



TACKLING HOMELESSNESS TOGETHER – A consultation on structures that support partnership working and accountability in homelessness

About the DCN

The District Councils' Network (DCN) is a cross-party member led network of 191 district councils. We are a Special Interest Group of the Local Government Association (LGA), and provide a single voice for district councils within the Local Government Association.

District councils in England deliver 86 out of 137 essential local government services to over 22 million people - 40% of the population - and cover 68% of the country by area. District councils have a proven track record of building better lives and stronger economies in the areas that they serve. Districts protect and enhance quality of life by safeguarding our environment, promoting public health and leisure, whilst creating attractive places to live, raise families and build a stronger economy.

The District Councils' Network welcomes the opportunity to respond to the consultation on "Tackling Homelessness Together". As Local Housing Authorities, District Councils have statutory responsibility for the delivery of homelessness services and the prevention and relief of homelessness. District Councils recognise the importance of effective joint working with other statutory and non-statutory agencies in fulfilling this responsibility.

Consultation Response

Question 1: What non-statutory structures are you aware of in your area that cover homelessness as part of their agenda? For each of these please indicate which of the following could be considered one of their objectives:

- a) Developing a strategic vision for tackling homelessness in the area;**
- b) Agreeing actions that each delivery partner will take forward to help reduce homelessness;**
- c) Co-ordinating use of funding and resources to reduce homelessness;**
- d) Evaluating the effectiveness of homelessness services and interventions;**
- e) Monitoring progress towards the delivery of the local homelessness strategy;**
- f) Holding the local housing authority to account for the outcomes they achieve with people who are at risk of homelessness or are homeless, using key data and evidence;**
- g) Holding delivery partners to account for the outcomes they achieve with people who are at risk of homelessness or are homeless, using key data and evidence;**
- h) Discussion of how to manage individual cases;**

i) Support for specific vulnerable groups, for example offenders; and

j) Other, please specify.

1.1 This question refers to existing local arrangements and DCN member authorities will respond individually to this.

Question 2: How effective are the non-statutory structures in your area in meeting their stated objectives?

2.1 This question refers to existing local arrangements and DCN member authorities will respond individually to this.

Question 3: More generally, what are your views on whether these sorts of non-statutory structures can drive system change, support the reduction of homelessness in the local area and hold all local partners to account for delivering their commitments?

3.1 This question refers to existing local arrangements and DCN member authorities will respond individually to this.

Question 4: Which statutory structures and individuals with statutory roles in your local area currently have strategic and operational conversations about how individual services and interventions can help reduce homelessness?

4.1 This question refers to existing local arrangements and DCN member authorities will respond individually to this.

Question 5: Which statutory structures and individuals with statutory roles in your local area do you think should be having strategic and operational conversations about how to reduce homelessness?

5.1 This question refers to existing local arrangements and DCN member authorities will respond individually to this.

Question 6: Please describe how you think the statutory structures and individuals with statutory roles in your area should be discussing and contributing to plans and actions to reduce homelessness i.e. what should they be doing?

6.1 This question refers to existing local arrangements and DCN member authorities will respond individually to this.

Question 7: For homelessness services alone, what are your views on how effective two-tier working is in your area, the specific challenges in two-tier working and/or the opportunities for strengthening joint working in two-tier areas?

7.1 The DCN represents District Councils who are the local housing authorities in two tier areas and, as such, have statutory responsibility for the delivery of homelessness service in accordance with Part 7 (Homelessness) of the Housing Act 1996. Individual DCN members will respond to this question with details of their specific local experiences. The DCN also wishes to provide a more general response as below.

7.2 The reference to two tier working in this question is taken to mean the working arrangements between District Councils and County Councils.

