



REPORT TO EXECUTIVE

PORTFOLIO AREA:

Date of Meeting: 5th April 2012

Public

Key Decision: No

Recorded in Forward Plan:

No

Inside Policy Framework

Title: Homelessness

Report of: Community Overview and Scrutiny Panel
Homelessness Task and Finish Group

Report reference: OS12/12

Summary:

This provides the final report of the Homelessness Task and Finish Group which was endorsed by the Community Overview and Scrutiny Panel on 22nd March 2012. The Panels supported the recommendations of the task group, which are contained in page 3 within the attached report. The Panels agreed to forward the report to the Executive for a formal response to this Panel on the recommendations made.

Recommendations:

The Executive is asked to:

- Consider the attached Homelessness scrutiny report.
- Provide a written response to the recommendations of the report within the next four week period.

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Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers: None

**Community
Overview and
Scrutiny Panel**

Homelessness

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2. Recommendations

The Task Group make the following recommendations:

1. That a system is developed for and with other departments (in particular Revenue and Benefits) in the Council to identify those people at risk of homelessness so that appropriate preventative work can be undertaken.
2. That procedure is reviewed so that front line officers from Housing Community and Health are able to verify claims from people who have presented themselves as homeless.
3. That the Council facilitates the forming of an informal network group to include representatives from public and third sector organisations who provide services and support for homeless people.
4. That the Authority works with Cumbria County Council in the provision of accommodation for 16-17 year olds who do not want to enter foster care or children's homes. Consideration should be given to involve a young person's advocacy service to support and guide 16-17 year olds who present as homeless.
5. That the Council gives due consideration to care leavers when considering policies relating to welfare reform.
6. That the Council looks at initiatives to involve young people in projects and/or access schools and colleges in order to prevent youth homelessness.
7. That the Council monitors representations from young people, particularly 16-17 year olds, together with move on information and investigate any significant upturns in figures.

3. Background to the Scrutiny

- 3.1 Members of the Community Overview and Scrutiny Panel held a development session on 12th July 2011 to plan their work for the 2011/12 Civic Year. Various topics were suggested for potential areas for review and it was agreed that a Task and Finish Group would be appointed to look at housing services for vulnerable people.
- 3.2 Cllrs Bradley, Bainbrige, Bowman, Nedved and Riddle were appointed to the Task Group which commenced in September 2011. Cllr Bradley was appointed lead member at their initial meeting on 13th September when the Task Group also decided that their review would focus on homelessness in the Carlisle district.
- 3.3 A full scoping of the review is contained at Appendix 1 and the Terms of Reference for the scrutiny were agreed as:
- To establish the extent of the problem
 - To look at the service from a customer perspective
 - To identify blockages and problems in the system
 - Determine best and other practices in other Local Authorities including neighbouring Districts.
 - To find out what is provided by other agencies (including Riverside and Registered Providers) – statutory and third sector and how partners work together
 - How the authority works with private landlords in anticipation of changes in the Localism Bill
 - To look at the potential impact of the Localism Bill on the customer and on the service

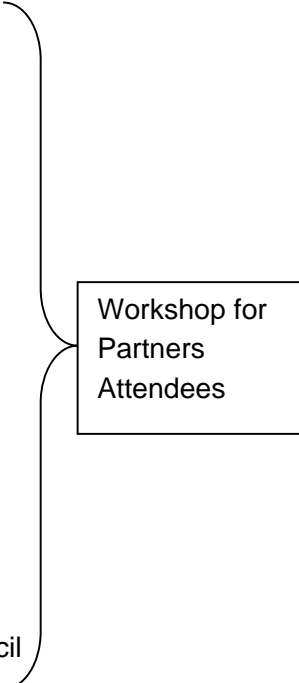
4. Methodology

4.1 In order to develop the evidence base for the review Task and Finish Group Members considered a wide range of information and data including the following:

