

**Implementation of the Homelessness Reduction Act 2017:
MHCLG call for evidence**



St Mungo's response

October 2019

About St Mungo's

St Mungo's vision is that everyone has a place to call home and can fulfil their hopes and ambitions. As a homelessness charity and housing association our clients are at the heart of what we do.

We provide a bed and support to more than 2,800 people a night who are either homeless or at risk, and work to prevent homelessness.

We support women and men through more than 300 projects including emergency, hostel and supportive housing projects, advice services and specialist physical health, mental health, skills and work services.

We work across London and the south of England, as well as managing major homelessness sector partnership projects such as StreetLink and the Combined Homelessness and Information Network (CHAIN).

We influence and campaign nationally to help people to rebuild their lives.

For any questions about this submission, please contact amy.fleming@mungos.org.

Summary

St Mungo's supported the passage of the Homelessness Reduction Act through Parliament, and believes that it can be a helpful step in ensuring people receive the advice and support they need in order to help prevent and relieve homelessness. However, we believe that the Homelessness Reduction Act in its current form, and in the way in which it has been implemented so far, is failing to prevent people who are at immediate risk of sleeping rough from doing so.

Evidence from the Combined Homelessness and Information Network (CHAIN), which is commissioned by the GLA and managed by St Mungo's, shows that from August 2018-July 2019, 45% of UK nationals who used the London No Second Night Out service for new rough sleepers had approached their council for help in the 12 months before they started sleeping rough. St Mungo's conducted interviews with client-facing staff members to inform our response to this consultation, and their feedback supports the evidence that the Homelessness Reduction Act is failing to prevent people from sleeping rough.

St Mungo's works primarily with single homeless people¹, a client group of which the majority are not considered to be in 'priority need' for housing. There is currently no duty on

¹ Single people and couples without dependent children are the least likely to meet the 'priority need' criteria for housing set out in homelessness legislation, and so we use the term 'single homeless people' to describe those without this legal right to housing.

local authorities to provide accommodation to those who are not thought to be in priority need, even for those at immediate risk of sleeping rough.

Rough sleeping is dangerous and it is vital that everyone has somewhere safe to stay. In 2018, 726 people died whilst sleeping rough or in emergency accommodation, an increase of 22% on the previous year.² In order to prevent people dying on the streets, people have to be prevented from living on the streets. For the Act to be truly effective and to prevent rough sleeping, the legislation must be amended to guarantee the right to somewhere safe to stay for those at immediate risk of sleeping rough.

The Homelessness Reduction Act 2017 created a new duty for local authorities to provide tailored advice in the form of a Personal Housing Plan (PHP). Our evidence suggests that these plans are not always as tailored as they should be and we believe that local authorities will require increased funding beyond the existing new burdens funding in order to resource additional staff roles to effectively deliver tailored PHPs in all instances.

The Act has been implemented in an environment where spiralling housing costs, increasing insecurity for private renters and cuts to homelessness services have led the numbers of people sleeping rough in England to increase by 165% since 2010. The Act cannot exist in isolation and the issues which cause people to become homeless, and the problems facing those who are already homeless, must also be addressed. Ultimately only by addressing systemic issues such as the funding crisis in local government, reforms to the private rented sector and the provision of social housing will homelessness be ended. Without this, local authorities are being put in a very difficult position with limited means to support people who approach them for help.

St Mungo's recommendations

- The Homelessness Reduction Act should be amended to include a 'Somewhere Safe to Stay' duty, to guarantee the right to a safe place to stay for those at immediate risk of sleeping rough.
- The Government should carry out a review of the duty to refer, to see how it is working in practice. This could lead to additional public authorities being included in the duty, and pave the way for a new duty to co-operate, to deliver improved operational practice between statutory partners.
- The Government should provide funding for 2020 onwards to continue the new burdens funding to help local authorities to successfully implement the Act. The level of funding required should be determined by evidence provided by local authorities.
- This should be part of a broader ring-fenced funding programme for local authorities to deliver homelessness services, amounting to £1 billion in each year of the next three year Spending Review period and beyond if needed.
- Reforms should be made to the Private Rented Sector to make it more secure and affordable for those at risk of, or with experience of, sleeping rough. This should include abolishing Section 21 no-fault evictions, as well as uprating Local Housing Allowance rates to the 30th percentile so that the PRS is more affordable for those in receipt of benefits.
- The Government should plan and deliver investment for 90,000 new homes for social rent a year, in order to address the backlog of housing need across the UK and ensure people with experience of sleeping rough can access the stable, secure and affordable long term housing that they need.

