

Swindon Borough Council's

Homeless Prevention and Reduction Strategy

Health and Wellbeing Board

Date: 11th March 2020

Author: Director of Housing

Wards: All

Parishes Affected: All

1. Purpose and Reasons

- 1.1 To seek the Health and Wellbeing Board's approval of Swindon Borough Council's Homeless Prevention and Reduction Strategy 2020-2024 and to recommend that Swindon Borough Council's Cabinet adopt and implement it.
- 1.2 Our Health and Wellbeing Strategy demonstrates a commitment across the partnership to ensure that everyone in Swindon lives a healthy, safe, fulfilling and independent life and is supported by thriving and connected communities.
- 1.3 This strategy links to:
 - 1.3.1 The Council's Priority four: Help people to help themselves while always protecting our most vulnerable children and adults.
 - 1.3.2 Health and Wellbeing Strategy: Priority outcome 2 (adults and older people in Swindon are living healthier and more independent lives); Priority 3 (to improve health outcomes for disadvantaged and vulnerable communities, including adults with long terms conditions, learning disabilities, physical disabilities or mental health problems); and Priority 4 (to improve mental health, wellbeing and resilience for all) as set out in the Health and Wellbeing Strategy

2. Recommendations

The Board is recommended to:

- 2.1 Approve Swindon Borough Council's Homeless Prevention and Reduction Strategy 2020-2024 (attached at Appendix 1 to the report).
- 2.2 Recommend to Cabinet that it adopts Swindon Borough Council's Homeless Prevention and Reduction Strategy 2020-2024

3. Detail

- 3.1 This report is being presented to Health & Wellbeing Board because producing a Homeless Strategy is a statutory requirement for local authorities, reiterated in guidance provided by the Ministry of Housing, Communities and Local Government (MHCLG) following the Homeless Reduction Act 2017.

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- 3.2 The strategy has been informed by the Homelessness Joint Strategic Needs Assessment December 2019, national and local policy, views of stakeholders and professionals, and evidence of good practice from across the sector. It outlines and provides a clear strategic steer in reducing and preventing homelessness in Swindon.
- 3.3 There are four key priorities with key areas of activity that received overwhelming support when we consulted and will form the basis of our action plan that will be completed within 3 months from the implementation of this strategy.
- 3.4 **Prevent Homelessness**
 - 3.4.1 Enabling people to stay where they currently live
 - 3.4.2 Working with tenants and landlords to reduce evictions from the Private Rented sector
 - 3.4.3 Minimising unplanned exclusion from family or friends homes
- 3.5 **Secure Stable Accommodation**
 - 3.5.1 Utilising the Private Rented Sector as a solution to homelessness.
 - 3.5.2 Delivering housing solutions
 - 3.5.3 Bridging the transition to accommodation when institutionalised support ends
- 3.6 **Partnership Working & Holistic Approach.**
 - 3.6.1 Promoting financial capability and independent living.
 - 3.6.2 Supporting the provision of safe accommodation
- 3.7 **Individualised Responses**
 - 3.7.1 Support people to recognise how to seek and accept advice and support
 - 3.7.2 Building resilience through sustainable solutions
 - 3.7.3 Comprehensive assessment and support plans
 - 3.7.4 Early identification of need
- 3.8 This strategy cannot be delivered solely by Swindon Borough Council and therefore we are committed to working in partnership with a range of voluntary and statutory sector partners. We need to work in modern efficient, effective

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ways that deliver the best outcomes for those who are homeless or at risk of homelessness.

- 3.9 An 8 week consultation was completed prior to the final drafting of this strategy with the overwhelming majority of responses being positive about its content and actions.
- 3.10 The consultation results are contained within 8.2 - Appendix 2
- 3.11 The consultation comments and responses – Appendix 3

4. Alternative Options

- 4.1 No alternative options are proposed. The Council would be at risk of legal challenge and breach statutory requirements for not adopting a Homeless Strategy. This is because without a strategy in place, decision taken relying on the strategy could be open to challenge.

5. Implications, Diversity Impact Assessment and Risk Management

Financial and Procurement Implications

- 5.1 There are no financial or procurement implications arising from this report. However, a successful strategy for reducing and preventing homelessness will contribute to helping the Council control spend within budget.

