming to implement the new system in November 2020 but the date is under review due to the disruption caused across the Council by Covid-19.
27. Regular updating of website, leaflets and social media to promote the service to customers and offer reassurance to members of the public that there are services available for homeless people and how to access them. This has been particularly important with the coronavirus emergency.
28. Reduce rough sleeping in York. The Formal Street Count evidenced a reduction in the amount of people sleeping rough in York on a typical night from 9 to 7, This is due to a number of factors:
  - The effective use of No Second Night out (NSNO) beds and Winter Weather provision ensured rough sleepers were offered emergency accommodation. The Covid 19 pandemic has meant that the services offered were changed to protect staff, volunteers and residents and by offering all rough sleepers accommodation (primarily B&B / aparthotel) has resulted in a dramatic reduction of rough sleepers (as of 31st March 2020 unofficial data indicates 2 rough sleepers).
  - Confirmation in May 2019 of a second round of RSI funding of £251,234 from MHCLG to reduce rough sleeping in the city plus £139,131 Rapid Response Pathway grant. This money funds the Complex Needs Rough Sleeper Team comprising of 2 MEAM staff and 2 additional outreach support workers within the Salvation Army Early Intervention and Prevention Service. It also provides for 3 Street Navigators, 1 Private Sector Worker, a Hostel Mental Health Worker and a part time co-ordinator plus within the Council's homeless service.
  - Next Steps initiative – A Peasholme Charity project working alongside the Complex Needs Mental Health Team.
  - Further money from Government was provided to help rough sleepers into suitable accommodation in response to the Covid 19 pandemic
29. Providing a statutory service under HRA17. Employing 2 new workers (Housing Options Supervisor and from March 2020 a second Housing

Options support worker) with the flexible Homeless Support Grant. This is in addition to the 2 new workers (Housing Options Worker, and Housing Options Support Worker) employed when HRA17 was introduced. This is very important in tackling the increase in main duty homelessness.

30. Provision of New temporary accommodation (57 units) at James House has been completed and households have been moved from our other hostels.

### **Target reporting for 2019/20**

- a) Deliver action points set out within Homelessness Strategy 2018-23 '*Preventing Homelessness and Rough Sleeping Together*' action plan within identified time scales. ONGOING
- b) As required by MHCLG the 2018-23 Homeless Strategy was renamed '*Preventing Homelessness and Rough Sleeping Together*' agreed in October 2019: COMPLETED
- c) To further embed and develop service to meet statutory duties under Homeless Reduction Act 2017, York is working with MHCLG and other Local Authorities to make practical improvements to HRA17 and has employed additional staff to meet demand. COMPLETED
- d) To evaluate the impact of HRA17 and make recommendation for future resources within Housing Options Team: This was completed and agreement made to employ a Housing Options Supervisor (in post) and an additional Housing Options Support Worker for 2020/21. COMPLETED
- e) Review the use and consider investment / re-design opportunities of existing social housing stock to meet the needs of complex / vulnerable customers in particular to mitigate the medium and long term impact of welfare benefit reform: Continued use of Housing First model, a report '*Housing Needs Allocation and Availability*' was considered by Housing and Community Safety Policy and Scrutiny Committee on 23<sup>rd</sup> December 2019 as was the Older Persons Accommodation Needs (update) on 22<sup>nd</sup> July 2019. Further action lies may be required in future. ONGOING
- f) To continue to reduce rough sleeping in York and develop services to meet the needs of an ever increasing number of people with complex needs: Additional funding and service redesign has ensured rough sleeping in York remains low. An update about Homeless and Winter Night Provision was made to Housing and Community Safety Policy and Scrutiny Committee on 23<sup>rd</sup> December 2019. COMPLETED

- g) Re-provision of hostel accommodation to James House: Completed June 2020.
- h) To develop a Homelessness support Hub / day centre provision. This will provide a structured, safe and secure environment for informal food services to operate from, alongside outreach team (RSI and RRP workers) to actively engage hard to reach vulnerable people both homeless and or in tenuous accommodation scenarios, offering support, prevention and meaningful activity. (*Serious consideration will need to be given going forward on this provision, given some of the challenges presented around safe delivery of services due to Covid 19*). ONGOING
- i) Inform the public on how to aid and assist rough sleepers using social media, media and websites, leaflets etc. COMPLETED but always ongoing
- j) Set up cashless donations system to help rough sleepers via Two Ridings Community Foundation. COMPLETED
- k) There were 99 homeless acceptances main duty (HRA17) which is above the target of 80. NOT ACHIVED.
- l) The target for reducing the number of households placed in temporary accommodation for 2019/20 was 65. The reported outturn was 57 in line with MHCLG requirements<sup>1</sup> but the actual figure was 62. TARGET ACHIEVED
- m) B&B for families should only be used in emergencies and then for no more than 6 weeks. As of 31<sup>st</sup> March 2020 there were no families in B&B for over 6 weeks, although there were 2 families<sup>2</sup> and 2 households that were pregnant in B&B on this date. B&B has reduced since 2018/19 but remains higher than pre HRA17. TARGET ACHIEVED
- n) To reduce rough sleepers to 6. In October 2019 the official submission was 7. Target not achieved however we are pleased that that it still a reduction on the previous year.
- o) To achieve housing performance targets within departmental service plan around voids and rent arrears. Rent arrears within the service have reduced to £3861.95. This reduction is due to Universal Credit