² Deaths of homeless people in England and Wales: 2018, Office for National Statistics
<https://www.ons.gov.uk/peoplepopulationandcommunity/birthsdeathsandmarriages/deaths/bulletins/deathsofhomelesspeopleinenglandandwales/2018>

Question 1: Since implementation of the Act in April 2018 can you identify:

A. What has improved in service and outcomes for families and individuals who are homeless or at risk of homelessness?

Evidence from Crisis suggests that since the Act was introduced in April 2018, there has been a significant reduction in the number of people who are being turned away by their local authority with no support or no advice at all.³ Feedback from St Mungo's staff also echoes this, agreeing that our client group are now more likely to receive advice or signposting information from their local authority. However, this is not always delivered in the most useful way. As an example, giving someone who is sleeping rough a paper document to take away with them, with a list of contact details and addresses to signpost them to, may not be very helpful if that person has no access to the internet, a phone, or money to travel to the recommended services. In these cases, whilst the person may be receiving some form of advice, this in itself is not resolving their homelessness. St Mungo's staff still come across people sleeping rough who, when asked if they have been to their local authority for help, respond that they have but there is "nothing they (the local authority) could do" for them.

Southwark is often highlighted as an example of good practice of implementation of the Homelessness Reduction Act so far. Southwark council have recruited additional staff specifically to implement their obligations under the Act as part of the trailblazer programme. Our staff feedback suggests that where new staff have been brought in to a local authority specifically to fulfil the HRA duties, these staff are often more solutions focused when it comes to working with our client group, and are able to provide more meaningful support compared to existing housing options staff. Existing staff have in many cases been handed additional responsibilities and administration as a result of the Act, without being provided with adequate information or training.

Staff feedback also indicated that there is some feeling that since the HRA came into force there have been clearer pathways through housing options into private rented sector accommodation. However, there have been many reports of the new burdens funding for local authorities being spent on increasing incentives for private landlords to take on homeless tenants, which is not a sustainable solution.

B. What has not improved/ got worse?

According to data from the Combined Homelessness and Information Network (CHAIN), which is commissioned by the GLA and managed by St Mungo's, in the 12 months from August 2018-July 2019, 45% of UK nationals who used the London No Second Night Out (NSNO) service for new rough sleepers had approached their council for help in the 12 months before they started sleeping rough.

This data clearly demonstrates that there is still a large number of people at risk of sleeping rough who are not receiving the help they need in order to prevent their homelessness, and are ending up on the streets. Furthermore, there hasn't been a significant decrease in this number since the Act came in, as the same CHAIN data from 2015-16 shows that 50% of

³ The Homelessness Monitor: England 2019, Crisis,
https://www.crisis.org.uk/media/240419/the_homelessness_monitor_england_2019.pdf

UK nationals who used NSNO had asked councils for help in the 12 months before they started sleeping rough.⁴

Data from Crisis shows that whilst two-thirds (65%) of local authorities saw the HRA as having positive impacts for single people, when it comes to those who are sleeping rough the benefits of the Act were less commonly reported.⁵

St Mungo's sought feedback from a number of client-facing staff in gathering evidence for this response, including 12 members of staff from No Second Night Out services, who unanimously reported that they are frequently seeing people who have PHPs upon entering No Second Night Out hubs, meaning that they have slept rough and been picked up by a street outreach team after seeking help from the council.

It was also reported that in some cases there still exists an ethos of 'gate-keeping', with one staff member reporting that people are being left "sitting in reception in the hope they will get bored/frustrated and find accommodation with friends or family" in a particular local authority.