Legal and Human Rights Implications

- 5.2 Legal and Human rights have been taken fully into account in compiling this report. It is considered that the recommendations within this report are compatible with Convention Rights.
- 5.3 Section 2 of the Homelessness Act 2002 ("HA 2002") requires local housing authorities to review homelessness in their district and to formulate and publish a strategy based on the results of the review. It is accordingly a statutory requirement for the Council to have a published homelessness strategy and a failure to do so would present a risk of legal challenge to the Council.
- 5.4 Section 1(4) HA 2002 requires a new strategy every 4 years. The proposed strategy is for 4 years, and subject to annual review, so is compliant with this requirement.
- 5.5 Chapter 7 Housing Act 1996 ("HA 1996") contains a local authority's statutory homelessness obligations. Sections 1(5) and 1(6) of HA 2002 require housing and social services authorities to take the homelessness strategy into account when exercising their functions.

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- 5.6 Section 214A Housing Act 1996 (as amended by Homelessness Reduction Act 2017) ("HA 1996") provides that the Secretary of State may from time to time issue codes of practice relating to homelessness or the prevention of homelessness. In accordance with section 182(1) of the HA 1996 Act, local housing authorities and social services authority are obligated to have regard for the Secretary of State for the Ministry of Housing, Communities and Local Government's Homelessness Code of Guidance in exercising their functions relating to homelessness and the prevention of homelessness. Failure to have regard to the Code would again potentially give rise to legal challenge to the Strategy.
- 5.7 The Homelessness Reduction Act 2017 came into effect from 3 April 2018 and requires that local housing authorities must take reasonable steps to either maintain or secure accommodation for eligible applicants threatened with homelessness.
- 5.8 Following the Homelessness Reduction Act 2017, a new Code of Guidance was issued by the Secretary of State to include the prevention duties as required by the HRA 2017.
- 5.9 Chapter 2 of the Code of Guidance relates to homelessness strategies and reviews.
- 5.10 Clause 2.4 of the Guidance states that the homelessness strategy should take account of the additional duties introduced through HRA 2017. The proposed strategy does so by including prevention as Priority 1 of the action plan.
- 5.11 The Code references Health and Social Care Act 2012 that requires a local authority to take such steps as it considers appropriate for improving the health of people in the area, including those who are homeless or at risk of homelessness. The Code focuses on having a multifaceted approach to homelessness and threatened homelessness with involvement of relevant departments and partner agencies.
- 5.12 Paragraph 2.10 of the Code states that housing authorities "must" consult public or local authorities, voluntary organisations or other persons as they consider appropriate before adopting or modifying a homelessness strategy. Paragraph 5.2 of this report sets out those people, departments and organisations who will be consulted and encompasses a wide range of consultees in compliance with
- Climate Change Impact
- 5.13 Swindon Borough Council is committed to building sustainable, energy and thermally efficient homes that are resilient to climate change. It will achieve this
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by creating great places to live, in mixed and balanced communities and contribute towards the Council's ambition towards net zero carbon.

- 5.14 Improving the quality of housing across various sectors will contribute towards increased energy efficient homes.

Children Looked After Impact

- 5.15 An increase in affordable housing options will contribute towards a wider housing offer to suit the needs of this cohort.
- 5.16 There are a number of statutory duties contained within the Homeless Reduction Act 2017 to ensure that this cohort are recognised as a priority.
- 5.17 Reviewing the Care Leavers Protocol to ensure additional support is provided to this cohort post 25.

All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)

- 5.18 There are no other implications arising from this report.

Diversity Impact Assessment

- 5.19 The Homeless Prevention and Reduction Strategy will positively impact on all person's living in Swindon's community.

Risk Management

- 5.20 Without adopting a Homeless Strategy we would not be compliant with the statutory obligations contained within the Homeless Reduction Act 2017.

6. Consultees

- 6.1 The strategy has been consulted on widely with stakeholders from across the partnership (see consultation report in Appendix 2 for complete list).
- 6.2 The Director of Finance (Section 151 Officer) and the Director of Law and Democratic Services (Monitoring Officer) have been consulted in relation to this report.

7. Background Papers

- 7.1 None

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8. Appendices

- 8.1 Appendix 1 – Swindon Borough Council Homeless Prevention and Reduction Strategy 2020-2024
- 8.2 Appendix 2 – Homeless Prevention and Reduction Strategy Consultation Report.
- 8.3 Appendix 3 – Homeless Prevention and Reduction Strategy 'You said' responses