7.3 District Councils and County Councils have a long standing collaborative relationship and endeavour to ensure that appropriate joint working protocols are in place to manage joint working on homelessness for specific client groups. County Council involvement in homelessness will generally focus on those specific client groups where the County Council has a legal responsibility to deliver care and support services (e.g. children in need, children in care, clients with significant mental health issues etc.). Consequently, District Councils deal with a much wider breadth of homelessness issues and cases than County Councils deal with. The effectiveness of joint working around specific client groups is dependent on local joint working protocols and practices between the District and County Councils. These will vary from location to location depending on local circumstances.

7.4 Some of the challenges that can arise in joint working between District and County Councils around homelessness are summarised in the following paragraphs. However, it should be noted that the issues highlighted below can also occur in single tier unitary authorities where the same challenges can arise between different service areas (e.g. between the Housing and Social Care services):

(i) There can be a lack of consensus on which authority holds the legal responsibility for assisting a homeless client. One example is a "child in need" who requires accommodation (including a 16/17 year old who is homeless). While the responsibility lies with the County Council as Children Services authority, there have been instances where this is not always accepted and a young homeless person may find him/herself being referred to the District Council. This can lead to an unacceptable situation whereby a vulnerable young person is left in the middle of a dispute between the County and District over where responsibility lies. The provision of additional clarity around this matter would help avoid delays in service provisions and reduce the potential for disagreements between authorities

(ii) District Councils regularly face situations where a homeless client with support needs is deemed to be vulnerable and in priority need under Part 7 of the Housing Act 1996, but does not meet the needs threshold for accessing support services that are commissioned and delivered by the County Council. This means that the client cannot access support to support him/her in sustaining their accommodation. This increases the risk of failure and repeat homelessness. It places the District Council in a challenging position whereby it is trying to resolve a client's homelessness situation but cannot access the support services that the client needs in order to sustain this in both the short and long term.

(iii) There is often a gap in support provision for homeless clients whose needs are too complex for basic support services, but not complex enough for the higher needs support services. In other instances, the waiting list for support services for complex cases can be extensive and can mean that homeless clients cannot access the help that they need in a timely fashion. For example, District Councils working with rough sleepers who are dual diagnosis (i.e. mental illness and substance abuse) often find that their clients cannot access

complex needs services. This increases the risk of the client returning to rough sleeping and works against the aims of the Government's own Rough Sleeper Strategy.

(iv) Decisions on the commissioning and funding of support services at County level will not always consider the impact on homelessness or the longer term cost savings arising from homelessness prevention work. Consequently, cuts or reductions in countywide support services can have the unintended consequence of increasing the risk of homelessness amongst vulnerable clients.

(v) Since October 2018, the Homelessness Reduction Act Duty to Refer has required specified public bodies (including County Council Social Services authorities) to refer clients to the local housing authority (the District Council in two tier areas) when the client is homeless or threatened with homelessness. The awareness and implementation of the Duty to Refer across County Councils seems to have been variable to date with some District Councils reporting a lack of awareness amongst partner agencies.

7.5 The opportunities for strengthening joint working in two-tier areas include:

- Develop a joint commissioning approach between the District Councils and the County Council for the commissioning and funding of care and support services that help support clients to prevent or relieve homelessness
- Identify obstacles that prevent homeless clients accessing the support services that they need and put processes and protocols in place to overcome these
- Ensure that all areas of joint working on homelessness between District Councils and the County Council are underpinned by agreed written protocols which set down clear procedures and lines of responsibility (including escalation protocols in the event of a dispute between the parties)
- Government funding allocations to County Council for care and support services need to include conditions requiring that Local Housing Authorities have a direct involvement in identifying and agreeing how funding should be allocated for services that impact on homelessness clients.

Question 8: If you work in an area with two-tier local government, which individuals in a higher or lower tier of local government do you believe should have a responsibility for reducing homelessness and do you think they are already involved in strategic and operational conversations? Please explain your answer.

8.1 Individual DCN members will respond to this question with details of their specific local experiences. As a general point, any working arrangements should be led by District Councils as they are the statutory authorities with responsibility for homelessness services.