- **Scrutiny of Homelessness Policy and Strategy – Local Government Information Unit - June 2006**
- **Homelessness Briefing Paper** – outlines local definition of homelessness, statutory framework, overview of main duty, Carlisle statistics (with some comparisons with Cumbria districts), cost of providing service, stock profile of RSL's and rough sleeping information.
- **Communities, Housing and Health Structure Chart (April 2011)**
- **Homelessness Team Staffing and 2011/12 Budget information**
- **Breakdown of Temporary Accommodation Units**
- **Severe Weather Emergency Protocol (SWEP)– Carlisle City Council Homeless & Hostel Services** - Working arrangements to prevent rough sleeper deaths during extreme cold weather.
- **Homelessness Procedures and Guidance Manual (September 2011) – Carlisle City Council**
- **Flowcharts guiding procedures for (a) Processing Homelessness Applications (b) Homeless Procedure up to S184 Decision (c) Placement of Homeless Applicants in Temporary Accommodation**
- **Extracts from Cumbria Choice Based Letting Scheme – Cumbria Choice**
- **“Councils Fail Homeless Teenagers” – Inside Housing 4th October 2011**
- **Andy Ludlow Homelessness Awards July 2010 – Inside Housing 19th July 2010** - Brief details of shortlisted projects relating to youth homelessness.
- **Homelessness: How Councils can ensure justice for homeless people – Local Government Ombudsman July 2011** - Summary of report based on complaints to LGO identifying areas where mistakes by Councils can cause serious injustice and their recommendations on priority areas for Councils to improve.
- **“George Osborne is warned of disaster over welfare reforms” – Daily Telegraph 26th September 2011**
- **“Fatal consequences of benefit changes” – Guardian 31st May 2011**
- **The Cuts: what they mean for families at risk of poverty – Child Poverty Action Group**
- **Presentation to Informal Council (14th June 2011) on Progress of the Welfare Reform Bill**
- **Good practice: guide Homelessness Early identification and prevention – Shelter April 2011** - Examples of Shelter's work, good practice and campaigns to support local initiatives
- **Vision to end rough sleeping: No Second Night Out nationwide - Department for Communities and Local Government July 2011**
- **Evaluating the Extent of Rough Sleeping – A new approach – Department of Communities and Local Government September 2010**

- **Housing Benefit Reform – Supported Housing – National Housing Federation August 2011**
- **HALO Project Report – Year 2 (Aug 2010 – July 2011)**

4.2 Task Group Members also took oral evidence from the following individuals:

Paul ImThurn & Eva Irving	Community Law Centre	 <div>Workshop for Partners Attendees</div>
Cathy Shea & Lisa Dixon	Children's Services, Cumbria County Council	
Gareth Torrens	Homelessness Coordinator	
Tammie Rhodes	Homelessness Prevention and Accommodation Manager	
Margaret Miller	Communities Housing and Health Manager	
Alison Dey	Senior Support/Resettlement Worker	
Peter Rhodes	Hostel Manager	
Nick Waterfield	Adult Social Care	
Claire Burton	Cumbria Law Centre	
David Lennox	Salvation Army	
Isabel Davison	Riverside	
Lorraine Usher	Impact Housing	
Neil Waller	Cumbria Action for Social Support	
PC Kath Paterson	Cumbria Constabulary	
Sgt Liz Graham	Cumbria Constabulary	
Gill Wood	Cumbria Probation Service	
PC Karen Singleton	Cumbria Probation Service	
Andy Auld	Citizens Advice Bureau	
Rev Keith Teasdale	St Cuthbert's Church	
Julie Crosby	Community Projects Carlisle	
Lisa Dixon	Children's Services, Cumbria County Council	

4.3 Meetings of the Task Group were held on:

<i>Date</i>	<i>Present</i>	<i>Purpose</i>
13 th September 2011	Task Group Members Keith Gerrard, Director Community Engagement Margaret Miller, Communities Housing and Health Manager Simon Taylor, Strategic and Private Sector Housing Manager	Elect lead member, consider background information and scope review Agree research and further information to be provided to Task Group Members.
6 th October 2011	Document pack circulated to Members	
17 th October 2011	Task Group Members Tammie Rhodes, Homelessness Prevention and Accommodation Manager	Evidence session and clarification of information
21 st November 2011	Task Group Members Gareth Torrens, Homelessness Coordinator	Development of questions for evidence session 28 th November
28 th November	Task Group Members	Evidence Session

<i>Date</i>	<i>Present</i>	<i>Purpose</i>
2011	Paul ImThurn & Eva Irving, Cumbria Law Centre Cathy Shea & Lisa Dixon, Children's Services, Cumbria County Council	
December 2012 Arrangements made for Workshop for Partners		
23 rd January 2012	Task Group Members Gareth Torrens, Homelessness Coordinator	Development of questions for Workshop to be held 6 th February
30 th January 2012	Cllrs Bainbridge, Bowman and Nedved	Site visit to John Street Hostel
2 nd February 2012	Cllr Bradley and Riddle	Site visit to Stafffield House, London Road
6 th February 2012	Task Group Members (see above)	Workshop for Partners
29 th February 2012	Task Group Members Tammie Rhodes, Gareth Torrens, Homelessness Coordinator	Draft recommendations
22 nd March 2012	Draft report considered by Community O&S Panel	

4.4 Workshop for Partners

Members of the Task Group identified early in the scrutiny that there were a number of statutory and third sector organisations working to help, advise and support those people who are homeless or may become homeless. It was agreed that a workshop would be arranged and representatives from a number of those organisations would be invited. The purpose of the workshop was to look at the current provision of services and how agencies worked in partnership.

