

Good practice: guide

Homelessness

Early identification and prevention



Shelter

Foreword

Eddie MacDonald



Homelessness prevention is a complex subject, and one on which opinions and viewpoints vary. This guide aims to look at one distinct area of homelessness – that of identifying at an early stage who may be at particular risk of becoming homeless and making sure that that risk is minimised or eliminated. With local authorities due to update their homelessness strategies in 2008, it is more crucial than ever that we ensure that proposed solutions to homelessness aim to be proactive, imaginative and compassionate.

The Vodafone UK Foundation has generously funded this publication. The Vodafone UK Foundation is supporting Shelter's work with and for young people in a four-year partnership, enabling young people to access the information they need, at the time they need it. Shelter and the Vodafone UK Foundation are working together to tackle youth homelessness and social exclusion in the long term.

This guide is an example of Shelter's work in supporting local authorities and organisations with policy ideas, examples of good practice, and campaigns to support local initiatives. It aims to be simple, practical and easy to use. We hope that you will find it a valuable resource.



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Chief Executive, Shelter

Good practice: guide Homelessness Early intervention and prevention

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Introduction

Over the past few years, homelessness prevention has become an increasingly important priority for local authorities. Recently this issue has been addressed through measures such as mediation schemes, housing options initiatives and the development of sanctuary schemes. However, most of these measures can only be put in place when an individual or family is already homeless or threatened with homelessness. Shelter believes that more can be done to prevent homelessness much earlier, and that prevention is far more beneficial for both tenants and landlords.

It is in the interests of local authorities, voluntary agencies and those who are threatened with homelessness to ensure that practical mechanisms for effective and meaningful homelessness prevention are in place. This kind of prevention needs to take place long before the threat of homelessness becomes a reality. It needs to be underpinned by clear and accurate information, strategic thinking and efficient joint working. Above all, there must be a genuine will to keep people in their homes and to guard against repeat homelessness.

One of the ways in which homelessness prevention can be made more effective is by the early identification of households and individuals who are likely to be vulnerable to homelessness. This means more than simply pinpointing the groups most at risk. Identifying these groups is the first step, but it is no substitute for a thorough assessment of the individual needs of those who fall within them.

Once an individual or family has been identified as vulnerable to the threat of homelessness, there are various ways in which they can be helped. These range from targeted advice and advocacy, through to tenancy sustainment schemes and ways of ensuring homes are not lost through rent arrears. Local authorities need to ensure that they have effective protocols in place, both for their own separate departments and for working with voluntary agencies. There are many cases where homelessness could have been avoided through local authorities being thoughtful and thorough in their use of joint protocols.

It is to no one's advantage for vulnerable families and individuals to be without a home. The loss of a secure roof over a household's head can be devastating, exacerbating difficulties they already have and creating new ones. Local authorities will find that people and their problems do not disappear when their accommodation is taken away, and that they will continue to need help and support. Once a household has lost its accommodation, it can be increasingly difficult and more costly to support and provide for them than keeping them in their home. Ensuring that all attempts are made to intervene and offer support early, rather than waiting until a household has reached crisis point, is less costly both to the individuals concerned and to the public purse.

Identifying those vulnerable to homelessness

There are a number of groups that research, over many years, has identified as being at a greater risk of homelessness than the general population. These include:

- young people
- care leavers
- ex-offenders
- people with mental health problems
- refugees
- Gypsies and Travellers (housed and on sites)
- people with drug or alcohol addictions
- people leaving hospital
- ex-members of the armed forces.

While these categories may be helpful in predicting who may be more at risk, it would be simplistic to regard this as the only factor in identifying vulnerable people. There will be individuals (including those who are heads of families) and households who, despite falling into one or more of these groups, are nevertheless successfully maintaining a tenancy and running a home. Equally, there will be those who fall outside these categories but who are struggling to keep their home.

Pre-tenancy assessments

One way for local authorities and housing associations to assess the housing and support needs of tenants is to conduct a pre-tenancy questionnaire. This can be a sensitive area because people may feel that the purpose of the questionnaire is to judge them, either to refuse them a tenancy or to put them under some sort of surveillance. Therefore, the use of such a survey will need to be done with tact and with the co-operation and consent of the applicant. It is essential that any form of questioning is undertaken in person, rather than giving an applicant a form to fill in, to ensure that all questions are gathered in a diplomatic manner and answered in full.

The more information a landlord can collect about a tenant's needs before a tenancy commences, the sooner those needs can be met. Sometimes this can be as simple as asking the individual about how they would prefer to receive communications from the landlord. Poor basic skills are widespread in the UK (seven million adults are affected according to the Basic Skills Agency¹) and they should always be considered as a possible factor when arrears build up. For example, if the head of the household has literacy problems, it may be better to use face-to-face contact or telephone calls to communicate with them, rather than by letter.

'Mrs A came to me in tears one day because she had received an eviction notice. She could neither read nor write properly, but felt too ashamed to tell the staff at the housing office. They had sent her letters about her arrears (which were due to a misunderstanding over Housing Benefit), but she couldn't understand them. She happened to have invited a neighbour in for a cup of tea on the day she got the eviction notice, and the neighbour read it to her. To be fair to them, the housing staff couldn't have been more helpful when they understood the problem, but it caused a lot of trouble, and Mrs A nearly lost her home. She's a widow with no close family and health problems, and I just think that when she carried on not replying to letters they could have sent someone out to see her.'

Voluntary agency advice worker – Shelter interview.

¹ Moser, C, *A fresh start – improving literacy and numeracy*, Department for Education and Employment, 1999, Foreword.

Good practice example: Your Homes Newcastle

Newcastle City Council (NCC) has developed a Protocol for Preventing Repeat Homelessness and Evictions, which is an agreement between the Strategic Housing Service, social services and Your Homes Newcastle (YHN), who manage council homes on behalf of NCC.

The protocol enables staff at YHN to identify vulnerable tenants prior to the start of a tenancy. It sets out a procedure for assessing individual housing and support needs, and for working with vulnerable tenants and the relevant external support agencies to promote tenancy sustainment. The protocol illustrates the role each agency has in supporting vulnerable tenants and ways in which joint working can be implemented if problems occur.

The procedure is divided into three sections:

- part one – action to be taken prior to the start of the tenancy
- part two – action to be taken during the tenancy
- part three – action to prevent eviction and the loss of accommodation.

The first step in part one of the procedure, the main element concerning prevention, involves identifying those applicants who may be vulnerable or at risk of homelessness. The protocol identifies the following groups of potentially vulnerable people:

- households that the NCC has accepted a full duty to house as homeless in the previous two years
- people with a social worker, community psychiatric nurse, mental health worker or drug/alcohol support worker
- people with a housing support worker or who are leaving housing funded by Supporting People
- individuals with a probation officer or Youth Offending Team worker
- refugees
- people leaving hospital, prison, care or the armed forces

- people with known drug or alcohol problems
- people whose learning difficulties or physical or sensory impairment make them vulnerable
- older people
- anyone subject to multi-agency public protection arrangements.

During step one, support workers who are already involved with the individual are contacted for information that will assist in developing a support plan. Any existing housing or support plans should be shared. Where an individual is not involved with an external agency, and it is believed that additional support might be required, their case will be referred to the in-house advice and support team.

Where there are concerns about a person's ability to maintain a tenancy, step two of the procedure is enacted. This means arranging a case meeting with the applicant, agencies involved with the applicant and other agencies who may be able to provide information and support. A support plan is created and an agreement put in place to determine the responsibilities of each agency, the timescale for support and a mechanism for maintaining contact.

The good practice principles set out in this protocol enable YHN staff to conduct a thorough assessment of individual needs and identify vulnerability prior to the tenancy commencing, minimising the chances of the tenancy breaking down. The next stage is to ensure that it is embedded in all practice areas and monitoring procedures. The protocol will be included in the Council's new allocations policy and management information system.