Question 9: What are your views on whether the aims for Homelessness Reduction Boards could be met by amending the remit and function of existing local non-statutory and/or statutory structures?

9.1 This will vary from location to location depending on the strength of existing structures and partnerships. Where strong partnership working already exists, it is likely that the aims of Homelessness Reduction Boards can be met by the existing structures.

Question 10: What are your views on the merits and drawbacks of establishing Homelessness Reduction Boards, and whether we should establish them?

10.1 The Homelessness Reduction Boards can potentially drive effective partnership working in locations where it is not currently strong. However, there is a danger that such boards could simply become talking shops which agencies attend as a statutory requirement but without delivering any significant outcomes.

10.2 There is a very real worry that an increasing proliferation of multi-agency boards could dilute the effectiveness of partnership working. In addition to the suggested Homelessness Reduction Boards, Health and Well-Being Boards are already in place and the DFG (Disabled Facilities Grant) review has also proposed establishing new Health and Housing Boards. Statutory bodies and non-statutory/voluntary agencies are already finding it challenging to secure senior officer attendance at existing multi-agency meetings. Increasing the number of Boards will simply make it harder to achieve good representation at meetings and will prevent effective strategy planning and decision making.

10.3 If Boards are established, authorities will require significant additional resources to manage and service these boards and to meet whatever reporting and monitoring requirements are put in place by MHCLG.

10.4 Instead of establishing more Boards, it would be better to look at reviewing the terms and remit of the existing Health and Wellbeing Boards and identifying how they could incorporate issues around homelessness and DFGs. The Health and Wellbeing Board could then monitor and support existing local homelessness partnerships rather than seek to invent a whole new Board and reporting mechanism. Nationally, MHCLG could monitor local arrangements (possibly via its network of HAST (Homelessness Advice and Support Team) advisers) and intervene directly in locations where these arrangements are not working effectively.

IF WE WERE TO ESTABLISH HOMELESSNESS REDUCTION BOARDS:

Question 11: What do you think their purpose and objectives should be?

11.1 As stated in response to Question 10, the DCN does not consider that establishing Homelessness Reduction Boards is the best way to improve cross agency working around

homelessness. However, if such Boards are to be established, then DCN considers that the purpose and objectives of any Board should be as follows:

- To be led by the Local Housing Authorities (i.e. District Councils in two tier Council areas) and to secure services that directly contribute towards meeting the authority's duty under Part 7 (Homelessness) of the Housing Act 1996
- To secure a joint commitment across statutory and non-statutory agencies to prevent and reduce homelessness and to monitor how agencies are collaborating
- To monitor cross agency working and act as central arbiter when problems issues are raised
- To agree solutions to any problems that may be acting as obstacles to effective cross-agency working
- To monitor trends and issues in homelessness in the local area and identify any gaps in service provision that need to be addressed.
- To undertake high level commissioning of homelessness prevention and support services utilising a dedicated homelessness budget and led by the Local Housing Authorities

Question 12: In which authorities should Homelessness Reduction Boards be established (e.g. in all local authorities, areas of high homelessness, top-tier authorities only)?

12.1 If the Boards are to be established then the position needs to be consistent across all authorities. Boards would need to be established for every area in order to ensure accountability across all areas. However, the area covered by each Board should not be rigidly based on District or County boundaries. Effective local homelessness partnerships may not match local authority boundaries and may cut across more than one authority. This will need to be reflected in the geographical area covered by the Board

Question 13: Who should be members of Homelessness Reduction Boards?