18 participants (representing 13 organisations) attended the workshop on 6th February 2012. The Task Group agreed a list of questions which would be used to structure the discussion and these were circulated to participants in advance so that they could undertake any necessary preparation.

Task Group Members agreed that an officer who was not involved in the direct delivery of the service should facilitate the workshop and asked Mark Lambert, Director of Governance to undertake this role.

Key points from the workshop are documented throughout the findings.

5. Background/Findings

- 5.1 In order for Members to undertake their scrutiny it was necessary in the first instance to find out the definition of homelessness and what responsibilities Carlisle City Council has with regard to homeless provision.
- 5.2 Members were informed that the legal definition of homelessness is contained with the Housing Act 1996 Part VII sec 175:
- (1) A person is homeless if he has no accommodation available for his occupation, in the United Kingdom or elsewhere, which he –*
- a. Is entitled to occupy by virtue of an interest in it or by virtue of an order of court,*
 - b. Has an express or implied licence to occupy, or*
 - c. Occupies as a residence by virtue of any enactment or rule of law giving him the right of another person to recover possession.*
- (2) A person is also homeless if he has accommodation but –*
- a. He cannot secure entry to it, or*
 - b. It consists of a moveable structure, vehicle or vessel designed or adapted for human habitation and there is no place where he is entitled or permitted both to place it and reside in it.*
- (3) A person shall not be treated as having accommodation unless it is accommodation which it would be reasonable for him to continue to occupy.*
- (4) A person is threatened with homelessness if it is likely that he will become homeless within 28 days.*
- 5.3 All local authorities have a statutory duty to:
- Ensure advice and information about homelessness and preventing homelessness is available to everyone in the district free of charge
 - Assist individuals and families who are homeless or threatened with homelessness
 - Local Authorities must have in place a homelessness strategy based on a review of all forms of homelessness in the district
 - Interim duty to accommodate

OVERVIEW OF MAIN DUTY

- 5.4 If an individual presents as homeless or as being threatened with homelessness, within 28 days the Local Authority has a duty to investigate the circumstances of their housing to determine whether any duty is owed.
- 5.5 This is broken down into 5 stages:
1. **ELIGIBILITY:** assessment of whether the applicant has resource to public funds (very often this only applies to migrant workers / former workers)
 2. **HOMELESS:** in deciding whether the applicant is homeless the council has to look at any accommodation the applicant may have access to. They could be considered homeless if:
 - they have no home in the UK or anywhere else in the world
 - they have no home where they can live together with their immediate family
 - they can only stay where they are on a very temporary basis
 - they don't have permission to live where they are
 - they have been locked out of home and they aren't allowed back
 - they can't live at home because of violence or abuse or threats of violence or abuse, which are likely to be carried out against the applicant or someone else in their household
 - it isn't reasonable for the applicant to stay in their home for any reason (for example, if their home is in very poor condition)
 - they can't afford to stay where they are
 - they live in a vehicle or boat and they have nowhere to put it
 3. **PRIORITY NEED:** This is one of the most contentious areas of homelessness law and usually the area where most of the legal challenges arise from.

To be considered in priority need for housing and therefore owed a duty by the local authority to secure permanent accommodation the applicant must either:

- be pregnant
 - be responsible for a dependant child i.e. under 18
 - be homeless as a result of fire, flood or other disaster
 - be a homeless 16/17 year old who is not owed a housing duty by Children's Services
 - be a care leaver who is a relevant child
 - any other particularly vulnerable person, these include; older people, those who have a physical disability or mental health problem; had to leave the home due to violence or harassment; have been in care, the armed forces or prison; or have drug and/or alcohol issues. Clearly this is a very ambiguous area of the legislation as it is an evaluative judgement as to whether someone is vulnerable as a result of any of the above.
4. **INTENTIONALITY:** This is another area which is often challenged as it is a very subjective decision, the definition of whether someone is intentionally homeless is:

'you deliberately did (or didn't do) something that caused you to leave accommodation which you could otherwise have stayed in, and it would have been reasonable for you to stay there'

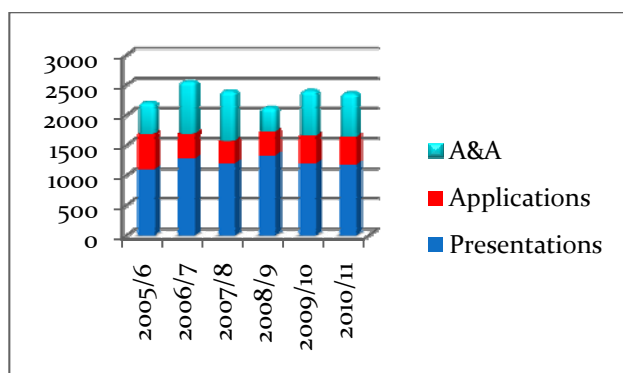
5. **LOCAL CONNECTION:** The council will usually consider that an applicant has a local connection if:

- they have lived in the area for a total of six months out of the last 12 months, or three years out of the last five years
- they live in the area or they lived there in the past because they were posted there by the armed forces
- they have close family who have lived in the area for at least five years

CARLISLE – LOCAL PICTURE

5.6 Task Group Members were informed that for the past two years Carlisle City Council has had approximately 1200 presentations (1200 2009/10 and 1179 2010/11) to the homeless section. Of which in both years 458 applications were made, the rest being made up of housing advice and assistance.

5.7 In 2009/10 the Authority accepted a duty to 116 (25%) and to 137 (30%) in 2010/11. Up to 8th March 2011 the Council had 1111 presentations 407 of which made homelessness applications and 704 received advice and assistance. The Authority accepted a duty for 163 (40%) of these applicants.



	Presentations	Applications	Advice & Assistance
2005/6	1103	584	519
2006/7	1276	414	862
2007/8	1196	376	820
2008/9	1328	394	394
2009/10	1200	458	742
2010/11	1179	458	721
2011/12*	1111	407	704

*(up to 08/03/12)

Breakdown of applicants 2010/11 and 2011/12

Age	% 2010/11	% 2011/12 (up to 8/3/12)
16-24	34	35
25-44	45	43
45-59	15	14
60-64	4	4
65-74	2	2
75+	1	2

		2010/11 %	2011/12 (up to 8/3/12) %
Couple with Dependant Children		20	18
Lone with Dependant Children	Male	8	5
	Female	32	36
One Person	Male	20	18
	Female	15	20
All other		5	3
Black and Ethnic Minority of all		5	1

Reasons for Homelessness acceptances:

Reason for homelessness	2010/11		2011/12 (up to 8/3/12)	
	Main %	Secondary%	Main%	Secondary %
Emergency	1	0	1	0
Household includes Dependant Children	50	4	54	2
Household where someone is pregnant	12	2	6	8
Applicant aged 16/17 years old	3	2	2	4
Applicant formally in care aged 18-20 years old	4	8	2	6
Old age	3	8	7	2
Physical disability	10	19	7	10
Mental illness or handicap	10	11	13	10
Drug dependency	0	2	0	2
Alcohol dependency	0	8	0	0
Former asylum seeker	0	0	0	0
other special category	1	2	2	6
Having been in care	0	2	0	0
Having served in HM forces	0	2	0	0
Having been in custody / on remand	0	0	0	0
Having fled their home because of violence/ threat of violence	7	32	6	44
Domestic violence	7	30	6	36

Task Group Members note that according to these statistics in 2010/11 and 2011/12 (up to 8/3/12) there were no acceptances of duty for those having been in custody/on remand. However at the Workshop for Partners held on 6th February 2012 representatives from Probation informed Members of the Task Group that an issue for this is that they have people who are about to come out of custody and the main accommodation for them is John Street Hostel. They would like to see procedures in place so that accommodation arrangements can be made whilst the person is still in custody as at present they have to wait until they are released then present as homeless.

Task Group Members were informed by Homelessness Officers that while applications could be taken prior to a prisoner's release it may be to the detriment of the applicant. Although it is appreciated that an individual may be anxious about having no accommodation upon their release if the application is taken prior to release and the determination from this is not favourable, i.e. non-priority, at the point of release, the applicant may find that the local authority have no duty to accommodate. Whereas if an application is taken at the point of release (everyone who has been in prison has an entitlement to an application upon their release), there will be an interim duty to accommodate.

COMPARATIVE DATA

CUMBRIA

- 5.8 In comparison to the other authorities in the Cumbria area Carlisle made 92 decisions in the first quarter (January to March 2011) accepting 42 (45%), Allerdale made 68 decisions accepting 23 (33%), Copeland made 38 decisions accepting 17 (44%), Barrow made 35 decisions accepting 7 (20%), Eden made 3 decisions accepting 2 (66%) and South Lakeland made 52 decisions accepting 17 (33%).
- 5.9 For the final quarter of 2011 (October to December) these figures were: Carlisle made 84 decisions accepting 28 (33%), Allerdale made 90 decisions accepting 23 (25%), Copeland made 51 decisions accepting 21 (41%), Barrow made 34 decisions accepting 3 (9%), Eden made 5 decisions accepting 0 (0%), South Lakeland made 44 decisions accepting 6 (14%).