Furthermore, lots of examples have come to light of local authorities wrongly signposting people. For example, there have been numerous instances in which staff have come across PHPs that state that the person seeking help should contact StreetLink. Streetlink is a service that is designed for people who are already sleeping rough, and its role is to send an outreach team out to find and support the person, it does not provide accommodation, which some PHPs that we have seen suggest it does. In instances such as this, where clients have been wrongly signposted by the local authority, St Mungo's staff have challenged the PHP and have often been successful in getting them changed.

Under the Act housing authorities have a duty to carry out an assessment in all cases where an eligible applicant is homeless or threatened with homelessness. This assessment should identify what has caused the homelessness or threat of homelessness, the housing needs of the applicant and any support they need in order to be able to secure and retain accommodation. Following this assessment, the housing authority must work with the person to develop a PHP which will include actions (or 'reasonable steps') to be taken by the authority and the applicant to try and prevent or relieve homelessness.

Whilst feedback from managers of NSNO hubs demonstrated that our client group have been able to access PHPs when they approach their local authority, we heard a that these can vary drastically in terms of content, with some being very tailored to the individual, whilst others appear to be no more than a copy-and-paste template.

A significant issue reported by staff is that PHPs often fail to pick up on the support needs that many clients of St Mungo's are faced with. CHAIN data shows that of people seen sleeping rough in London in 2018-19, 50% had mental health support needs, 42% had support needs around alcohol and 41% had support needs around drug use.

PHPs often do not reflect any additional support that our clients should be able to access as a result of this. This does not reflect the wording of the Act, which states that the advice a local authorities provides "must be designed to meet the needs of persons in the authority's district including, in particular, the needs of... persons suffering from a mental illness or

⁴ Nowhere safe to stay: the dangers of sleeping rough, October 2016, St Mungo's
<https://www.mungos.org/app/uploads/2017/07/Nowhere-safe-to-stay.pdf>

⁵ The Homelessness Monitor: England 2019, Crisis,
https://www.crisis.org.uk/media/240419/the_homelessness_monitor_england_2019.pdf

impairment” among other things, which require that councils provide “detailed information, tailored to specific needs”.

The homelessness code of guidance for local authorities states that the ‘reasonable steps’ identified for the housing authority and the applicant should be tailored to the household. There is no clear and definitive guide as to what would be classified as ‘reasonable steps’. This isn’t clearly managed through the guidance currently and a legal case may need to be brought to define this.

Actions that may be considered reasonable for a typical applicant or household may not be reasonable for an applicant who is sleeping rough or who has multiple and complex needs. In St Mungo’s response to the DCLG’s consultation on the homelessness code of guidance for local authorities in 2017, we stated that we were unconvinced that many local authorities are equipped to understand and take account of the particular needs of applicants in cases where these needs are high, multiple and complex.⁶ We do not feel that this has changed in any significant or meaningful way since the Act has been introduced. We recommend that housing authority staff should receive adequate training to assess and take account of the support needs of applicants when agreeing reasonable steps.

C. What are the enablers or barriers to achieving positive outcomes?

The biggest barriers to achieving positive outcomes are that local authorities do not have adequate housing options to offer people who approach them for support, nor do all local authorities have the resources and expertise required to offer tailored PHPs. As a result, St Mungo’s client group- who generally do not meet priority need requirements so local authorities do not have a legal duty to house- can be turned away without adequate support and still end up rough sleeping.

Implementation of a Somewhere Safe to Stay duty would ensure that people don’t have to sleep rough after they have approached a local authority for support. Guaranteeing people at imminent risk of sleeping rough a safe place to stay would enable councils to start work with an individual to fulfil the relief duty in the HRA, away from the dangers of the street. This would require a change in legislation, through an amendment to the HRA. This is discussed in more detail in response to question 2B.

Beyond the Somewhere Safe to Stay duty, other changes are needed to ensure that the right long term housing and support is available for those at risk of homelessness or those who are currently homeless. Longer term housing options must be improved through the development of 90,000 new social homes a year, as well as the uprating of Local Housing Allowance to the 30th percentile of local rents, to make housing more affordable. Furthermore, in order for local authorities to offer services such as supported housing, and floating support to people who need help to find and keep a home, long-term, guaranteed funding for homelessness and housing-related support services is needed.