'The protocol has been designed to provide longer term, more meaningful homelessness prevention. It aims to foster better joint working within the local authority and create much needed organisational culture change.'

Neil Munslow, Housing Services Manager, NCC.

During the tenancy

Housing providers who carry out pre-tenancy assessments will still find that there will be occasions when a tenant's support needs haven't been identified. In addition, there will be individuals or households who can usually cope perfectly well, but may need support at particular times in their lives. This may be due to one-off events such as

bereavement or relationship breakdown, recurring mental health problems, or an ongoing need that has increased over time. Landlords need to be able to identify when a household that has not previously needed any support may be at risk of losing their tenancy in the future. Therefore, it is important that housing providers use all their points of contact with tenants to monitor the situation, particularly if the tenants are experiencing stress for any reason.

Good practice example: West Berkshire Vulnerable People Protocol

West Berkshire Council's Vulnerable People Protocol (VPP) is a proactive approach to the identification, assessment and support of people who are, or who may become, vulnerable to losing their tenancies because of unmet support needs. It is a multi-agency protocol led by Sovereign Housing Association, West Berkshire Council (housing operations, social services and Housing Benefit teams) and Two Saints Housing Association.

The protocol and its associated training package for staff and service users presents tools and available services and resources in West Berkshire to ensure that vulnerable people receive timely information, advice and support. It uses a broad definition of vulnerability, recognising that it can occur at different stages in life, whether episodic and recurring, or ongoing and increasing over time. Indicators, or points at which vulnerability can occur, are listed as being:

- hospitalisation and periods following discharge from hospital or other institutional care
- periods of sustained illness at home
- change from supported accommodation to independent living
- evidence of neighbour harassment or abuse towards the individual or household
- evidence of antisocial behaviour by the individual or household
- rent arrears or other debt problems
- repeat homelessness
- during and following substance abuse.

The VPP staff training pack takes these indicators further by including, for example, episodes of stress or mental ill health, chaotic lifestyles, loss of income and bereavement as points of vulnerability. The protocol therefore requires that consideration should be given to potential vulnerability at all points of contact with residents, and potential residents, within the district. These points of contact include:

- applications for housing
- home visits
- ad hoc visits, eg because of rent arrears
- programmes of tenancy visits/audits
- supported move to new housing
- social/medical panels
- key life-cycle events such as bereavement or relationship breakdown
- issue of notice of eviction.

The training pack has been designed to enable frontline staff to understand potential vulnerability and learn how to respond to it, make an assessment, and review, evaluate and track the VPP. Once vulnerability and support needs have been identified, support may be provided by any agency involved, and will be determined by the pre-tenancy meeting, other contact between the partner agencies, or through a case conference.

'The key to preventing homelessness is timely information and support. The training for professionals should provide frontline staff with a range of skills, tools and information to this end.'

Jon Cox, Two Saints Housing Association.

General housing awareness

While it is essential for housing providers to be alert to the possibility that a tenant may be having problems, the nature of their relationship means that it will be impossible to always know what is going on behind closed doors. It is important, therefore, that joint working and awareness of housing and potential homelessness are increased within other support services.

For example, youth services are more likely to know when a teenager is having problems at home and would benefit from mediation, before this becomes a crisis. St Basils in Birmingham have set up a peer-

mentoring project that works with young people who are at risk of leaving home in an unplanned way. Working with those young people at an earlier stage can increase the chances of resolving their difficulties and reduce the likelihood of homelessness. More information on this scheme is available on page 17.

Health visitors and community psychiatric nurses are uniquely placed to assess any potential housing or support needs of families they are visiting. With some basic training or information, health professionals can identify issues such as overcrowding, debt, and family stress and tensions, and alert the housing provider when they believe a family is at risk.

Good practice example: housing worker, Plymouth Children's Service

The development of a specific homelessness prevention role, through the introduction of a housing worker within the Children's Service in Plymouth, is based upon a similar model of early identification and homelessness prevention in Colchester.

The primary role of the housing worker will be to pick up housing casework from social workers and social work assistants who are concerned about the families with whom they are working, and intervene as early as possible.

The introduction of a housing worker within social services aims to generate greater knowledge and understanding of the roles of both social services and the housing department, and improve their communication with each other. An increased awareness among social workers of housing-related issues will ensure that timely referrals can be made to the housing worker, who will:

- refer families to the housing officer
- provide money and budgeting advice to families
- maximise income through benefits advice
- work with the housing officer to resolve issues relating to rent arrears
- assess family support needs
- assist with applications for private housing.

By introducing this specific role it is hoped that social workers, housing officers and the housing worker can work together to identify problems at the earliest opportunity. Early intervention (ie before housing or financial problems become too serious) will enable the housing worker to work effectively and efficiently with the Council's housing advisers, outreach workers, Welfare Benefits advisers, housing officers, Housing Benefit team and floating support staff to resolve problems, prevent family breakdown and homelessness, and promote tenancy sustainment through continuity of support.

Arrears

Rent arrears should be a signal to any social landlord that a tenant may need some form of help, advice or support. The main contributory factors to rent arrears are:

- Housing Benefit delays
- problems with claiming Housing Benefit
- shortfalls between rent and Housing Benefit
- sudden drops in income due to personal crises
- general financial difficulties, including multiple debts
- unmet support needs.

Landlords should always make it their responsibility to consider the above factors when considering possession proceedings.

Pre-action protocol

From October 2006, the Government implemented the Pre-action Protocol for Possession Claims based on rent arrears², which should be followed by all councils and registered social landlords (see Appendix on page 29 for full text of the protocol). The Government had published guidance recommending good practice in this area prior to the enactment of the protocol, but there is evidence that this is not always adhered to.³

The protocol stresses the role of the landlord in 'effective, ongoing liaison' with Housing Benefit departments, and makes it clear that 'the landlord and tenant should work together to resolve any

Housing Benefit problems'. If social landlords do not follow the protocol when seeking to evict tenants, they will find themselves vulnerable to a legal challenge. Unfortunately, the pre-action protocol does not apply to private landlords, nor to possession proceedings under Ground 8.

Ground 8 is a mandatory ground for possession, so using it when pursuing court proceedings does not give the tenant any chance of defending their case. On many occasions, tenants have been evicted despite the arrears being due to no fault of their own and despite having the sympathy of the courts. Ground 11 is a discretionary ground for possession that landlords can use to evict tenants who consistently fall behind with their rent, but each case is judged on its merits. Some housing associations have made the decision never to use Ground 8 because they see it as being fundamentally unjust; however, the number of registered social landlords taking this stance is negligible.

Housing Benefit

It is still the case that many households find themselves in rent arrears because of difficulties in claiming Housing Benefit or delays once the Housing Benefit has been awarded. Where this applies to a council tenancy, it means that one council department may be seeking to evict a tenant, when the problem in accessing funds is the responsibility of another council department. This problem occurs across all tenures. In 2003, registered social landlords estimated that 32 per cent of their current total tenant arrears were due to late payment of Housing Benefit.⁴

2 The Civil Procedure Rules 1998, SI 1998 No.3132, as amended.

3 ODPM, *Improving the effectiveness of rent arrears management*, June 2005.

4 Housing Corporation, *Housing associations in 2003 performance indicators*, March 2004, page 6.

Good practice example: tenancy tracker, Coast and Country Housing

Coast and Country Housing (C&CH) are able to provide an in-house Housing Benefit claim verification service. While advisers provide prospective tenants with assistance and support, tenants' benefit claims are able to be verified and dealt with within the organisation, making the process quicker and easier for the tenants. Redcar and Cleveland Borough Council covers a wide geographical area, which can be a barrier to people on low incomes attempting to make benefit claims. Thus the provision of local in-house Housing Benefit services removes some of the barriers that people face in making their claims.