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<sup>1</sup> MHCLG require reporting on 'Households in accommodation arranged by local authorities pending enquiries or after being accepted as homeless under the 1996 Act (includes residual cases awaiting re-housing under the 1985 Act) and as amended by the Homelessness Reduction Act 2018' and so does not include those to whom the LA has no duty (when duty has been discharged and negative decision issued or pending review)

<sup>2</sup> MHCLG only publish total number of households in B&B with children and resident more than 6 weeks



rules no longer applying to temporary accommodation and the reintroduction of direct payments of housing benefits.

### **Forthcoming projects and priorities – 2020/21**

31. The following work is identified in the Homeless Strategy action plan 2018-23 or in response to service need:

- a) A decision to leave NYHC and adopt a CYC allocations policy was made in July 2018. This will be implemented following the completion of The Housing ICT project.
- b) To open the new facility at James House and relocate people living in current hostels under Homeless Reduction Act 2017 (relief duty) or Housing Act 1996 (full duty) by end May 2020. Previously delayed
- c) To reconfigure supported housing accommodation use in light of future needs and the relocation to James House.
- d) To work with TEWV, to deliver a mental health Housing First Model
- e) To conclude renaming of Peasholme Centre
- f) To develop the role of the extended Housing Options Support Worker Team to reduce main duty homelessness.
- g) To expand the Complex Needs Rough Sleeping Team (identified need for a permanent full time co-ordinator and an additional Private Sector Worker).
- h) To carry out mid-point review of Homeless Strategy Action Plan (completion due December 2020).
- i) To re-establish and manage a full services after Covid 19 pandemic.
- j) To ensure a positive outcome for rough sleepers accommodated into emergency accommodation due to Covid 19.
- k) To review / redesign the use of NSNO emergency beds currently with communal facilities in light of Covid challenges.
- l) To work the UK Resettlement Scheme to rehouse a further 50 Syrian and other refugees (approximately 10 families) over the next 5 years. Completion date 2025, as part of an ongoing programme working with the UK Resettlement Scheme
- m) Agree targets for 2020/21 and data reported (only to report numbers in temporary accommodation to whom the Local Authority has a duty

and only to report families in B&B for over 6 weeks (not those who are pregnant), as detailed in the following table.

	<b>2018/19 target</b>	<b>2019/20 target</b>	<b>2020/21 target</b>	<b>Reason</b>
No of households in temporary accommodation	57(actual 66)	<b>65 (actual 62 but reported to MHCLG 57<sup>3</sup>)</b>	60 MHCLG reported numbers in temporary accommodation.	York Council Plan - Number of homeless households with dependent children in temporary accommodation (key performance indicator)
No of households accepted as priority need (main duty HRA17)	100 (actual 61)	<b>80 (actual 99)</b>	80	To target prevention and relief work and thus reduce reaching main duty stage.
No of rough sleepers	15(actual 9)	<b>6 (actual 7)</b>	4	National target to reduce rough sleepers by 50% by 2022 and eliminate it by 2027. Benchmark was 29. Continued MHCLG funding and prioritisation
Not to use B&B for 16 or 17 year olds	0(actual 0)	0	0	

<sup>3</sup> As footnote 1, MHCLG require reporting on 'Households in accommodation arranged by local authorities pending enquiries or after being accepted as homeless under the 1996 Act (includes residual cases awaiting re-housing under the 1985 Act) and as amended by the Homelessness Reduction Act 2018' and so does not include those to whom the LA has no duty (when duty has been discharged and negative decision issued or pending review)

Not to use B&B for families, other than in emergencies and then for no longer than 6 weeks	0(actual 0)	0	0	Reporting families with children only, not those who are pregnant in line with MHCLG published data.
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### Consultation

32. There has been no specific consultation related to Housing Options, Rough Sleeping, Homelessness or Housing Registrations in 2019/20. Staff and people accessing the service have been involved in the interior design of James House project.

### Options

33. Option 1

Note the contents of the report and agree the priorities and targets for 2020/21 as set out in paragraph 31.

34. Option 2

Note the contents of the report but recommend alternative priorities and targets for 2020/21

### Analysis

35. The report and appendix identifies current strategic aims documented in the City's Homelessness Strategy 2018-23 *Preventing Homelessness and Rough Sleeping Together*.

36. The report and appendix identifies future targets and action in line with Homelessness Strategy 2018-23 '*Preventing Homelessness and Rough Sleeping Together*' for the forthcoming year

37. The work and services provided by the Local Authority and partner agencies within the homeless sector are designed to both prevent homelessness and assist those who are homeless. The targets and priorities are practical actions to assist in meeting this target.

