

Item No. 6	Classification: Open	Date: 14 December 2023	Decision Taker: Councillor Helen Dennis
Report title:		Draft Homelessness and Rough Sleeping Strategy	
Ward(s) or groups affected:		All	
From:		Jerome Duffy – Programme, Policy and Change Manager.	

RECOMMENDATION(S)

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1. That the Commission note Southwark’s homelessness data review from 2018 to date.
2. That the Commission note Southwark’s draft strategic priorities from this review and informal consultation exercises to help meet current and emerging needs across the Borough.

BACKGROUND INFORMATION

3. The Homelessness Act 2002 places a duty on housing authorities to conduct a review of homelessness in their area every five years and develop a homelessness strategy based on the findings of that review.
4. Southwark Council’s homelessness statutory duties are primarily set out in the Housing Act 1996 (as amended.) Part 7 of the Housing Act (1996) sets out the definition of homelessness, and the duties that local authorities owe to applicants who are accepted as being homeless or threatened with homelessness.
5. The Council has an interim duty to provide accommodation while it makes inquiries, if there is reason to believe that an applicant may be eligible, homeless and in priority need. Accommodation is arranged for the applicant until a decision has been reached on their application.
6. If the Council decides that it owes the ‘main homelessness duty’ to an applicant, they will be offered temporary accommodation until they find their own accommodation or are made a final offer of accommodation, or the duty ends in another way.
7. **The Localism Act (2011)** also amended the 1996 Housing Act by allowing local authorities to discharge their homelessness duty by arranging a suitable offer of accommodation in the private rented sector.

8. **The Homelessness Reduction Act (2017)** made significant changes to the Housing Act (1996) and placed a number of new duties upon local authorities. These include:
 - To assess the cause of homelessness, circumstances and needs of all household members, including children.
 - To develop and agree with applicants a personalised plan of the steps that will be taken to prevent or relieve homelessness.
 - Extending the time frame a household is threatened with homelessness from 28 days to 56 days, meaning that local authorities have a duty to prevent homelessness from an earlier stage.
 - New duties to assess all eligible applicants (not just those unintentionally homeless and in priority need), and new duties to take reasonable steps to prevent and relieve homelessness.
 - A duty on public authorities to refer service users who may be homeless or threatened with homelessness to the housing authority (with the consent of the individual.)
 - Services must be designed to meet the needs of specific groups including care leavers, people leaving hospital / prison and victims of domestic abuse.

9. **The Domestic Abuse Act (2021)** places a duty on local authorities in England to provide support to victims of domestic abuse and their children. It makes provision that all eligible homeless victims of domestic abuse automatically have 'priority need' status for homelessness assistance.

KEY ISSUES FOR CONSIDERATION

10. Southwark's existing Homelessness and Rough Sleeping Strategy of 2018-2022 set out an overall aim to deliver an innovative, leading and accessible service to prevent homelessness and assist homeless households in finding long term, affordable and sustainable housing.

11. Southwark has achieved a number of key objectives to fulfil its strategic aims through the course of the subsequent years, most notably changes implemented to its procedures, in order to meet the requirements of the Homelessness Reduction Act 2017.

12. Since the implementation of our last Homelessness & Rough Sleeping Strategy, there has been significant change Nationally, regionally and locally. We know that The UK economy has in many ways recovered from the shock of the pandemic, but by the latter half of 2022, inflation rose significantly impacting the poorest households most severely due to the large share of their budget spent on essentials. Energy, food and other prices, compounded by the war in Ukraine, are driving a cost-of-living crisis and drop in disposable income.