All new tenancies are monitored through the tenancy tracker procedure. The purpose of this procedure is to provide effective management of the rent accounts of new tenants up to the first

13 weeks. This ensures that:

- new tenants have a means of paying rent that is suitable to their needs and circumstances
- tenants who are experiencing difficulties are referred to advice and support agencies and floating support services where this is appropriate
- Housing Benefit claims have been processed correctly and benefit is paid, and
- rent payments are being made.

Where difficulties with a Housing Benefit claim occur, the tenancy tracker procedure highlights this and provides a system for joint working between the account's advisers and housing advisers. C&CH has a small team that deals with benefit revisions and appeals, and provides representation and support for clients at independent appeal tribunals.

Discretionary funds

Some local authorities and registered social landlords now have a fund that they can use creatively to help tenants who might be in danger of being evicted. These funds may consist of comparatively small amounts of money but, because they can be used at the discretion of individual housing officers, they can be very effective.

Good practice example: 'fix it' fund

Bournemouth Borough Council set up this fund in 2003. It has been used at the discretion of housing officers as a tool to prevent homelessness by giving a 'one-off' payment to the tenant. Examples include:

- paying off arrears where it is not deemed to be the tenant's fault that they are in financial trouble, and where it would prove substantially more expensive to 'pick up' a family as homeless after eviction
- paying off damage costs demanded by a landlord where it is deemed not to be the tenant's fault
- paying landlords a proportion of 'rent in advance' payments, where it is deemed that the tenant cannot access sufficient funds elsewhere.

Mortgage arrears

Early warning systems

Some authorities have set up systems with building societies and other lenders to ensure that people who build up arrears on their mortgage repayments can receive advice and support early on. Leaflets advertising local council and independent advice services can be sent by the building society as soon as a household falls into arrears. In the past, some local authorities have also made use of mechanisms such as mortgage forums and training for banks and building societies regarding the issues around mortgage arrears. As repossessions increase, there may be a case for the revival of such schemes.

It would be good practice for local housing authorities to work with other departments and organisations to identify households at risk, and target benefit and debt advice and outreach services accordingly. Advisers should also attempt to work with vulnerable groups such as mental health service users. This could be achieved through building up links with service providers for people whose health problems have been caused or exacerbated by mortgage arrears.

Mortgage rescue schemes

Mortgage rescue or flexible tenure schemes can be an effective way to prevent homelessness, and can also give households some assistance at points in their lives when they may be struggling to cover their mortgage. The basic model is a system whereby a homeowner can sell their house to the council, a housing association or to the lender, but remain in the property and pay rent to the new owner. The most flexible schemes allow the household to sell only part of their home, if they prefer, thus changing their tenure to shared ownership, and also making it possible for them to buy their property back when they are able to afford the payments.

Mortgage rescue schemes have been in operation in some areas of England since the early 1990s, but have been more widely adopted in Scotland where the Mortgage To Rent scheme is run as a national programme through Communities Scotland. The scheme offers some households the opportunity to change their tenure from home ownership to a tenancy in the social rented sector. The Scottish Executive funds the scheme, providing registered social landlords or local authorities with the capital to buy the property and rent it back to the household. This is done on a case-by-case basis. All applicants must have received financial advice prior to being referred to the scheme to maximise the number of households that can remain in their homes without changing their tenure.

In England, however, there is no national scheme. There are concerns about mortgage rescue or flexible tenure programmes being operated by private profit-making companies in areas where there may be significant financial gain in buying up properties at

risk of repossession. Therefore, Shelter would like to see the development of a national regulatory body to oversee such initiatives and to ensure their availability in all local authorities. Ideally, such schemes should:

- be operated by local authorities and registered social landlords
- provide assured or secure tenancies
- give the household the opportunity to buy the property back at a later date
- allow for homeowners to maintain ownership of part of the property
- ensure that a good standard of financial advice has been provided prior to acceptance onto the scheme, and
- be widely promoted to increase awareness of the scheme.

Advice

Advice services, both for defending possession proceedings and for debt counselling, are obviously key to the prevention of homelessness through rent or mortgage arrears. However, many people only seek advice at a crisis point or when it is already too late. It is also particularly difficult to identify problems early on when the household concerned is not a council or registered social landlord tenant. Local authorities can start to address this by paying particular attention to publicising advice services to private tenants and homeowners, ensuring that these services are responsive, accessible and develop links with lenders and private landlords.

Good practice example: Southern Focus Trust Housing Advice Centre

Southern Focus Trust Housing Advice Centre (SFTHAC) provides independent advice on housing, benefits and debt in the Portsmouth Area. The centre has a Community Legal Service quality mark.

Portsmouth City Council has been concerned about the number of repeat homelessness cases they have dealt with from the private sector. In response they have funded 24 hours of casework per week from SFTHAC for private sector tenants and owner-occupiers who are at risk of eviction and homelessness, usually as a result of rent or mortgage arrears. SFTHAC provides a holistic service that includes benefits and debt counselling, as well as help with housing.

The Council has exclusive referral rights to four appointments per week, and by referring directly to

SFTHAC it can be sure the service user is getting the appropriate assistance. SFTHAC keeps the Council informed of the progress in each case. It refers the client back to the Council if it is not possible to keep the client's home, which helps both the client and the Council ensure that a homelessness application is carried out quickly and efficiently.

'[SFTHAC] knew my rights and managed to help me quickly.'

Service user – Shelter questionnaire.

'[Without SFTHAC] I would have been more stressed, and would not have known what to do.'

Service user – Shelter questionnaire.

Advocacy and advice

Local authorities have a statutory duty to provide information and assistance to anyone who is homeless or threatened with homelessness within 28 days.⁵ In addition, registered social landlords should also be making advice available to any of their tenants who are also homeless or threatened with homelessness.

In practice, however well a local authority may fulfil this function, it is often too late at this stage to prevent homelessness. If a system has been put in place to identify households who are vulnerable, it would make sense to target advice at them before a crisis point has been reached and a homelessness application made.

Local authorities will typically either deliver advice in-house or contract this service out to a third party, often from the voluntary sector. Local authorities need to ensure that this advice is high quality and unbiased, and that clients are offered the opportunity to access advocacy. Individuals need to be aware of their rights under the law, up to and including the right to mount a legal challenge.

It is good practice for local authorities to seek out partner agencies that have the Community Legal Services quality mark, which will ensure a high standard of advice. It could also make use of a housing consultancy service to assess the quality of advice offered. Such a service could particularly look at the following elements of the advice: the standard of case and advice recording, the legal accuracy of advice, and its suitability to service users' needs.

It is essential that any advice given to vulnerable households is holistic. Focusing too narrowly on housing and homelessness issues will only be of

limited use; having advisers skilled in other areas will mean that a risk of homelessness can be identified earlier and acted upon. Benefits advice and debt counselling are two important areas where resources should be available for advice to be given directly, or for effective referrals to be made.

There will be times when clients will need access to advocacy services as well as to housing advice. This is an important right, which local authorities need to recognise and facilitate. There is some evidence of a worrying trend towards local authorities taking steps to limit the number of challenges that independent advice agencies can undertake. Any restriction on the provision and use of advocacy services for people finding themselves homeless or potentially homeless is bad practice and should be discontinued.

Accessibility

Local authorities, registered social landlords and other advice organisations can take steps to improve the accessibility of advice through initiatives such as:

- providing evening advice sessions for tenants who cannot access advice during the day
- providing emergency appointments for those who need housing advice urgently
- marketing their services effectively
- having, or being linked to, an interpreter service
- being aware that clients may have literacy problems
- providing a relief service for a few hours, or the equivalent, for clients with caring responsibilities.

⁵ Part 7 of the Housing Act 1996.

Good practice example: Bournemouth Housing Advice Service

Bournemouth Housing Advice Service (BHAS) was established in 2001. The service is delivered by Shelter in partnership with Bournemouth Borough Council and Bournemouth Housing Forum. The Council funds two workers who concentrate on preventative advice and helping people to keep their home. Referrals come from a variety of different sources – advice agencies, the local authority, friends and family, and self-referrals. The most common problems that people present with are rent arrears, Housing Benefit problems, disrepair and possession proceedings.