13.1 The Boards must be convened and led by local housing authorities (i.e. District Councils in two tier authorities) as these are the authorities who have statutory responsibility for homelessness services. It should be a matter for local choice for the local housing authorities as to whether to have one Board for each authority or have a Board covering two or more authorities (see comments on Question 12 regarding the geographical boundaries covered by Boards)

13.2 The local housing authority would choose which Councillors should be appointed to the Board and certain officers in the authority would be ex-officio members of the Board. The local housing authority would then decide what other person should be appointed. They should include representatives from the following:

- Public Bodies subject to Duty to Refer (including Social Services authorities, probation services, Job Centre Plus and some health services)

- Main local social housing providers (including a local authority tenancy management representative if the authority is a stock holder)
- Key non-statutory/voluntary agency that deliver homelessness services
- MHCLG Homelessness Adviser (Homelessness Advice and Support Team)

Question 14: What is needed to make Homelessness Reduction Boards effective (e.g. guidance, legislation, incentives etc)?

14.1 If Government legislates to mandate particular collaborative arrangements (including Homelessness Reduction Boards) then this is new burden for District Councils to deliver in addition to other homelessness services and would need to be assessed and funded by Government accordingly.

Question 15: Other than through the creation of structures and roles, how else do you encourage effective partnership working in your area?

15.1 Individual DCN members will respond to this question with comments relating to their specific local areas.

Question 16: Where there is effective partnership working in your area, what are the characteristics of this and what makes the partnership effective?

16.1 Individual DCN members will respond to this question with details of their specific local experiences.

Question 17: What data exists locally to help delivery partners design services and interventions to reduce homelessness and monitor implementation, and how effectively do you think the data that is available is used?

17.1 Individual DCN members will respond to this question with details of their specific local experiences.

Question 18: Are there good examples of how data is being used effectively in your area and what do you think prevents the effective use of data?

18.1 The sharing of information and personal data between agencies can be restricted by perceptions around GDPR and Data Protection requirements. It would be helpful for MHCLG to issue a statement giving clear guidance on what personal information can be shared between agencies for the purposes of homelessness prevention and relief and how this can be shared safely.

Question 19: What do you think we should consider and include in the design of the data pilots?

19.1 See 18

Question 20: Do you think a Duty to Co-operate should be introduced and, if so, how do you think a Duty to Co-operate could be designed to work in practice, and what steps can we take to ensure that a duty is practical and effective?

20.1 At present, Registered Social Housing Providers are not subject to the Duty to Refer. As they are the main landlords in many areas, this means that opportunities for homelessness prevention can be missed because Registered Providers may not alert local housing authorities to a potential eviction until it is too late to be averted. It would be helpful to have a positive and enforceable duty on Registered Providers to formally co-operate with local housing authorities to pro-actively relieve and prevent homelessness. This includes Registered Providers being prepared to receive and accept nominations for re-housing homeless households who may previously have had tenancy problems.

Question 21: What else could the Government be doing to support partnership working across local delivery partners in an area to systemically reduce homelessness?

21.1 There continue to be examples of Government programmes that provide funding for local homelessness initiatives that only lasts for a short period (e.g. one to two years). This means that considerable work can go into setting up schemes and initiatives which then have to be scaled down or ended because the funding ends. It would be beneficial if funding streams were put in place for longer periods to allow schemes to get fully established and deliver longer term results.

21.2 Alongside this, new funding streams tend to focus on new initiatives and often exclude existing homelessness support schemes that are delivering positive results and would benefit from further funding to continue to develop and grow. It would be helpful if new funding streams had flexibility to consider supporting existing initiatives as well as new ones.

Question 22: Do you think that any of the issues discussed in this consultation could or already do have a disproportionate impact, positive or negative, on any individuals, in particular those with 'relevant protected characteristics' (i.e. age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation)? Please provide evidence to support your response.

22.1 If Homelessness Reduction Boards are established, we need to ensure that Boards are fairly constituted and look at homelessness across all client groups. They must be prevented from targeting time and resources at certain client groups because a particular group happens to be priority for one or more of the agencies involved.

Question 23: How could any adverse impact be reduced and are there any ways we could better advance equality of opportunity? Please provide evidence to support your response.

23.1 Individual DCN members will respond to this question with details of their specific local experiences.