13. The Government has delivered packages for addressing the cost-of-living crisis, including lump sum payments to those in receipt of means-tested benefits and payments to reduce fuel bills to all householders. Nonetheless, the poorest households will continue to be hardest hit by this systemic insecurity that is exacerbated by increasing housing costs. Support to uprate Universal Credit in April 2023 in line with inflation will have had a positive impact, however, due to cuts and freezes in the basic rate of benefit entitlements since 2010, as well as cuts to Discretionary Housing Payments and policies such as the benefit cap, significant pressure remains for many households.
14. The further Autumn statement measure of uplifting housing support for those renting privately from April 2024 will mitigate housing insecurity to some extent, although plans for ending S21 evictions still remain unclear. Early analysis indicates this will only be a 9% reduction in those experiencing a shortfall between their housing support and liable rent, and the government's intention is to re-freeze the LHA in 25/26. With these factors and drivers, it is understood that housing insecurity will remain an acute risk for the country for many.
15. Within Southwark, we have seen the widening gap between financial support for housing costs and market rents. This will continue to manifest in loss of accommodation for many due to costs and also limit our procurement opportunities to secure settled accommodation.
16. Our data review evidences the continued change within the Borough in terms of population, family sizes but continues to see huge disparities in health and life outcomes from within such a small geographical space.
17. Southwark is a proudly diverse Borough however, we can see that those from Black, Asian and Ethnic minority groups are disproportionately resident in areas of highest deprivation and over-represented in those who have sought help with their housing needs.
18. Through the course of 2022 and so far this year, Housing Solutions has gathered a wide range of data to help understand the changing needs of our residents, our performance to meet these needs effectively between 2018-2022 and to highlight the legal and policy changes that have affected both. Our current review document can be found in appendix 1.
19. A data review has illustrated a number of trends and emerging needs that we have identified to inform the work that we maintain must be undertaken to tackle housing insecurity in the borough. A summary of our data review can be found in appendix 2. Headline areas of challenge include the following:
 - Continued prominence of homelessness as a result of family and friends exclusions and challenges with homeless prevention for this group of residents.
 - Rising numbers of those identified as sleeping rough.

- Insufficient access to support housing accommodation and challenges with effective move on pathways for existing residents.
- A reduction in affordable private rented sector accommodation for Council procurement. Correspondingly, heightened rent insecurity for those renting privately.

20. Moreover, the recent 'Streamlined Asylum Process' is creating additional demand and challenges for an over-stretched service.

21. From our data review, we formed 5 draft priorities to address the existing and emerging needs within the borough. These have been presented and reviewed throughout a period of informal consultation with over 30 partners spanning the Council, statutory and voluntary partners and service users. From this, a great wealth of insight and feedback has been collected and grouped thematically to arrive us at a point of a draft strategy.

22. Aligning with Southwark's wider strategic aims and commitments we have defined the following overarching aim:

To deliver timely, effective and collaborative support through enhanced networks, which empowers our residents to resolve their housing insecurity.

17. From this aim, we have identified 3 principle objectives:

1. *To use a data-led and joined up approach with our partners to identify and support those at the earliest stages of housing difficulty.*
2. *To ensure effective and timely advice and support is provided to help make real and lasting change for our residents.*
3. *To improve the outcomes of residents in the quality of our support and work together to build resilience in our communities and make the case for change more widely.*

18. To achieve these objectives, we have identified the following 5 priorities that seek to both deliver many elements of our last strategy and focus efforts and resources to overcome the challenges we've seen and are likely to see in the next 5 years:

1. **Homelessness Prevention** – *Using a data led and joined up approach to prevent homelessness and sustain existing accommodation arrangements where possible.*
2. **Support** – *Ensuring high quality, tailored, effective advice and support is delivered promptly to address the diverse needs of our residents.*
3. **Rough Sleeping** – *Alignment with the Government Rough Sleeping Strategy and to expand Southwark's off the street provision for rough sleepers and those with complex needs.*

4. **Quality Outcomes** – *Making best use of accommodation available that meet the needs of our residents and continue to drive up standards.*
 5. **Tackling Insecurity** - *Working with partners to address the wider determinants of housing insecurity and to empower residents to make informed decisions in resolving their housing issues where possible.*
19. Our review and stakeholder feedback has confirmed that Council services alone cannot meet the acute and unprecedented need in our Borough that will endure and develop. Partnerships with statutory and community partners must be aligned and enhanced, through expanded fora, training and information sharing initiatives. Our action plan which is in development will be a suite of shared activities to meet our strategic priorities and aims and our work will be undertaken collaboratively.
20. The draft strategy is scheduled to be presented to full Cabinet in February 2024. Approval at Cabinet will be sought to engage a period of formal consultation for 12 weeks. Upon completion of this exercise and collation of feedback, Cabinet approval will again be sought for a revised and final version of the strategy to be implemented. Given current trajectory and potential impacts of Purdah in May 2024, it is envisaged our strategy can be in effect from late Summer 2024.