In 2003, the service launched the BHAS Network to ensure that service users can access appropriate advice from other agencies. Sixty-eight member agencies are listed in the BHAS Network Directory, which contains information and contact details about each member. Members include organisations such as Connexions and various support agencies. This directory is distributed to all network members to ensure that each member agency has a detailed knowledge of the services offered by other agencies and can initiate effective referrals.

All members are invited to attend wider network meetings. These meetings provide an opportunity to share successes and address the challenges that agencies dealing with housing advice face. The network aims to ensure that, regardless of which agency a service user approaches, they are given

the right information or referred on to the right agency. All agencies in the network display a BHAS logo to highlight that housing advice is available.

BHAS also provides training sessions to network members. These sessions are well attended and cover a variety of topics, including homelessness and the rights of vulnerable people and helping with claims for Housing Benefit. The training helps member organisations to provide better direct advice and advocacy, and also to know when it is appropriate to make a referral.

‘Last year 67 per cent of our clients were homeless or likely to become homeless within 28 days. This year the figure has reduced to 45 per cent, which means that we are more effective at reducing homelessness. This seems to be because more people know about our service, and people with housing issues are able to access our service at an earlier stage.’

Bournemouth Housing Advice Service Review, 2005.

‘We have attended various training days and all have been very relevant to our work and given us more confidence when dealing with housing enquiries.’

Network member.

Black and minority ethnic communities

Shelter's qualitative research report, *The advice gap*⁶, found that use of independent advice services by black and minority ethnic communities is very limited. These communities lack awareness about the existence of such services and have little knowledge about the sort of help advice services are able to provide. This is especially worrying in light of the fact that people from black and minority ethnic communities are twice as likely to be homeless and more than six times as likely to live in overcrowded conditions as white households.⁷

The advice gap shows that one of the biggest problems facing black and minority ethnic communities is a lack of understanding about how the housing system works. Another problem that the report highlights is inflexibility in the opening hours and location of advice services, and a failure

to accommodate people with children or with other caring responsibilities.

To ensure that minority groups are able to access advice more easily, it would be good practice to ensure that:

- there is a constant dialogue between community groups and housing providers in order to cater for their specific housing advice needs
- advice services are widely publicised and explained within these communities
- interpreters are on hand to assist in communications with non-English speaking people
- advice literature is translated into appropriate languages, as far as possible
- staff are adequately trained to understand specific cultural needs.

Good practice example: advice centre for black and minority ethnic groups, Shelter Housing Advice and Support Centre, Stratford, London

This project aims to improve access to housing advice for black and ethnic minority groups by working with local communities. It is targeted at people living in the London Boroughs of Newham, Tower Hamlets and Hackney.

The Shelter project ensures that advice is available in locations such as community centres, as well as at the project base in Stratford. The service is heavily advertised through the local press and community organisations, as well as by services such as Connexions. Delivering advice in the

community not only makes it easier to access, but also increases people's trust and confidence in the services being offered. The project employs multi-lingual housing advisers and can access a translation service for languages not offered directly.

The project offers drop-in appointments at the centre in Stratford, as well as providing outreach advice at locations such as community centres where there are crèches and other support services.

The aim of the project is that it will reach individuals from black and other minority ethnic groups long before they are threatened with homelessness. By providing advice that is timely, independent and culturally sensitive, the project hopes to make it easier for individuals to find and keep a decent home.

⁶ Shelter, *The advice gap: a study of barriers to housing advice for people from black and minority ethnic communities*, 2007.

⁷ Office of National Statistics UK Census 2001; ODPM/DCLG, *Homelessness Statistics* September 2005–June 2006.

Young people

Many people wait until a crisis point before seeking advice about a problem, and this is particularly true of young people. It is therefore good practice to provide a specialist advice service for them or to take advice to them. An alternative is to provide designated appointments within a mainstream service, or make sure all advisers are fully briefed on the particular issues that affect young people.

Raising the awareness of children and young people in schools and youth centres is a way of encouraging them to get advice when they need it, or to seek support from someone they trust if they are having problems at home. It is at this stage that

advice, support or mediation services are most effective – when the young person is made aware of advice services early on and they can work through problems with their family before they reach the stage where they are at risk of homelessness.

Peer mentoring can be an effective way to help and deliver housing advice to vulnerable young people. Because of its holistic nature it does not look at the individual's housing needs in isolation, but is able to connect them to other factors such as family breakdown. This represents a much more practical way to help young people, who often have multiple and complex issues to deal with.

Good practice example: St Basils

St Basils is a Birmingham-based organisation that offers a range of housing and support to local young people. One of its initiatives is the Schools Training and Mentoring Project (STaMP). As part of the project, sessions giving information about housing and homelessness from a local perspective are run in local secondary schools and other youth work settings. They are interactive and encourage young people to discuss issues and ask questions. Each session is co-facilitated by a peer educator. The peer educators are young people aged 16 to 25, mainly ex-service users of St Basils. They have experience of homelessness and are able to give a real-life account of their knowledge of housing need.

As the project has developed, it has been possible to put into place a peer-mentoring service. The mentors are peer educators who have become interested in extending their role. They are trained to an approved standard by St Basils, and offer one-to-one support to those young people who are

judged to be most at risk from leaving home in an unplanned way. As well as offering holistic support around issues such as mental health, sexual health and family relationships, they can offer informed advice about housing and homelessness issues. If necessary, they can refer families or individuals to St Basils' counselling, family mediation or housing advice services. Each mentor supports one or two service users, and a mentoring worker supports the mentors.

If a peer mentor feels that more specific housing advice or advocacy is needed, they can refer the individual to St Basils Links Housing Advice Service. This provides age-specific advice to young people in the Birmingham area and employs knowledgeable workers who are aware of the specific needs of their client group. The peer-mentoring scheme provides a bridge to the advice service, ensuring that some of the most hard-to-reach young people are given effective support.

Tenancy support and sustainment

As well as advice and advocacy, households identified as vulnerable to homelessness may need support to retain their tenancies. Individuals and families will have a wide range of needs and therefore the kind of support offered should also be broad in scope. Many housing officers working 'on the ground' would like to do more to help tenants, but either do not have the time, or find that information they need to give practical advice has not been collected, or it is hard to get hold of.

Floating support

Floating support is offered to people in their own homes, but is not attached to supported housing. Housing providers can develop it themselves, or it can be provided by other agencies. Charities and

other voluntary groups are frequent providers of this kind of support. It is usually financed through the Supporting People programme, although this may be supplemented, for example through the health service or through direct funding from the housing provider.

Cross-tenure schemes

The majority of tenancy-sustainment schemes are aimed at registered social landlord (RSL) tenants. Many are services for people who have already been homeless and who may have lived in another form of temporary or supported housing previously. For floating support to be truly comprehensive and preventative, it needs to intervene sooner (ie be available to people who have not been homeless) and be targeted at households living in all types of tenure.

Good practice example: Blackburn with Darwen Borough Council Homelessness Prevention Floating Support Service

This service is funded through Supporting People and is run by the Regeneration, Housing and Neighbourhoods Department. The scheme is cross tenure, providing services for homeowners and private tenants, as well as people with RSLs. A team of three people provides advice and support for up to 30 individuals and families who are seen as being vulnerable to homelessness. The team has a rolling programme, so as a particular case ends it is able to give more in-depth support to new cases. Most tenants use the service for six months, but some use it for up to 18 months. Help offered includes:

- liaising with landlords
- signposting and assisting with debt-counselling and budgeting skills
- liaising with mortgage companies, banks, Housing Benefit and the benefits agency in order to optimise income
- facilitating dispute resolution and mediation
- completing benefit forms
- liaising with social services
- resettlement activities.