38. MHCLG has changed the data that is published and future Homeless Review reports should reflect this

## Council Objectives

39. The Homeless Strategy and action plan contributes to achieving the priorities within the City of York Council Plan 2019 – 2023 by ensuring customers of Housing Options and Support Services have the skills, stability and ability to access relevant support, education, health services and accommodation to benefit from the eight core outcomes, and subsequently to contribute to them. The 8 key components are.

- Well-paid jobs and an inclusive economy
- A greener and cleaner city
- Getting around sustainably
- Good health and wellbeing
- Safe communities and culture for all
- Creating homes and world-class infrastructure. The Housing Options and Support Team along with internal departments and external partners contribute to achieving
  - ✓ Number of homeless households with dependent children in temporary accommodation (key performance indicator)
  - ✓ Prioritise support for rough sleepers and work in partnership with the police and other agencies to develop new initiatives such as the 'Housing Navigators' and improved services for people with complex needs, such as substance abuse and mental health issues, including extended use of the Housing First approach
- A better start for children and young people The Housing Options and Support Team along with internal departments and external partners contribute to achieving
  - ✓ Continue to strengthen the work of communities, local organisations and agencies so that families become more resilient and able to find solutions rather than depending on services
  - ✓ Continue the improvement of children's social care to provide excellent services for vulnerable young people and aim to be excellent corporate parents
- Continue to prioritise gaining improved outcomes for our most disadvantaged children and young people in the city

- ✓ Work with our partners to identify and tackle issues relating to the rise in mental health problems in the city
- An open and effective council

## **Implications**

### **Financial**

40. The Flexible Homeless Grant and the Rough Sleeper Initiative grant and any other grants directed at HRA17 and rough sleepers are used to ensure CYC delivers the relevant services. It is important to note that there is evidence that by not investing in preventative measures there is a greater cost to the city and the people that live in it.
41. The Flexible Homeless Support Grant is retained by the Housing Options and Support Team to fund work associated with HRA17. £205,644k is available for 2020/21
42. City of York Council uses the combined RSI and Rapid Rehousing Pathway grant to continue and expand the work with rough sleepers. £488,756k is available in 2020/21.

### **Equalities**

43. Individual CIAs will be completed for major pieces of work outlined in this report.

### **Legal**

44. The provision of a homeless service by local authorities is a statutory requirement under the Housing Act 1996 as amended by the Homeless Reduction Act 2017. Further comments from a legal/statutory duty perspective are also included within the document attached at appendix 1.
45. Services and provision must now meet the requirements of the Housing and Planning Act 2016 and the Homes (Fitness for Human Habitation) Act 2018.
46. Services must adhere to national Guidance on “Provision of Accommodation for 16 and 17 year old young people who maybe homeless and/or require accommodation”.

47. National good practice states that no young person 16 or 17 should be in B&B, that no family should be placed in B&B unless in an emergency and then for no more than 6 weeks.
48. National target to reduce rough sleepers by 50% by 2022 and eliminate it by 2027. Benchmark was 29. Continued MHCLG funding and prioritisation.
49. There are financial risks via judicial challenge if the service does not meet its statutory duty and as a result of Ombudsmen complaints if CYC fails to act within its statutory duties or policies regarding homelessness and the provision of housing (allocations).
50. Amending work practice, workplace buildings and residential buildings in relation to any future guidance in respect of Covid19.

### **Risk Management**

51. There is a risk that due to Covid 19 pandemic, the possibility of an employment and economic downturn will impact on the need for and the availability of housing.
52. There is also a risk that due to Covid 19 work will take place at a slower pace, restricting new build programmes, housing repairs and service development.
53. The risks associated with the recommendation of this report is assessed at a net level below 16. The risks have been assessed as moderate at 14 the strategy will be regularly monitored at the Homeless Strategy Executive Steering Group.

## Contact Details

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Report  
Approved



Date 7<sup>th</sup> September  
2020

### Wards Affected:

All

**For further information please contact the author of the report**

## Appendix 1

Homeless Review Appendix1 2019/20

### Background Papers :( provided upon request):

2018-2023 '*Tackling Homelessness and Rough Sleeping Together*' Homeless  
Strategy and action plan

### Glossary:

ABA – A Bed A Head

B&B - Bed and Breakfast

EIP – Early intervention and Prevention Team

HHASC – Health, Housing and Adult Social Care (Directorate)

CBL - Choice Based Lettings (North Yorkshire Home Choice)

CIA – Community Impact Assessment

CYC - City of York Council

HRA17 - Homeless Reduction Act 2017

MEAM – Making Every Adult Matter

MHCLG - Ministry of Housing Communities and Local Government

NSNO- No Second Night Out

NYHC - North Yorkshire Home Choice

RSI – Rough Sleepers Initiative

RSL - Registered Social Landlord

RRP – Rapid Response Pathway

SAP – Single Access Point

TEWV - Tees, Ask, Wear Valley NHS Trust  
YB0 -Yes Below Zero