Feedback from St Mungo’s staff suggests that a high turnover in housing options staff in some areas is also proving to be a barrier to positive outcomes. There can be a lack of consistency of housing options staff, with one staff member referring to a “revolving door for housing officers”, which can prevent expertise and accountability being developed.

⁶ St Mungo’s response to the DCLG consultation on the Homelessness Code of Guidance for Local Authorities, https://www.mungos.org/app/uploads/2017/12/2017_DCLG_consultation_on_Homelessness_Code_of_Guidance_for_Local_Authorities.pdf

~~D. What impact has the Act had on the use of temporary accommodation for your local housing authority?~~

Question 2: In relation to processes of the Act:

- A. Please identify any elements of the Act that you believe work or do not work well in assisting you and any partner agencies (both statutory and non-statutory) to prevent and relieve homelessness.**
- B. Please provide any suggestions of areas of the Act that you feel should be amended, being as specific as possible as to what alteration you would recommend.**

As the CHAIN data demonstrates, in many cases people are still ending up sleeping rough after approaching their local authority for help. It is inevitable that the Act will continue to fail to prevent this unless legislation guarantees the right to a safe place to stay for those at immediate risk of sleeping rough. In order to be truly effective, we believe that the Homelessness Reduction Act should be amended to include a 'Somewhere Safe to Stay' duty for people at immediate risk of sleeping rough.

The Somewhere Safe to Stay (SSTS) model, in a similar format to No Second Night Out, is designed to provide basic shelter and be staffed 24/7 by workers who can undertake assessment away from the dangers of the street. During this time the local authority would also need to plan for fulfilling any duties they owe under the HRA. Whilst someone stays in a SSTS hub, the duty remains with the local authority to work to prevent their homelessness. It is crucial that the SSTS service is not seen as a housing solution in itself, as it is not.

What separates Somewhere Safe to Stay from the NSNO model is that it should be reserved for those who are at immediate risk of, but aren't already, sleeping rough. No Second Night Out is a model specifically for those who have already resorted to sleeping on the streets.

A number of pilot Somewhere Safe to Stay (SSTS) hubs have recently been funded as part of the Rough Sleeping Strategy. St Mungo's is working in partnership with some local authorities to deliver these new services along the lines of the model described above. So far the pilots seem to be working best where the SSTS service and local authority maintain regular communication and work together closely to achieve the best outcome for the client.

All of the SSTS projects should be recording robust data to evidence their impact and also to highlight the gaps and challenges locally and nationally. The data collected from these pilots should be used by MHCLG to develop and cost future national roll-out and a new statutory duty.

- ~~C. Has your local housing authority amended its allocations scheme to reflect the duties in the Act, and if so what changes have been made?~~
- ~~D. If you have amended the policy, how has this affected lettings to homeless households?~~
- ~~E. How could the data generated from H-CLIC help you to inform policy/resources?~~
- ~~F. What more could be done to assist you in submitting and making use of the data for your area?~~
- G. Please add any further comments on the Act or the context in which it has been implemented that you think will be useful.**

The Act has been implemented in an environment where spiralling housing costs, increasing insecurity for private renters and cuts to homelessness services have led the numbers of

people sleeping rough in England to increase by 165% since 2010. A lack of housing availability and affordability means that local authorities are often faced with extremely limited options in assisting those who are immediate risk of sleeping rough. The aims and purpose of the Act risk being undermined without improvements to wider housing and welfare policy, to address both the causes of homelessness and to ensure that homeless households have access to settled, affordable and suitable housing in each local authority area.

The construction of new homes for social rent (where rent is pegged to local incomes) has consistently declined over recent years. Just 6,463 homes for social rent were built in England in 2017-18, down from almost 30,000 a decade ago. This lack of supply, combined with major problems with affordability in the private rented sector, is leaving local authorities with increasingly limited options and makes it difficult to find suitable accommodation for those in need.