Referrals come mainly from the housing needs department, but they also come from a variety of other sources: mental health teams, local housing associations, and the local criminal justice and learning disabilities teams are just a few examples. The service is available to households who are at risk of homelessness or who simply need some extra support, as well as those who have recently been homeless. The team ensures that their work is well publicised among local agencies so that appropriate referrals can be made. They also refer onto other agencies when they feel that they do not have the expertise needed, or that help from another source would be beneficial.

Once a referral has been made, a support worker will visit the household to discuss the level of support needed. If the individual or family is accepted onto the scheme, a tailor-made support plan will be drawn up. The plan is reviewed on a regular basis to take account of changing needs.

'If the client is unfamiliar with the area we would ... get them maps, ... onto a doctors list, ... a dentist, help them to apply to schools ... and absolutely anything else that could be needed.'

Support worker.

Telford and Wrekin Council operate a similar support scheme to Blackburn with Darwen Borough Council (see previous page), but it is aimed at families and individuals in temporary accommodation with a view to preventing repeat homelessness. All clients based in temporary accommodation receive an initial visit from a support worker with the aim of devising a support plan. Help is provided with issues such as benefits, general finances, family difficulties, health and education. If any ongoing support needs are identified, workers liaise with local social landlords to ensure these are met once the family/individual moves into permanent accommodation.

Mental health

Tenants with mental health problems often find themselves vulnerable to homelessness. They may be living alone or caring for a family, so the welfare of other family members will depend on whether their needs are being met. Alongside the usual advice and

advocacy services related to housing and benefits, supporting people with mental health issues can include the following measures (as used by Julian Housing Support, see below):

- working with landlords to raise awareness and understanding of mental health problems and their impact upon a person's ability to maintain a tenancy
- negotiating more suitable accommodation with housing providers
- negotiating with landlords to prevent evictions
- assistance with the development of rent and arrears payment plans
- support with financial and debt management
- connecting people with appropriate care and support services
- support with the development of life skills.

Good practice example: Julian Housing Support

Julian Housing Support (JHS) is a supported housing charity based in Norfolk that works to prevent homelessness by providing services for people with mental health problems. It is jointly funded by Supporting People and health and social services. JHS works in partnership with Norfolk Social Services, Norfolk Primary Care Trust and the major housing providers in the county. It is through this partnership approach that JHS has been able to develop a wide range of housing choices and options for support.

JHS are alerted to individuals who are at risk of homelessness by a range of statutory and voluntary services. Referrals are accepted from mental health social workers, community mental health teams, primary care link workers and, in some circumstances, housing providers. The early identification and thorough assessment of housing-related problems and support needs, combined with multi-agency working, ensures that homelessness can be prevented long before people need to make a homelessness application.

JHS services include the following.

- A floating support service in every district and for people in any tenure. Support can be short- or long-term, and more or less intensive, depending upon a person's needs.
- A Hospital Housing Link scheme (attached to every psychiatric acute ward across the county), which provides housing and benefits advice, supporting over 400 people per year. Housing Link workers visit inpatients with housing

problems and patients are supported either to keep their existing homes or to find alternative suitable accommodation before they are discharged from hospital.

- An outreach service supporting people in their own homes. Outreach workers attend regular meetings with mental health workers and are involved in the care-planning process to decide on the housing and health assistance that their clients need.
- An outreach service that is a flexible model of care offered to people who find it hard to access services because of their mental health problems.
- A supported housing scheme and resettlement programme for clients who require additional support before moving onto independent living.

JHS has been described by organisations and service users as a dependable and responsive service that offers creative ways of helping people with mental health problems who are at risk of homelessness or inadequately housed. Their interventions have led to an increase in people's housing stability and an investment in their future. By helping to reduce some of the stresses related to maintaining a tenancy, deterioration in someone's mental health can be alleviated and loss of housing can be prevented.

'I got ill and had to give up work... I couldn't afford the mortgage... I wouldn't have known what to do [without JHS] and my home would have been repossessed.'

JHS service user.

Antisocial behaviour

It may be that where antisocial behaviour is a problem, some landlords prefer to try and evict tenants on the grounds of arrears⁸; this is because it is generally easier to get an eviction on the grounds of rent arrears than it is for antisocial behaviour. Figures from the Ministry of Justice show that rent arrears are the most common reason for social landlords to pursue possession proceedings.⁹ Shelter feels strongly that this course of behaviour is unhelpful for several reasons – the main one being that families are moved on without their antisocial behaviour being recognised or dealt with.

In cases where local authorities become aware that families or individuals are perpetrating antisocial behaviour, support and education should swiftly be

put into place. Research suggests that antisocial behaviour is often caused by unmet support needs and vulnerability.¹⁰ Projects offering help and support to perpetrators are now recognised as being extremely effective – so much so that the Government has funded 40 areas to provide this kind of intervention as part of its Respect agenda.¹¹ Unfortunately, the Respect website refers to the user group for such projects as ‘neighbours from hell’, suggesting that these projects are a last ditch attempt to solve problems, rather than an early option. In reality, the earlier support is put in place, the sooner problems can be recognised and worked on, reducing the risk of homelessness caused by eviction. Also, and importantly, early identification and prevention lessens the impact of antisocial behaviour for others living and working in the community.

Good practice example: Shelter Inclusion Project

The Shelter Inclusion Project was set up in 2002. The project was designed to provide an alternative model to enforcement policies and residential schemes. It was developed by Shelter and Rochdale Metropolitan Borough Council. The project has three key objectives:

- to reduce antisocial behaviour
- to promote social inclusion and community stability
- to prevent eviction and provide a route back into settled housing.

The project works with families, couples and individuals, and its referral criteria require a ‘history of antisocial behaviour’. Once people have been referred to the project they have access to a range of help and support, including:

- housing advice and advocacy
- help with benefits and money management
- support with addressing antisocial behaviour issues
- practical assistance, eg with decorating
- referral to other agencies
- parenting advice and support
- assistance with employment and training
- direct specialist work with children and young people.

Originally, many of the households referred to the project were subject to one or more enforcement actions linked to alleged antisocial behaviour. As work developed, cases started to be referred at an earlier stage. Initially, the majority of referrals came from the enforcement team at Rochdale Boroughwide Housing. Now more come from housing officers who refer before any enforcement action is taken.

Staff at the project feel it is much easier to work with early intervention cases because behaviour patterns are less entrenched and the situation has not reached a crisis point. In addition, because the antisocial behaviour is being picked up at an earlier stage, the community does not have to suffer the problem for as long as it might have done otherwise.

The Inclusion Project is now working with the Respect Task Force to deliver a Family Intervention Project. This project will work closely with eight to 10 families who are involved in high-level antisocial behaviour and are close to losing their homes. This means that the present project will be able to focus more closely on early intervention.

‘[If it weren’t for the Project] I think I’d still be where I was... as in debt wise... I don’t think I’d have done as much as I have – I wouldn’t have sorted my bills out... and would have ended up getting a load of fines and all that...’

Project user.

8 Colchester Borough Council, *Tackling homelessness – Colchester’s Review and Strategy*, 2003.

9 Ministry of Justice (formerly DCA), Economics and Statistics Division, 2007.

10 Dillane, J, Hill, M, Bannister, J and Scott, S, *Evaluation of the Dundee Families Project*, Scottish Executive, Dundee City Council and NCH Action for Children, 2001; Nixon, J, Blandy, S, Hunter, C, Reeves, K and Jones, A, *Tackling anti-social behaviour in mixed tenure areas*, ODPM, 2003.

11 www.respect.gov.uk

Joint protocols and sharing information

When the first round of homelessness strategies were being written, in the wake of the Homelessness Act 2002, it was recognised by local authorities that joint working was absolutely key to homelessness prevention. In areas that already had an active homelessness forum, work on homelessness strategies was frequently undertaken through this group. Where forums had not been set up already, new homelessness strategy working groups were formed. The idea behind this was that every organisation that had the potential to be involved in delivering the strategy should contribute to devising it. However, in some cases it proved difficult for housing departments to attract relevant organisations to these groups.