NATIONALLY

- 5.10 Unfortunately the statistics for the 2nd quarter are not yet available; however the Department for Communities and Local Government have confirmed that from the information received nationally from local authorities, 11,820 applicants were accepted as being owed a main homelessness duty during April to June 2011, 17 per cent higher than the same quarter of 2010. Between April and June 2011, local housing authorities made 25,980 decisions on applications (by eligible households) for housing assistance, under the homelessness legislation of the Housing Act 1996. This is 14 per cent higher than the corresponding quarter in 2010. After seasonal adjustment the number of decisions was 27,530, 4 per cent higher when compared to last quarter.
- 5.11 There has been an increase in the number of acceptances where the reason for homelessness was the ending of an assured short hold tenancy when compared to the same quarter last year, from 1,460 to 2,130 households. The proportion of all acceptances due to this reason is 18 per cent, an increase from 14 per cent in the same quarter in 2010.
- 5.12 There has been a small increase in the number of acceptances where homelessness resulted from mortgage arrears (repossession or other loss of home), from 230 to 340 households compared to the same quarter in 2010. Homelessness due to mortgage arrears accounted for only 3 per cent of all acceptances and has remained much lower than the peak in the last economic downturn - 12 per cent during 1991.

PREVENTATIVE SERVICES

- 5.13 Task Group Members were informed that there are a number of prevention services available including:
- Rent Deposit Scheme (meeting the deposit of private rented accommodation)
 - mediation services provided by CADAS
 - payments for rent in advance, paying off mortgage/rent arrears out of the homelessness prevention fund, crisis intervention meetings where eviction is threatened
 - negotiating with private landlords for instance resolving benefit issues

- Mortgage Rescue Scheme which was implemented in response to the economic downturn

In the six month period up to 30th September 2012 £23,637 was paid to the Rent Deposit Scheme and £14,915 for Rent Deposits, arrears and legal fees for clients.

- 5.14 Officers of the Authority work closely with the in-house Benefit Advice Service that provides preventative services to vulnerable people within the City. They also work with a lot of outside agencies to secure alternative supported accommodation and advice agencies. Impact Housing has 4 hostel/home shares within the Carlisle district providing supported accommodation for medium to low support need clients. CASS provide housing advice and in some cases supported accommodation for ex-offenders, and also work in conjunction with Croftlands to provide supported accommodation for individuals recovering from drug and/or alcohol mis-use. Croftlands also have separate supported accommodation for individuals with mental health problems.
- 5.15 The issue of prevention was further discussed at the workshop for partners which was held on 6th February 2012. There were further examples of the work both statutory and third sector organisations undertake in order to prevent people becoming homeless some of which include:
- The Cumbria Law Centre have an advisory role which includes debts and benefits and undertake a lot of work representing people whose homes are potentially to be repossessed. They continue to have a desk at the County Court even though funding has ended as the Law Centre believe that this service is very important for local people.
 - The CAB help people with applications to Cumbria Choice and are currently piloting a new referral centre that would make direct referrals. They also support people in Riverside properties who are in rent arrears.
 - Community Projects Carlisle are a small charity who work with young people up to the age of 25 years. They help in finding accommodation and give them the tools to sustain their tenancy.
 - The Supporting People project has £7M countywide available to fund organisations to provide support, from single homeless people to families within their own accommodation.
- 5.16 It was also highlighted at the Workshop that the Revenue and Benefits team do not routinely identify or refer people in serious financial difficulty which could lead to homelessness.

ACCOMMODATION

- 5.17 The City Council's approach to service provision is based on a pathways model of assessment, providing a 24/7 service of supported temporary accommodation and resettlement / move on accommodation.
- 5.18 Front line resources for homelessness assessment reduced from 3.8 to 2FTE in 2011/12, reflecting reductions in Council resources. The 2FTE homelessness Officers are, supported by a homelessness co-ordinator and homeless support officer. The review role is delivered by the

Homeless Prevention and Accommodation Manager. Out of hours, people experiencing homelessness access the service direct through Council owned and managed emergency accommodation.

- 5.19 **John Street Hostel** and annex is a 28 bed men's unit within Castle ward, which accommodates any Homeless male aged 16 upwards with support needs. This accommodation provides double cover 24 hours per day, seven days a week and caters for clients with complex and high support needs.
- 5.20 **Staffield House at 69 London Road** is a 10 bed women and family unit within St Aidan's ward (which can accommodate up to 24 clients). This accommodation provides single staff cover 24 hours per day, seven days a week and caters for clients with complex and high support needs. A planned new provision, at a projected cost of £1.8m to replace 69 London Road will improve the quality of accommodation that is available to people experiencing homelessness and will reduce costs through maintenance and efficiency savings.

Members of the Task Group visited John Street Hostel and Staffield House.