Policy framework implications

20. The proposed strategy takes account of the existing overarching Council policies:

- Contribute to the delivery of the Council's Fairer Future Promises, particularly the promise to deliver 11,000 new council homes by 2043, as well as investment plans for the council's housing stock.
- Provide clear leadership and management to ensure the council is able to deliver commitments as set out in the Housing Strategy 2013 – 2043 and the action plans contained therein.
- To align and support Southwark's existing Allocations Policy of 2013 and its next iteration in 2024.
- To align and enhance the Council's commitments of Southwark Stands Together to ensure systemic inequality experienced by our Black, Asian and minority ethnic residents is addressed.
- To align and enhance the Southwark 2030 strategy and its 8 ambition areas.
- To align and support the Council's Temporary Accommodation Placement Policy.
- To deliver Southwark's homelessness services within its budget and

grant streams.

Community, equalities (including socio-economic) and health impacts

Community impact statement

21. Section 149 of the Equality Act, lays out the Public Sector Equality Duty (PSED) which requires public bodies to consider all individuals when carrying out their day to day work – in shaping policy, in delivering services and in relation to their own employees. It requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between different people when carrying out their activities. The council's Approach to Equality ("the approach") commits the council to ensuring that equality is an integral part of our day to day business.

22. Our Equality Impact Assessment (EIA) identifies that certain groups are more likely to be affected by the policies, as they are more likely to present themselves to the council as homeless, these group are:

- Black, Asian and minority ethnic groups
- The 25-44 age group (this group is also more likely to have children)
- Women
- Households with children/pregnant women
- Children
- Lone parents
- Low income households.

The strategy's focus on preventing homelessness and access to high quality and accessible advice generally will benefit these groups. Improvements to the access of advice around debt and entitlements for residents will likely mitigate the risks of housing insecurity or loss of homes. Improvements in the coordination of agencies through prevention forums, the better use of data to target interventions and expanding the network of the homelessness forum will help align and enhance prevention work for families in the Borough.

23. We will be improving additional assessments to identify eligibility for supported accommodation and improving the move on plans of residents. We will improve the timeliness of access to specialist accommodation such as sheltered and extra care so the needs of those with disabilities can be met more quickly.

24. With the development of feedback and insight sessions from residents and partner agencies, we will be able to gather information to identify service improvements across all protected characteristics where possible.

25. We understand that households disadvantaged by low income, physical and mental health problems and those of Black, Asian and Ethnic minority backgrounds will be at higher risk of housing insecurity. Our draft strategy

and activities aim to provide effective high quality advice and support earlier to help residents avoid homelessness and improve their access to services, including improved support around employment and skills training.

26. Overall the EIA concludes that where potentially negative impacts on households have been identified, not all of these can be mitigated, but that equality implications have been fully considered. It is required to consider the potentially negative impacts on protected groups and whether these impacts are justified by the council's wider objectives in implementing these strategic actions by using its resources to provide the best outcomes for the residents of the borough. The impact of the strategy and in particular the equality impact of the strategy will in any event be kept under regular review.

Equalities (including socio-economic) impact statement

27. In the course of our development and delivery of our strategy, we will be completing in-depth equalities analyses and our finalised strategy will be one that has equality of opportunity and outcome at its core.

Health impact statement

28. We will ensure our strategy promotes healthy outcomes for our residents and staff.

Climate change implications

29. We will ensure that wherever possible in the course of our strategic and underpinning operational objectives are consulted upon and agreed, developments to new ways of working will be considered to achieve our commitment minimize climate change.

Resource implications

30. The actions and activities set out in the strategy will be delivered within existed resources of the Council.

Legal implications

31. Legal implications are set out in paragraphs 36 to 42 below.

Financial implications

32. The actions and activities set out in the detailed strategy will be delivered within the agreed base budgets for Temporary Accommodation and Housing Solutions. The council also has many grant streams to support homelessness predominately to foster prevention and expand the offer for rough sleeping.

33. The service is seeing rising numbers of homeless, exacerbated by the cost of living crisis and the streamlined asylum process. In addition, there is an emerging and more serious pressure on the supply-side as providers are exiting the private rental market due to rising interest rates impact on the financial return, availability issues and rental costs to landlords are escalating. The council remains fully cognisant of its statutory homeless duties, and these obligations will continue to be managed in the most cost effective and sustainable way.
34. It should be noted with the growing pressure on homeless demand, particularly with the result of streamlined asylum processing, this may result in increased pressure on rough sleeping. Expanding Southwark's off the street provision may need to be reviewed to ensure the offer can be met from existing resources or the grant offer from government departments. Further details of the available resources for tackling homelessness are outlined in Appendix 1.