Anecdotal evidence at the time suggested that representation from social services was particularly difficult to obtain. This had implications for the long-term effectiveness of any strategy, and risked the enterprise being severely compromised from the outset. In the event, most completed strategies included some reference to joint working with bodies such as social services, registered social landlords (RSLs), charities and voluntary groups. However, there was less emphasis on internal departments, such as homelessness and Housing Benefit teams, sharing information and working together.

Long before homelessness strategies became a Government requirement, some local authorities had already attempted to formalise joint working arrangements in the form of joint protocols. These protocols usually refer to a specific client group and set out the responsibilities of various organisations towards them. Groups who might benefit from joint protocols include:

- young people
- care leavers
- offenders
- hospital patients
- people with a drug or alcohol addiction
- people who have mental health problems.

Joint protocols can be very useful in helping to prevent homelessness at an early stage. For agencies they clarify joint working arrangements, assign areas of responsibility, and pinpoint financial responsibilities. However, in many cases protocols exist solely as paper exercises, having little or no influence over what happens on the ground. It is important to make sure that all agencies involved are prepared to invest time, energy and thought into putting together a realistic plan for joint working. Protocols that only a handful of people are aware of, and that do not have the status of a living document, cause frustration among workers and do nothing to help clients.

Organisations that have set up joint protocols suggest that the following points may be useful and contribute to smooth joint working:

- ensure that there is an identifiable lead agency pushing the work onward (in many cases, it would be appropriate for the housing department to take on this function)
- consult with workers at all levels to ensure the protocol is achievable on an everyday basis
- consult with users when setting the protocol up and to find out how the protocol is working at the point of delivery
- run an awareness campaign to ensure that workers across organisations know about the protocol and what it has been set up to do
- make the smooth running of the protocol the responsibility of named officers
- make sure there is a mechanism in place to monitor and evaluate the protocol.

Hospital discharge

Communities and Local Government (CLG) and the Department of Health (DoH), in conjunction with Homeless Link, The Health Inclusion Partnership and the Homeless Group of the London Network for Nurses, have produced joint guidelines for the

development of hospital admission and discharge protocols for people who are homeless or at risk of homelessness.¹² The guidance provides clear steps to help local authorities, primary care trusts, hospitals and voluntary sector agencies to develop, in partnership, effective admission and discharge protocols.

The guidance advises that the following areas be considered during the development of a protocol:

- identifying the relevant organisations to be involved in the development of the protocol
- the creation of a steering group to oversee its development and implementation
- identifying training and resource requirements
- developing the protocol by building on existing systems

- testing and monitoring the protocol's implementation
- setting up audit arrangements
- reviewing and refining the protocol
- ensuring it is regularly updated.

The forthcoming homelessness strategy reviews will provide all local authorities with the opportunity to include hospital admission and discharge protocols within the revised strategies. If alerted to a patient's housing needs at the earliest point of admission, housing staff have a better opportunity to identify the most appropriate housing and support solution, while at the same time reducing any delay in discharging the patient and subsequent costs to the health and social care system.

Good practice example: Newcastle City Council Hospital Discharge and Homelessness Prevention Protocol

The protocol was created by key agencies in Newcastle who work with people who might be homeless or at risk of homelessness and have been admitted to hospital. The Strategic Housing Service, which is part of the Regeneration Directorate, is leading on the development of the protocol. Its key aim is to ensure that all agencies coming into contact with people who are vulnerable to homelessness, or without accommodation on admission to hospital, help those people find appropriate housing and support before they leave hospital.

Certain key groups were identified as being at most risk of homelessness on discharge from hospital:

- people who were homeless prior to admission to hospital
- people who were in an institution, such as prison
- people staying in temporary accommodation
- people who have arrived in Newcastle with nowhere to stay
- people who had accommodation before admission to hospital but who either cannot or will not return to that accommodation
- people who have accommodation that will need to be adapted following their hospital treatment.

The protocol outlines key steps for all agencies to take to prevent homelessness. These are:

- action to be taken to prevent a patient from becoming homeless on discharge from hospital, and the process to be followed on admission

- seeking help from other agencies in finding accommodation and arranging support
- making information for patients and staff on display in hospital wards.

Within each step are the key questions that staff must ask all patients, the people and agencies that should be contacted, and what to do outside of office hours. Specific guidance is provided for dealing with particularly vulnerable people, including street homeless people, people with mental health problems, patients under 18 years of age, asylum seekers and refugees, and people with drugs and/or alcohol problems.

A housing resource pack and guidance on sharing information accompany the protocol. This pack outlines the role and contact details of each of the key agencies involved. It provides further information on where to get benefits advice and lists the homelessness contacts in the region. The pack also provides guidance on helping people to obtain settled accommodation.

The introduction of a clear set of guidelines for the assessment of all patients' accommodation needs on admission to hospital has obvious benefits for patients and hospital and housing staff.

'The development of the protocol through a working group has already helped... give people in the health service a better idea about who does what in the homelessness world.'

**Sheila Spencer, Policy Officer,
Newcastle Homelessness Prevention Project.**

12 CLG and DoH, *Hospital admission and discharge: people who are homeless or living in temporary or insecure accommodation*, 2006.

Further hospital admission and discharge protocols are currently being developed in both Walsall and Bedford. In both areas, joint protocols are being designed to enable better joint working between health, social care and housing services. The purpose of both protocols is to promote the early identification of housing problems and provide timely housing advice to prevent homelessness for patients undergoing hospital treatment.

Ex-offenders

There is a well documented and often cyclical relationship between offending, insecure accommodation and homelessness.¹³ Secure housing is, therefore, crucial to reducing re-offending. However, it remains the case that prisoners experience multiple barriers to accessing appropriate support and accommodation on release.

The interaction between the many recent changes to the culture and approach of the criminal justice system and the Probation Service and the changes to housing and benefit legislation has given rise

to contradictions between policy and practice. In addition, there are limited housing options available to those discharged from prison. This is compounded by a rising prison population, a decreased range of options available to all groups in housing need and the stigma that is often attached to offenders.

A significant number of prisoners commonly experience the following housing problems:

- homelessness or insecure housing before sentence
- loss of housing while in prison
- homelessness on release.

There is a lack of consistency in the way that applications from prisoners are dealt with by housing providers, and procedures for engaging offenders with services outside prison are subject to regional variation. The development and introduction of specialist prison resettlement, housing services and joint working protocols is vital to increase the chances of securing settled accommodation for offenders on their release from prison.

Good practice example: West Yorkshire Offender Housing Protocol

The West Yorkshire Offender Housing Protocol is based on a framework developed in Tyne and Wear – the Housing and Returning Prisoners Protocol (HARP). In West Yorkshire, all five local authorities (Bradford, Calderdale, Kirklees, Leeds and Wakefield) have signed up to the protocol, which aims to provide a co-ordinated approach to the accommodation of offenders, those released from custody, and those under the supervision of the National Offender Management Service (NOMS).

It seeks to provide ‘end-to-end’ management of accommodation by addressing the housing needs of offenders at the following stages:

- before custody
- at sentencing
- on reception in prison
- during custody, and
- on release.

The protocol provides a pathway to resettlement. It identifies the key responsibilities of the different agencies within that pathway and their organisational responsibilities. The protocol clearly outlines the steps that need to be taken at each stage and by whom. It promotes effective communication at all levels and commitment from all partner agencies to joint working. It involves clear information-sharing

policies and decision-making processes.

The protocol also seeks to address:

- local authorities’ duties towards the prevention of homelessness
- prison and probation commitment to effective resettlement (encompassed within the NOMS National Reducing Re-offending Delivery Plan)
- how partner agencies contribute towards community safety objectives
- the contribution of RSLs and the voluntary sector in housing and supporting offenders.