- 5.21 **Home shares** are a mixture of 2 and 3 bedroom properties and one bedroom flats (22 units) within Castle, St Aidans, Belle Vue, and Denton Holme wards. This service provides accommodation and support via Supporting People.
- 5.22 Comparative data on the quantity of temporary/interim accommodation used by the Districts across Cumbria is shown below:

District	TA
Allerdale	25 leased properties plus B&B
Barrow	10 leased properties plus B&B
Carlisle	38 Hostel units; 22 leased properties plus B&B
Copeland	9 units and lease 2 units + B&B
Eden	Access arrangements through EHA + B&B
South Lakeland	18 plus B&B hostels

- 5.23 Analysis of year end performance data for Carlisle shows the number of people accommodated in the hostels, homeshare units and bed and breakfast accommodation:

Hostel	2008/09	2009/10	2010/11
John Street	178	165	157
London Road	130	140	70
Homeshares	n/a	43	48
Bed and breakfast	91	145	120

- 5.24 Members were informed that the average length of stay in hostel and homeshare temporary accommodation is currently 7 weeks for a single person, and 10 weeks for a family unit. The

average length of stay masks length of time people with complex needs and or challenging behaviours (addictions/ mental health problems) stay in short stay emergency accommodation. For example there are currently 2 clients within temporary accommodation whose residence is longer term. Both are single males, have complex needs and the Local Authority has accepted a duty due to their priority need. All housing options have been explored and referrals made to all Housing Associations and supported accommodation providers; all of which have been unsuccessful so far.

- 5.25 The table below shows resource use within Carlisle's supply of temporary accommodation. As can be seen the services are outcome focused and deliver good services to the clients who have been assisted and accommodated, and as a result high positive planned move-on options for clients are achieved resulting in people being re-homed. This is a more cost effective and pro-active way of operating and delivering services to clients as they are less likely to represent as Homeless. The utilisation rate of the schemes is high across the Temporary Accommodation provision and as a result income streams from the general rental income, Housing Benefit income and Supporting People grants are maximised.

	2009/10
1 John Street	
Availability	99.1%
Utilisation	96.3%
Positive planned departures	75.2%
69 London Road	
Availability	99.7%
Utilisation	96.8%
Positive planned departures	90.7%
Homeshares	
Availability	96.4%
Utilisation	93.8%
Positive planned departures	100%

STOCK PROFILE OF RSL's

Provider	No of units
Anchor	4
Brampton Rural	149
CCC	193
Eden	2
EHA	37
Haig Homes	24
Home	68

Impact	439
Mitre	9
Riverside	5961
TCHA	799

Number of private sector units

Within the district there are 721 letting rooms in 102 licensable Houses of Multiple Occupancy (HMO's). In addition there are a further 350 HMO's both a mixture of shared housing and self contained flats.

ROUGH SLEEPING

- 5.26 Carlisle City Council conducted an an official rough sleeper's count this year assisted by Homeless Link and partner agencies. This took place in November and the count was 1 (one).
- 5.27 The Authority is part of Carlisle Homeless Improvement Partnership (CHIP) which incorporates representatives from Supporting People, Carlisle City Council, CASS, Salvation Army, Riverside, and Impact Housing Association and is supported by Homeless Link. The partnership created the Healthy, Aspirations and Learning Opportunities (HALO) Project that aims to reduce social exclusion and increase economic activity amongst the homeless and workless vulnerable people. The HALO project develops innovative co-ordinated approaches to homeless services across the city including supporting initiatives for rough sleepers (see attachment)
- 5.28 Services are currently being reviewed in line with CLG *No Second Night Out* policy and mapping out a strategic response to prevent and tackle rough sleeping which will be incorporated into our homelessness strategy review

HOMELESS 16-17 YEAR OLDS

- 5.29 Members of the Task Group were informed of the 2009 case *G v Southwark*¹ which reminded Local Authorities of their legal duties towards homeless 16 and 17 year olds – that primarily responsibility for 16 and 17 year olds lies with Children's Services. Section 20 of the Children's Act states that Children's Services have financial responsibility for a child assessed as "in need".
- 5.30 Members were informed that in June 2011 Shelter raised concerns with the Director of Children's Services that young people were being passed between children's and housing services on a regular basis. In a lot of cases assessments by Children's Services resulted in a negative decision, ie that the young person was not a Child in Need and only had housing issues and therefore referred back to the relevant District Council.
- 5.31 A revised Joint Protocol (between Children's Services (CS) and Housing Services (HS)) for responding to young people aged 16-17 presenting as homeless in Cumbria was introduced in June 2010. The purpose of the protocol was to outline the principles which are fundamental to the

¹ R(on the application of G) v London Borough of Southward (2009) UKHL 26

response by both Authorities to young people aged 16 or 17 who presented themselves as homeless and sets out the new working arrangements between CS and HS in relation to those young people.