Research from Crisis and the National Housing Federation found that in order to meet housing need in England over the decade from 2021, it will be necessary to build 145,000 social homes each year, including 90,000 for social rent. This will require an average of £14.6bn in capital grant from Government each year for ten years (£12.8bn per year in today's prices).⁷ This investment would lower the Government's Housing Benefit bill over the long term, as it is 23% more expensive for the Government to pay to house someone in the PRS compared to social housing.⁸

The delivery of new social housing will be crucial if rough sleeping is to be eradicated for good. However, the major increase in supply needed will take time to deliver. In the short-term more and more vulnerable people who are at risk of repeat episodes of homelessness are living in the PRS, where rents are increasingly unaffordable and tenancies insecure, especially for those who rely on support from the welfare system to pay their rent.

Local Housing Allowance (LHA) rates have been frozen since 2016 while rents continue to rise. Research has shown that across Great Britain, 94% of areas are unaffordable within Local Housing Allowance rates for young single people, couples and small families.⁹

Research from Crisis has found that uprating LHA rates to the 30th percentile of local rents every year between 2019/2020 and 2022/23, at a cost of £3.3billion, would bring net benefits in financial savings and welfare gains of £2.1billion. Over three years this would prevent 6,000 households from facing homelessness, as well as significantly reducing the number of families and individuals turning to their local council for help.

Our research shows that government cuts to local authority funding have seen spending on homelessness services shrink by 27% between 2008-09 and 2017-18. For single homeless people the cut is even worse, with a 53% fall in spending in the same period. This is the result of cuts to 'Supporting People' services, which help people to avoid and escape homelessness. In 2017-18, nearly £1 billion less was spent on Supporting People services compared to 2008-09. These cuts have made it increasingly difficult for local authorities to provide a positive outcome for people approaching them for support.

⁷ National Housing Federation (2019) *Capital grant required to meet social housing need in England 2021 – 2031*. http://s3-eu-west-1.amazonaws.com/doc.housing.org.uk/Editorial/Grant_modelling_report_June_2019.pdf

⁸ National Housing Federation. *How public money is spent on housing*. Available at <https://www.housing.org.uk/howpublic-money-is-spent-on-housing/>

⁹ Crisis (2019), *Cover the Cost: How gaps in Local Housing Allowance are impacting homelessness*. Available at https://www.crisis.org.uk/media/240399/cr0226_cover_the_cost_report_aw_web.pdf

The Government's Rough Sleeping Strategy and associated funding are very welcome, but do not make up for the funding that has been lost over the past decade. A bigger, long-term investment is needed to enable local authorities to meet the immediate demand for homelessness services, including supporting more people off the streets. This investment should also be sufficient to allow local authorities to plan and deliver long-term services that work to prevent homelessness by supporting people to find and keep a home.

Funding should be restored to the levels invested in homelessness services before the financial crash, on an on-going basis. This means investing an extra £1 billion in each year of the next three year Spending Review period and beyond if needed. This funding should be ring-fenced to ensure that it is spent specifically on homelessness services, given the existing pressures on local authority budgets.

~~**Question 3: Has your area developed or updated protocols and/or referrals arrangements with statutory and non-statutory agencies in relation to the duty to refer?**~~

~~**Question 4: Have pathways been developed or reviewed and updated to help specific cohorts of people? Please describe what these are.**~~

Question 5: In relation to the public authorities subject to the duty to refer, please name any you would add (and why) and /or remove (and why).

We are aware of some key omissions from the duty to refer, including GPs, as well as police services, and would welcome consideration of additional public authorities being subject to the duty.

As part of the cross-government consultation in May 2019, 'Tackling homelessness together', the proposal of a duty to co-operate was put forward. The potential of a duty to co-operate to address all cases of homelessness in an area, beyond services working together on individual cases, could support greater integration at a strategic level. However, the MHCLG would need to be clear what the purpose of such a duty would be, how it would be enforced, and how different delivery organisations would be supported to take part.

We would welcome a comprehensive consultation on which bodies should be included in a duty to co-operate, and how local stakeholders would be incentivised to take part. Co-operation involves going well beyond simply referring individuals between services, instead working together to deliver services in a person-centred and collaborative way.