Shelter has a cross-regional contract with the Prison Service to provide housing advice, increasing the links between offenders in custody and local housing and support providers. Effective partnerships across statutory, private and voluntary sector organisations are central to the protocol because the housing needs of prisoners can only be successfully met if services outside prison are fully engaged in the process.

This protocol acknowledges the links between accommodation and other support needs by integrating housing with other aspects of resettlement, including health, social networks, education and training. Housing is seen, therefore, as the foundation for other interventions and their effectiveness.

¹³ Shelter, *Good practice: briefing – Barred from housing*, 2007.

Young people

Housing departments and social services departments work within different, but interrelated, legislative frameworks that define their responsibilities towards young people. The relevant legislation is the Homelessness Act 2002 (which made amendments to Parts 6 and 7 of the Housing Act 1996), the Children Act 1989 and the Children (Leaving Care) Act 2000.

In order to ensure that young people who are homeless or vulnerable to homelessness are adequately housed and can maintain their tenancies, it is vital that agencies understand their roles and responsibilities, and work together to meet the needs of these young people.

The challenge for authorities who have invested a great deal of time and energy into developing partnerships and joint procedures is to ensure that both knowledge of and commitment to these agreements are maintained by staff at all levels, particularly during times of change. Even without any restructuring or major changes in service delivery, normal staff turnover means that it is essential to make the promotion of joint protocols an ongoing activity, to include them in inductions for new staff, and for named contacts to be reviewed as soon as individuals in key posts move on.

Good practice example: Bristol City Council Joint Protocol

This joint protocol outlines the statutory responsibilities of Bristol Social Services and Health (SS&H) and Neighbourhood and Housing Services (N&HS) in assessing and responding to the housing and support needs of young people who are:

- 'in need' or require protection
- due to leave or have already left care, and
- homeless or threatened with homelessness, vulnerable and have a priority need.

The protocol provides tools for assessment and action for both departments to take, promoting joint assessments and information sharing at all stages and defining timescales for actions. The protocol was widely promoted to staff from all sectors. It was launched in 2003 at a number of multi-agency roadshow events that involved SS&H, N&HS and representatives from the voluntary sector, youth housing and support providers.

The protocol and related workshops provided workers with the valuable opportunity to talk to each other, share their concerns and develop

creative solutions to the housing problems faced by vulnerable young people.

This protocol worked well for a period of time; however, since its initial launch and promotion a number of changes have occurred. There has been a high turnover of staff in both the voluntary and statutory sectors, as well as structural changes within services in the area, which have led to difficulties in implementing the agreement. Bristol City Council has recognised these problems and will soon be leading on the revision, updating and promotion of a new version of the protocol.

'[The launch] brought various strands of social services, housing and the voluntary sector together in lively workshops... We hoped the joint assessment framework and child protection focus would drive us all (and our departments/organisations) to own the shared purpose that we could, after all, work together.'

Robin Spencer, NCH Bristol Housing Project.

Good practice example: a multi-agency protocol for young people, South Gloucestershire

South Gloucestershire Council, Priority Youth Housing and Connexions have developed a protocol with other agencies to improve services for young vulnerable people who are homeless or in temporary accommodation. The framework has not been implemented yet; however the protocol is an ambitious one that outlines the roles, responsibilities and practices that should be undertaken by participating agencies in a variety of situations, so it should be useful for other agencies to look at.

The underlying principles behind the protocol are based on the prevention of homelessness, where possible, and effective communication between agencies and the young people concerned. The protocol covers homelessness prevention, accommodation and support services for:

- homeless 16- and 17-year-olds and care leavers aged 16 to 21
- young people aged 18 to 25 who are vulnerable or have complex needs
- young people in supported housing or bed and breakfast accommodation
- young people who are at risk of eviction from temporary accommodation, when there is a risk that the local authority will decide that it has discharged its duty.

Key to the success of the protocol is a joint assessment process involving a new Youth Housing

Social Worker (YHSW), the housing department and Priority Youth Housing. The YHSW takes on the initial liaison role with the housing department and support agencies, and assesses the potential for the young person to return home. Where this is possible, the YHSW will work towards a return home at an early stage.

There is also flexibility in allocating personal advisers for care leavers – this can either be someone from social services or an independent personal adviser from one of the other participating agencies, depending on the circumstances and the young person's preference.

The protocol includes guidance on how to make supported housing work and supporting young people in bed and breakfast accommodation. The guidance recommends visits in the first 24 hours, involving specialist workers as necessary, early warnings from accommodation providers if things are going wrong, and follow-up visits to talk to both the individual and the workers about the situation.

There is also a procedure for intervening when young people are at risk of losing their temporary accommodation and their right to more secure housing from the Council. This involves early communications from the housing department to staff in other agencies when there are problems, and a multi-agency review of the case before the Council decides that they need to evict the individual. The spirit of the protocol, however, is to avoid this situation arising in the first place, by ensuring early communication between agencies and effective intervention when necessary.

Conclusion

This guide illustrates some of the ways in which statutory and voluntary organisations can identify those at risk of homelessness, and try to intervene early enough, before a crisis point is reached, to avoid homelessness occurring. Although most local authorities and registered social landlords are genuine in their desire to alleviate homelessness at the earliest possible stage, it may be worth highlighting two areas in which more work needs to be done.

Making joint working effective

There is plenty of information available about joint protocols and joint working generally, especially within the first raft of homelessness strategies that appeared in 2003. However, many protocols have never been implemented, or foundered in the early stages of being implemented. There were a number of common factors that contributed to this failure in implementation. These included:

- a lack of commitment from all or some of the agencies involved
- key members of staff leaving and projects not being followed through
- a lack of reality about what is possible 'on the ground'
- organisations failing to get staff to buy in to joint working.

In many cases, staff who certainly should have known about various protocols or initiatives had never heard of them. This suggests that joint working of all kinds needs to be taken more seriously and included within staff training. When putting together their 2008 strategies, local authorities need to carefully consider whether or not joint initiatives are feasible. If they are, then they need to be strongly driven and firmly managed. If they are not, there is little point

in publishing a statement that amounts merely to a 'wish list' of unrealistic initiatives; rather, strategies should reflect what is happening in reality or what could realistically happen.

Joint protocols should, however, be encouraged if there is a commitment by agencies to make such agreements work. Joint protocols that implement joint working to identify people vulnerable to homelessness, and schemes to assist and prevent those at risk from becoming homeless, can be very effective. As outlined in the previous chapter, the success of such schemes relies on:

- full consultation with service providers and users
- comprehensive staff training on working with the relevant protocol or scheme
- named officers taking responsibility for the project
- mechanisms to ensure strong awareness of joint working.

If the correct foundations are laid, it is possible that the numbers of people finding themselves homeless could be cut significantly.

Involvement of users

The second area for improvement relates to the lack of involvement in preventative work of people who are homeless or threatened with homelessness. In the statutory sector, service users are very rarely asked what they think of a service or consulted about ways in which it could be improved. Unsurprisingly, charities and voluntary groups are more active in this area and would certainly have plenty of useful knowledge about user involvement to share with local authorities. If homelessness services choose not to talk to and learn from families and individuals who have been involved in the homelessness system, it seems a missed opportunity.

General measures to identify and prevent homelessness

Below is a brief outline of measures to help identify and prevent homelessness, as discussed in this guide.

Set up systems to identify households at risk of homelessness

This should involve:

- carrying out thorough pre-tenancy assessments
- being prepared for and monitoring any emerging problems at every point of contact with tenants
- working with other departments and agencies to improve mutual awareness of and communication with households or individuals at risk, and broaden the support services available to them.