- 5.32 Task Group Members were interested as to know how the joint protocol was working and invited representatives from Children's Services to meet with Members to gain further information.
- 5.33 Members were informed that predominantly young people became homeless through family breakdown and Children's Service would try where possible to repair the relationship so that the young person could return to the family environment. Cumbria County Council had a statutory duty under the Children's Act 1989 to assess a young person's need then try to put together a support package to meet that need. The National Assessment Framework was used to assess the young person's requirements and that included assessing the child's individual need, the parents' capability and the environment the young person lived in including housing. There was also a Core Assessment specifically for adolescent and each age range was treated differently. The Assessment was used to meet the needs of the child through partnership with other agencies.
- 5.34 If a young person was already in care they were allocated a leaving care advisor who would work with the young person from the age of 16. Unless the young person was the subject of a care order (which is in place until they are 18) they could leave care at the age of 16 and the Council would not have parental responsibility. The advisor began by looking at where the young person would like to be when they left care and took into account education, health and the possibility of returning to the family. If the person wanted to live alone their need would be assessed to see if they had the individual skills to sustain a tenancy. The young person would also have the opportunity of staying within foster care.
- 5.35 The young person would be taken to the housing panel before they reached their 18th birthday to make partners aware of who would be coming through the process and what support would be required. When a young person left care before the age of 18 the County Council had a duty to meet the cost of their accommodation until they were 18. Support from the advisor would continue until the person reached the age of 21.
- 5.36 Task Group Members were informed that all young people leaving care are able to access a Setting Up Home Allowance of £1,405 to buy essential furniture and furnishings. The advisor would help the young person buy essentials and advise where to go for second hand or recycled goods to help stretch the money further.
- 5.37 With regard to 16-17 year olds Members were informed that they would be offered foster care or a residential unit by Children's Services. It was acknowledged that most young people did not want either of these options and therefore would be referred back to the City Council for support.
- 5.38 Members were informed by Children's Services representatives that there was a need for supported lodgings in the area. These lodging are similar to a bed and breakfast but the owner of the house would give support to the young person. The young person would have their own room and key and would be treated as an adult. There is a shortage in the North of England of people willing to provide such a service.

- 5.39 Children's Services are currently working in partnership with Riverside Carlisle to introduce a scheme of five flats, dispersed across the City for young people. The flats would be portable so if a young person settled in the accommodation a new flat would be found elsewhere. The properties would be semi-furnished and Riverside would run tenancy courses to assist the young people to manage rent and household expenditure. The properties would be available in areas where young people would not normally have the opportunity to live and this would give them something to aspire to.
- 5.40 Task Group Members were further informed that Care Leavers are eligible for exception for single room rates (Housing Benefit) up until the age of 21. There is discussion about this being increased to the age of 24 in line with leaving care legislation. This would promote Education, Employment and Training (EET) opportunities and remove barriers for young people who would not be eligible to claim Housing Benefit should they return to EET post 19 - 24.
- 5.41 Changes to housing benefit (unused rooms incurring a cost for tenant) is likely to increase the risk of homelessness as local providers predominately offer a 2 bedroom property to a single person. Task Group Members were asked to consider making a recommendation to give exemptions for Care Leavers.

WORKING TOGETHER

- 5.42 It is clear that there is a lot of partnership working at the front line but at times some agencies or in particular third sector organisations were unclear about what to do in specific situations or who to contact. It was identified that at times information sharing of the most up to date guidance from Government was lacking which could lead to people receiving inconsistent or incorrect information.