St Mungo's recommends that the Government carry out a review of the duty to refer, to see how operational working is delivering in practice. This could lead to additional public authorities being included in the duty, and/or pave the way for a new duty to co-operate, to deliver improved operational practice between statutory partners.

~~**Question 6: For public authorities with the duty to refer, has the new duty helped to prevent homelessness for your service users? If no, please say what the barriers have been to making the duty effective.**~~

Question 7: Has the duty to refer led to an improvement in outcomes for any particular groups, and if so which?

According to the anecdotal evidence that St Mungo's has received from our frontline service staff, the implementation of the duty to refer has been patchy, with some public authorities seeming to be more engaged than others. St Mungo's still frequently receives inquiries from authorities bound by the duty to refer, such as staff working in hospitals or prisons, asking

what they can do to help someone who is about to be discharged from their care with nowhere safe to say.

~~**Question 8: Have there been any public authorities which have been successful in implementing the duty to refer – what have been the defining success criteria?**~~

Question 9: What, if any, further legislative or government-led changes would improve partnership working to prevent and relieve homelessness?

Funding pressures are the greatest barrier to effective partnership working at the local level. As financial pressures have increased across local authorities, health, social care and criminal justice, so too has silo working, as each agency or service protects its own patch. Increased funding for homelessness services, as part of a broader sustainable funding package for local authorities, is a vital condition for improved partnership working.

St Mungo's welcomed the Government's proposals earlier this year, in its 'Tackling homelessness together' consultation, to introduce Homelessness Reduction Boards (HRBs). We recommend that Homelessness Reduction Boards are introduced on a statutory footing, with primary responsibility for place-based strategic responses to homelessness.

Combined with the right investment, Homelessness Reduction Boards could be an effective means to deliver long-term and strategic interventions, ensure a joined-up and evidence-based approach to service provision, and to hold all parts of the local system to account for their role in tackling homelessness.

~~**Question 10: Has the Act led to more scrutiny and involvement from elected members? If so, what has the impact of this been?**~~

~~**Question 11: Has your local housing authority commissioned any external agencies to deliver part or all of the homelessness services in response to the Act? If so, please indicate any benefits in terms of outcomes for customers?**~~

~~**Question 12: In what ways has the Act influenced the strategic direction of your local housing authority? If so, has it been effective?**~~

~~**Question 13: For local housing authorities, has the Act led to an increase in quality of partnerships working with internal (within the authority) or external partners?**~~

~~**Question 14: For (non-local housing authority) partner agencies, has the HRA led to an increase in your contribution to preventing and relieving homelessness?**~~

Question 15: From the perspective of a homeless applicant in your area or from your experience:

What has changed most for:

A. Single people / households without children?

B. Families?

As single homeless people constitute the majority of St Mungo's client group we will just respond to section A of this question.

In terms of what has changed most for single homeless applicants, the biggest tangible difference is that if and when someone does approach their local authority for help, they receive advice in the form of a PHP. Before the Act was introduced, there was no

requirement on local authorities to provide such advice to those who are not considered in 'priority need'. This is a positive change. However, as noted in response to previous questions, the PHPs that are developed for single homeless people are not always very helpful, and often does not actually lead to a the prevention or relief of a person's rough sleeping. In some cases the advice might be very generic and not tailored to the person, it might not take account of their support needs, or it may be factually incorrect, such as cases where a local authority signposts someone to Streetlink in order to secure accommodation (which is not the purpose of the Streetlink service and is outside its remit).

Awareness of the option of seeking help and advice from the council continues to remain low among our client group. A survey by Crisis of 545 people who used housing offices since the Act reported that just 14% were aware of the provisions of Homelessness Reduction Act.¹⁰ Given the complex needs faced by many of those who are already sleeping rough, we expect awareness to be much lower among our client group.

Question 16: Do you feel that the Act has enabled a more person-centred approach to the delivery of homelessness services?

Research from Crisis showed that most local authorities (62%) reported that the Act has enabled a more person-centred approach to managing homelessness in their area. However, we remain concerned that this is not the case for those in St Mungo's client group, in particular those already sleeping rough and with multiple and complex needs.