Consultation

35. To help with reviewing and shaping the strategy, the service has presented the data review and draft potential priorities to key stakeholders to gain feedback in homelessness forum held on 27th April 2023. The service also undertook an online informal consultation exercise on 5th, 11th and 19th July 2023 with over 30 internal and external partners working in the areas of housing, health, justice and welfare rights.
36. The service also held a housing solution service-wide conference on 26th July 2023 to present the draft priorities and activities and seek feedback. Finally, the service also held an in-person meeting with ex-service users with complex needs on 10th August 2023.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Assistant Chief Executive Governance & Assurance (KM)

37. Legislation concerning homelessness reviews and strategies is set out in sections 1 to 3 of the Homelessness Act 2002 ("the 2002 Act"). Additional information about what is to be addressed in a homelessness strategy is set out in section 3 of the 2002 Act. The scope of what homelessness review should cover is set out in section 2 of the 2002 Act and section 2(3) of the 2002 Act, requires that the outcome of the Council's homelessness review must be available for public inspection after its completion.
38. Section 1 of the 2002 Act provides that local housing authorities may from time to time carry out a homelessness review for their district and formulate and publish a homelessness strategy based on the results of that review. They must publish a new homelessness strategy within five years of the date of publication of their last homelessness strategy.

39. Section 3(7A) of the 2002 Act, stipulates that in formulating or modifying a homelessness strategy, a local housing authority shall have regard to—
- (a) its current allocation scheme under section 166A of the Housing Act 1996;
 - (b) its current tenancy strategy under section 150 of the Localism Act 2011;and
 - (c) in the case of an authority that is a London borough Council, the current London housing strategy that is prepared by the Mayor of London.
40. Section 188(1) of the Housing Act 1996 provides that, if a local housing authority has reason to believe that an applicant may be homeless, eligible for assistance and have a priority need, the Council must secure that accommodation is available for the applicant's occupation until the homelessness application is processed and a decision is made by the Council regarding the application.
41. A local authority will owe a full homelessness duty to provide temporary accommodation if it is satisfied that a homeless applicant is homeless, eligible for assistance (this usually means not excluded on immigration grounds), in priority need of accommodation, and not intentionally homeless. The applicant will be required to have a local connection with the borough.

Rough Sleeping

42. The Council's strategy will also set out its approach to and commitments for addressing and eliminating rough sleeping. This includes details about how the council will work with other agencies and stakeholders in order to ensure that rough sleeping in the borough is addressed.
43. The Council will be carrying out consultation on the strategy. Consultation must take place at a time when proposals are still at a formative stage. Sufficient reasons must be provided for any proposal to allow intelligent consideration and response, and adequate time must be given for consideration and response. The outcome of consultation must be conscientiously taken into account in finalising then council's proposals.

Strategic Director of Finance and Governance

44. The Homelessness strategy aims to improve the effectiveness of service and there are no direct financial implications as this. It should be noted the council is seeing unprecedented pressure within the service due to the cost of living crisis and other external factors, however, the council remains fully aware of its statutory homeless duties and will need to aim to deliver this in the most efficient way within the resources available.
45. The Rough Sleeping strategy is based on known funding streams and current numbers of rough sleepers but these may be liable to reduce or cease over time. In the event of changes to either of these factors the

strategy may need to be reviewed and updated with further consultation if necessary.

Other officers

45. Not applicable

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Title of document(s)	Title of department / unit Address	Name Phone number
(Insert hyperlink here)		
Title of document(s) (Insert hyperlink here)	Title of department / unit Address	Name Phone number
(Insert hyperlink here)		

APPENDICES

No.	Title
Appendix 1	Data Review
Appendix 2	Data Review Summary Sheet

AUDIT TRAIL

Lead Officer	Cllr Helen Dennis	
Report Author	Jerome Duffy	
Version	1	
Dated	04.12.23	
Key Decision?	Yes/No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Director of Law and Governance	Yes/No	Yes/No
Strategic Director of Finance and Governance	Yes/No	Yes/No
List other officers here		
Cabinet Member	Yes/No	Yes/No
Date final report sent to Constitutional Team / Scrutiny Team	07.12.23	