Deal with arrears before they become a serious problem

Measures to achieve this include:

- tracking rent payments (particularly in the first three to six months of a tenancy)
- complying with the requirements of the Pre-action Protocol for Possession Claims based on rent arrears
- developing closer links with private landlords and lenders
- having a discretionary fund pool to assist tenants in need in emergency situations
- setting up mortgage rescue schemes
- publicising debt advice services widely.

Develop more effective advice and information services

Advice and information services can be improved through:

- making such services more accessible, including providing emergency appointments and evening advice sessions

- ensuring advisers can advise on debt and benefit issues, as well as housing
- removing any barriers to advocacy services for those who are homeless or threatened with homelessness
- taking advice out to black and minority ethnic communities, and tailoring the provision of such advice to community-specific needs
- taking housing information and mentoring schemes into schools and youth services.

Develop tenancy sustainment schemes

Such schemes should:

- work across all tenures
- be available to people who have not been homeless
- acknowledge that people need support at different stages in their lives
- provide assistance and support for tenants whose mental health needs make them vulnerable to homelessness
- work with people at risk of losing their home due to antisocial behaviour.

Work effectively with other agencies

Measures to achieve this include:

- finding out what the concerns of other agencies are
- developing protocols that are easy to understand and contain clear roles
- promoting awareness of joint agreements to all those who will need to use them
- regularly reviewing and adapting joint arrangements.

Further reading

Publications

CLG and Department of Health, *Hospital admission and discharge: people who are homeless or living in temporary or insecure accommodation*, 2006.

DCLG, *Homelessness prevention: a guide to good practice*, 2006.

East London Financial Inclusion Unit, *Nothing ventured, nothing gained: creating sustainable tenancies and improving revenue collection*, 2006.

Goodson and Sankey, *A project evaluation of St Basils STaMP Initiative*, University of Birmingham, 2004.

Pre-action Protocol for Possession Claims based on rent arrears, 2006.

Rowntree, C, *More than just a piece of paper: a guide to developing effective joint protocols for young people in housing need*, Centrepoin, 2004.

Shelter, *Good practice: briefing – Barred from housing*, 2007.

Shelter, *Housekeeping: preventing homelessness through tackling rent arrears in social housing*, 2003.

Shelter, *The advice gap: a study of barriers to housing advice for people from black and minority ethnic communities*, 2007.

Appendix: Pre-action Protocol for Possession Claims based on rent arrears

The following is the full text of the Pre-action Protocol for Possession Claims based on rent arrears, taken from the Civil Procedure Rules 1998 (as amended).

Aims and scope of the protocol

This protocol applies to residential possession claims by social landlords (such as local authorities, Registered Social Landlords and Housing Action Trusts) which are based solely on claims for rent arrears. The protocol does not apply to claims in respect of long leases or to claims for possession where there is no security of tenure.

The protocol reflects the guidance on good practice given to social landlords in the collection of rent arrears. It recognises that it is in the interests of both landlords and tenants to ensure that rent is paid promptly and to ensure that difficulties are resolved wherever possible without court proceedings.

Its aim is to encourage more pre-action contact between landlords and tenants and to enable court time to be used more effectively.

Courts should take into account whether this protocol has been followed when considering what orders to make. Registered Social Landlords and local authorities should also comply with guidance issued from time to time by the Housing Corporation and the Department for Communities and Local Government.

Initial contact

1. The landlord should contact the tenant as soon as reasonably possible if the tenant falls into arrears to discuss the cause of the arrears, the tenant's financial circumstances, the tenant's entitlement to benefits and repayment of the arrears. Where contact is by letter, the landlord should write separately to each named tenant.

2. The landlord and tenant should try to agree affordable sums for the tenant to pay towards arrears, based upon the tenant's income and expenditure (where such information has been supplied in response to the landlord's enquiries). The landlord should clearly set out in pre-action correspondence any time limits with which the tenant should comply.

3. The landlord should provide, on a quarterly basis, rent statements in a comprehensible format showing rent due and sums received for the past 13 weeks. The landlord should, upon request, provide the tenant with copies of rent statements in a comprehensible format from the date when arrears first arose showing all amounts of rent due, the dates and amounts of all payments made, whether through housing benefit or by the tenant, and a running total of the arrears.

4. (a) If the landlord is aware that the tenant has difficulty in reading or understanding information given, the landlord should take reasonable steps to ensure that the tenant understands any information given. The landlord should be able to demonstrate that reasonable steps have been taken to ensure that the information has been appropriately communicated in ways that the tenant can understand.

(b) If the landlord is aware that the tenant is under 18 or is particularly vulnerable, the landlord should consider at an early stage –

(i) whether or not the tenant has the mental capacity to defend possession proceedings and, if not, make an application for the appointment of a litigation friend in accordance with CPR 21;

(ii) whether or not any issues arise under Disability Discrimination Act 1995; and

(iii) in the case of a local authority landlord, whether or not there is a need for a community care assessment in accordance with National Health Service and Community Care Act 1990.

5. If the tenant meets the appropriate criteria, the landlord should arrange for arrears to be paid by the Department for Work and Pensions from the tenant's benefit.

6. The landlord should offer to assist the tenant in any claim the tenant may have for housing benefit.

7. Possession proceedings for rent arrears should not be started against a tenant who can demonstrate that he has –

(a) provided the local authority with all the evidence required to process a housing benefit claim;

(b) a reasonable expectation of eligibility for housing benefit; and

(c) paid other sums due not covered by housing benefit.

The landlord should make every effort to establish effective ongoing liaison with housing benefit departments and, with the tenant's consent, make direct contact with the relevant housing benefit department before taking enforcement action.

The landlord and tenant should work together to resolve any housing benefit problems.

8. Bearing in mind that rent arrears may be part of a general debt problem, the landlord should advise the tenant to seek assistance from CAB, debt advice agencies or other appropriate agencies as soon as possible.

After service of statutory notices

9. After service of a statutory notice but before the issue of proceedings, the landlord should make reasonable attempts to contact the tenant, to discuss the amount of the arrears, the cause of the arrears, repayment of the arrears and the housing benefit position.

10. If the tenant complies with an agreement to pay the current rent and a reasonable amount towards arrears, the landlord should agree to postpone court proceedings so long as the tenant keeps to such agreement. If the tenant ceases to comply with such agreement, the landlord should warn the tenant of the intention to bring proceedings and give the tenant clear time limits within which to comply.

Alternative dispute resolution

11. The parties should consider whether it is possible to resolve the issues between them by discussion and negotiation without recourse to litigation. The parties may be required by the court to provide evidence that alternative means of resolving the dispute were considered. Courts take the view that litigation should be a last resort, and that claims should not be issued prematurely when a settlement is still actively being explored.

The Legal Services Commission has published a booklet on 'Alternatives to Court', CLS Direct Information Leaflet 23 (www.clsdirect.org.uk/legalhelp/leaflet23.jsp), which lists a number of organisations that provide alternative dispute resolution services.

Court proceedings

12. Not later than ten days before the date set for the hearing, the landlord should –

(a) provide the tenant with up to date rent statements;

(b) disclose what knowledge he possesses of the tenant's housing benefit position to the tenant.

13. (a) The landlord should inform the tenant of the date and time of any court hearing and the order applied for. The landlord should advise the tenant to attend the hearing as the tenant's home is at risk. Records of such advice should be kept.

(b) If the tenant complies with an agreement made after the issue of proceedings to pay the current rent and a reasonable amount towards arrears, the landlord should agree to postpone court proceedings so long as the tenant keeps to such agreement.

(c) If the tenant ceases to comply with such agreement, the landlord should warn the tenant of the intention to restore the proceedings and give the tenant clear time limits within which to comply.

14. If the landlord unreasonably fails to comply with the terms of the protocol, the court may impose one or more of the following sanctions –

(a) an order for costs;

(b) in cases other than those brought solely on mandatory grounds, adjourn, strike out or dismiss claims.

15. If the tenant unreasonably fails to comply with the terms of the protocol, the court may take such failure into account when considering whether it is reasonable to make possession orders.

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