6. Conclusions

- 6.1 Firstly the Task Group would like to commend all officers; both internal to the Council and external partners, on the work that is undertaken to help and support people who are either homeless or potentially homeless. Members were reassured that people who find themselves in a difficult position will receive support from compassionate, committed and professional staff.
- 6.2 Task Group Members agreed that the Homelessness Team need to have the most timely information to prevent a person becoming homeless and at times other Departments of the Council may be able to flag up potential situations. Members will make a recommendation to **develop an appropriate recording system** so that the various Departments within the City Council, in particular Revenue and Benefits, could identify and refer those people at risk.
- 6.3 Members were concerned to hear that the **system for verifying claims** from people who have presented themselves as homeless was particularly cumbersome and paperwork was being passed from one Department to another. Members heard that this role had previously been undertaken by front line staff from the Homelessness Team and was now the responsibility of Revenue and Benefits staff. Unless there is a statutory reason for this change Members will recommend that the **system and application process is streamlined by giving the relevant authority for this task to Homelessness officers**.
- 6.4 It was highlighted at the workshop held for a number of partners that there was a need for an **informal forum for representatives from the different agencies and organisations that helped, supported and advised those people who were homeless or potentially homeless**. This forum could share information, messages from Government and new initiatives so that service users would be given consistent up to date information and advice. It was highlighted that third sector organisations in particular would welcome the setting up of a forum. Members of the Task Group will be making a recommendation that the **Council facilitates the forming of this informal network group** and that an **up to date contact list, including out of hours telephone numbers is prepared and distributed to relevant organisations**.
- 6.5 Task Group Members heard concerns from representatives from Probation Service regarding the housing of those people leaving custody. It was explained to Members that unfortunately proceeding with an application prior to release could be detrimental to the person's application. Members accept this explanation and will not be making a recommendation although they would like officers to discuss this matter with Cumbria Probation so that there is no confusion as to correct procedures.
- 6.6 Task Group Members were pleased to hear about the ongoing work being undertaken by Riverside and Children's Services to provide dispersed accommodation for young people and would like to see initiatives continue to be developed. However Members were concerned how 16-17 year olds who presented themselves as homeless were assessed and passed between Housing Services and Children's Services. In particular Task Group Members believe that there is a lack of choice for teenagers provided by Statutory bodies. It is no surprise to Members that these young people refuse the advice and support available, ie foster or residential care, and present themselves back to the City Council in order to find a way for more independent living. The Task Group would like to see 16-17 year olds **receive independent advice and support in order to make a more informed choice** and

will therefore recommend that consideration should be given to involve an independent advocate for 16-17 years.

- 6.7 Members heard that Care Leavers may be disadvantaged due to the changes to welfare reform relating to housing which in turn may increase homelessness for this group. Members will make a recommendation so that **due consideration is given to Care Leavers when policies are being formulated.**
- 6.8 Members heard about different ways in which **education can help prevent homelessness in young people** and would like to recommend that officers work with partners to look at ways in which this can be developed locally.
- 6.9 Members will also recommend that the Council **monitors presentations from young people** together with move on information so that any significant upturns can be investigated.

Title of Review	Homelessness
Outline reasons and purpose of Review	To establish the extend of the problem in the District and how agencies support and assist people who are homeless and also to look at preventative services and how affective these are.
Scrutiny Panel(s)	Community O&S Panel
Task Group Members	Cllrs Bradley, Nedved, Riddle, S Bowman, Bainbridge
Consideration of Co-optees	Task Group considered the option of a co-optee on the group but decided that they would not co-opt on this occasion.
Link to Corporate Plan	KA8 – Work with partners to support communities and potential new residents by delivering a mix of quality housing choices, focusing on.....supporting vulnerable people, especially the homeless.
Terms of Reference	<ul style="list-style-type: none"> • To establish the extent of the problem • To look at the service from a customer perspective • To identify blockages and problems in the system • Determine best and other practices in other Local Authorities including neighbouring Districts. • To find out what is provided by other agencies (including Riverside and Registered Providers) – statutory and third sector and how partners work together • How the authority works with private landlords in anticipation of changes in the Localism Bill • To look at the potential impact of the Localism Bill on the customer and on the service •
Expected outcomes	To make practical solutions and recommendations to any problems identified within the review
Timescale for Review (including indicative milestones)	Final report to Panel meeting on 22 March 2012 Task Group to report updates to Community O&S on regular basis
Research required	Use of B&B's Provision of emergency accommodation Provision of statutory housing What alternative prevention services are available eg Family mediation, fast tracking housing benefits Best practice examples National policy Trends and statistics

Possible witnesses (for written or oral evidence)	Homelessness Team Shelter Adult Social Care Portfolio Holder Hostel staff Homeless people (or those who have been homeless previously) (Further list to be established following next meeting)
Possible sources of information	Joseph Roundtree Foundation Shelter and Centrepont (recent Countywide Reports) Complaints – (Ombudsman report – March 2011 – highlighted the number of complaints over “gatekeeping” practices nationally) Dedicated officer – Prevention v Assessment Staffing Structure Letting Policy
Budget Information	Need to determine budget available as part of the review
Risk Issues	There is a risk that the Task Group do not adhere to the ToF R therefore making the review unfocussed. Task Group should constantly refer to the ToFR throughout the review. There is a risk that officers will not be able to provide the level of support requested by Members. The Chair of the Task Group should therefore ensure that resources are adequate throughout the review and address any issues as they arise.
Potential Site Visits	Local hostels Penrith Forum Fylde
Support Officers and role	Nicola Edwards – coordinate review and report writing Margaret Miller & Tammie Rhodes – Lead officers, information, research, point of contact for outside agencies
What will not be included	To be determined at first witness session
Publicity Requirements	Press release to be considered further into review and/or at reporting stage