~~**Question 17: Has the Act resulted in earlier intervention and support to prevent or relieve homelessness where an applicant has been served with a valid S21 notice?**~~

~~**18: For local housing authority respondents, please identify what additional costs you have incurred in implementing the HRA, broken down by financial year, for*:
* Please specify if these costs are ongoing or one-off.**~~

~~**A. Staffing****~~

~~*(total cost of current FTE staff load in housing options service minus total cost of FTE staff load in housing options service pre-HRA = total)*~~

~~****if you have created additional posts through new burdens funding, do you expect to continue these roles from April 2020 onwards?**~~

~~**B. IT**~~

~~*(total cost of introducing new IT systems to cope with administrative burden of HRA + cost incurred transferring legacy cases into H-CLIC.)*~~

~~**C. temporary accommodation**~~

~~*(gross cost of TA - any HB contributions and tenant contributions)*~~

~~**D. Accessing the private rented sector (e.g. incentives paid to landlords)**~~

~~*(cost of incentive payments made to landlords to help applicants access the private rented sector to fulfil prevention or relief duties — not including PRSO's to end the main housing duty)*~~

~~**E. Legal**~~

¹⁰ Oral evidence: Homelessness Reduction Act—One Year On, HC 2089, April 2019, <http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/housing-communities-and-local-government-committee/homelessness-reduction-act-one-year-on/oral/100895.html>

~~(costs incurred on legal challenges to any new duty introduced by the Homelessness Reduction Act – including legal advice)~~

~~F. Training~~

~~G. Other (please list)~~

~~Question 19: Would you be willing to provide more information on cost data if required?~~

Question 20: For non-local housing authority respondents, please comment on whether you consider sufficient resources have been deployed for implementation of the Act in your area.

Insufficient resources have been deployed for implementation of the Act in the areas that St Mungo's operates services in. This is highlighted by the examples of gatekeeping that we are still seeing across a number of local authorities.

Many local authorities have reported a large administrative burden, and "excessive bureaucracy" arising from the new duties set out in the Act¹¹, which hasn't been properly accounted for in the level of new burdens funding.

Where local authorities have hired new, specialist staff to implement the prevention and relief duties as set out in the Act, such as in Southwark, implementation appears to be more successful. However, in Southwark, the local authority spent above and beyond the funding that was provided for them by the MHCLG to fulfil the duties of the Act, topping the original funding up by £750,000. This is not a sustainable solution, and dedicated resources should be made available for all local authorities to recruit specialist staff to fulfil their homelessness duties.

The Government had expected the new duties set out in the Act to be cost-neutral for local authorities by the third year, so there was no funding allocated beyond 2020. This was based on the assumption that there would be a reduction in temporary accommodation costs, but this is not the case, and a long term cost-neutral outcome is highly unlikely.¹² Research from London Councils suggests that government's assumptions did not take account of housing market pressures causing increasing difficulties in moving households out of temporary accommodation and into secure accommodation.¹³

We feel that the evidence demonstrates that there are still gaps in implementation and that local authorities will need additional funding to implement all aspects of the Act in the way that it was intended. We therefore recommend that funding should continue for 2020-2021 onwards. As stated above, successful implementation of the Act also requires local authorities to be able to provide the right homelessness and housing-related support services people need to find and keep a home. This is why St Mungo's is calling for a broader ring-fenced funding programme for local authorities to deliver homelessness services, amounting to £1 billion in each year of the next three year Spending Review period and beyond if needed. This funding should be ring-fenced for homelessness and housing related support services to ensure everyone who is homeless, or threatened with

¹¹ The Homelessness Monitor: England 2019, Crisis,

https://www.crisis.org.uk/media/240419/the_homelessness_monitor_england_2019.pdf

¹² The Cost of Homelessness Services in London, LSE and London Councils, October 2019,

<https://www.londoncouncils.gov.uk/our-key-themes/housing-and-planning/homelessness/cost-homelessness-services-london>

¹³ The Cost of Homelessness Services in London, LSE and London Councils, October 2019,

<https://www.londoncouncils.gov.uk/our-key-themes/housing-and-planning/homelessness/cost-homelessness-services-london>

homelessness has a tailored package of support that will help them end their homelessness for good. Services should:

- help people to find accommodation, including street outreach services for people sleeping rough;
- help people to keep their accommodation, including supported housing, floating support and Housing First;
- be able to address all of the support needs of people who are homeless and should include substance use and mental health workers who can establish effective pathways into clinically-led services;
- also include women-only services, and psychologically informed environments that offer effective support for those whose homelessness is rooted in repeated traumatic experiences, including violence and abuse.

Question 21: Beyond funding for the Act, are there resource or funding stream considerations which impact (positively or negatively) on the ability to prevent and relieve homelessness, and if so, please describe these.

As set out above, government cuts to local authority funding have seen spending on homelessness services shrink by 27% between 2008-09 and 2017-18. For single homeless people the cut is even worse, with a 53% fall in spending in the same period. This is the result of cuts to 'Supporting People' services, which help people to avoid and escape homelessness. In 2017-18, nearly £1 billion less was spent on Supporting People services compared to 2008-09. These cuts have made it increasingly difficult for local authorities to provide a positive outcome for people approaching them for support.

The Government's Rough Sleeping Strategy and associated funding are very welcome, but do not make up for the funding that has been lost over the past decade. A bigger, long-term investment is needed to enable local authorities to meet the immediate demand for homelessness services, including supporting more people off the streets. This investment should also be sufficient to allow local authorities to plan and deliver long-term services that work to prevent homelessness by supporting people to find and keep a home.

Funding should be restored to the levels invested in homelessness services before the financial crash, on an on-going basis. This means investing an extra £1 billion in each year of the next three year Spending Review period and beyond if needed. This funding should be ring-fenced to ensure that it is spent specifically on homelessness services, given the existing pressures on local authority budgets.

Please only answer the following questions if you're from a local housing authority, public authority with a duty to refer or a voluntary sector advice agency

~~Question 22: Which of NHAS (National Homelessness Advice Service) services have you or your team used since April 2017 (ability to tick multiple):-~~

~~a. Training~~

~~b. Roadshows~~

~~c. Advice Line~~

~~d. Online information/resources (e.g. toolkits, webinars, factsheets or legal updates)~~

~~e. None~~

~~Question 23: How effective have you found the services delivered by NHAS in supporting you or your team to carry out the new duties brought in by the Act?~~

Question 24: Do you think that the Act has had a disproportionate impact, either positive or negative, on any individuals, in particular those with 'relevant protected characteristics' (i.e. age, disability, gender reassignment, marriage and civil partnership, pregnancy, maternity, paternity, race, religion or belief, sex, sexual orientation)? Please provide evidence to support your response

St Mungo's is concerned that the implementation of the Act may be having unintended consequences for victims of domestic abuse. It seems that splitting the prevention and relief duties is causing confusion when supporting survivors who still technically have a tenancy, or the 'option' of staying in the perpetrator's home.

We have heard reports of victims who are still living with perpetrators and approaching their local authority for help, being dealt with through the prevention rather than the relief duty. This is because they may technically have a home they could go back to, so are not considered to meet the criteria for relief duties under the Act, even though it is not reasonable for them to continue to occupy that home.

If a victim who is currently living with a perpetrator is dealt with under the prevention duty, the local authority would have 56 days to work with them to try and find an offer of accommodation, meaning that the victim could have to spend another 56 days at risk, sharing a home with the perpetrator. It is not surprising that in some cases the victim would disengage with the housing options team during this time.

This has also been reported as an issue for women leaving refuge accommodation, causing delays to them moving into safe move-on accommodation.

This wasn't commonly reported as an issue before the HRA came into force, as survivors who were at risk in their home were more immediately treated as legally homeless and given an offer of safe accommodation where appropriate.

The process of assisting victims of domestic abuse through the Homelessness Reduction Act should be reviewed by the Ministry of Housing, Communities and Local Government, to ensure that all victims are assisted under the relief duty.