

ADULT CARE AND WELL BEING OVERVIEW AND SCRUTINY PANEL 13 OCTOBER 2023

HOW THE COUNCIL WORKS WITH PARTNERS ON HOMELESSNESS

Summary

1. The Panel has requested an overview of how the Council works with partners on homelessness.
2. The Cabinet Member with Responsibility for Adult Social Care, the Strategic Director and Senior Officers from the People Directorate have been invited to the meeting to respond to any questions the Panel may have.

Housing Governance

3. The 6 District Councils in Worcestershire have the statutory responsibility for homelessness prevention and relief under the Homelessness Reduction Act (HRA) 2017. This is not delegated outside of each District Council - although in Bromsgrove, Bromsgrove District Housing Trust provides this service on behalf of Bromsgrove District Council, the Council remains statutorily responsible.
4. In each district, it is the responsibility of the Council (i.e. the elected body) to agree policy, budget and spending plans and other constitutional matters. Each District Council also has a lead member (Cabinet Member/Portfolio Holder) on its Executive/Cabinet with responsibility for housing. Operational decisions are made by officers in the housing team, dependent on their seniority and in line with legislation and guidance.
5. There are partnership groups across the county (such as the Worcestershire Strategic Housing Board, the Worcestershire Housing Board, and the Worcestershire Strategic Housing Officer Group (WSHOG)). These are not statutory, and they have no decision-making powers or other powers delegated by the District Councils.
6. These groups allow partners to work together, to coordinate activity, to ensure consistency of approach where that is appropriate and to maximise very limited resources. WSHOG is a District Council officer group focused on operational coordination. However, in the case of all partnership groups, decisions must then be taken by the individual councils.
7. The partnership groups also engage other statutory and non-statutory partners, who may not have responsibility for housing but have an interest in or value to add, such as adult social care and NHS colleagues.

Definition of Homelessness

8. There are several different factors that determine whether a person is homeless. Under section 175 (Housing Act 1996), a person is homeless if they have no accommodation in the UK or elsewhere which is available for their occupation and which that person has a legal right to occupy.
9. A person is also homeless if they have accommodation but cannot secure entry to it, or the accommodation is a moveable structure, vehicle or vessel designed or adapted for human habitation and there is nowhere it can lawfully be placed to provide accommodation.
10. A person who has accommodation is to be treated as homeless where it would not be reasonable for them to continue to occupy that accommodation.
11. Local Housing Authorities, and District Councils within Worcestershire, also have a duty under section 175(4) to assist people 'threatened with homelessness' if they are likely to become homeless within 56 days, or under section 175(5) where a person has been served a valid notice under section 21 of the Housing Act 1988. The Government's Homelessness Code of Guidance for Local authorities 2023 is included at Appendix A.

Adult Social Care Involvement

12. People at risk of or experiencing homelessness often have complex needs; they may have mental ill health or misuse substances, they may have experienced abuse or coercion, may have no recourse to public funds, have experienced trauma and multiple disadvantages, and may be reluctant to engage with services. For those who are recovering from the trauma of homelessness it can be a long journey before their quality of life is improved.
13. Social Care plays a hugely important role in improving the health and wellbeing of communities, ensuring all people can access the care, support and safeguards they need. Whilst the District Councils have statutory responsibility for the prevention of homelessness, adult social care offers support and involvement in many forms, which include: -
14. **Duty to Refer (DTR)** – Under the HRA 2017, public sector bodies have a DTR anyone who is homeless or at risk of homelessness to the local housing authority (LHA) which is the District Councils in Worcestershire. Further information on DTR is attached at appendix B.
15. **Move on from Supported Living** – When someone no longer requires supporting living through adult social care, the teams or commissioned support providers work with the District Councils to ensure residents are 'moved on' through the local housing registers or homeless applications are made where appropriate.
16. **Safeguarding and self-neglect** – Where there is a risk of significant harm to individuals who are homeless, at risk of homelessness and/or rough sleeping, referrals are made into the County Council from partner organisations for support. The Multiagency Self Neglect and Hoarding Policy (attached at appendix C) is

frequently followed for those rough sleeping. The County has a duty under section 9 of the Care Act 2014 to carry out assessments for individuals who may have refused a needs assessment but who are experiencing, or at risk of, abuse or neglect.

17. **Worcestershire Safeguarding Adults Board (WSAB) Thematic Review Assurance Panel** – the Council works with District Council representatives, Voluntary, Community or Social Enterprise (VCSE) organisations specialising in working with people experiencing homelessness, Healthwatch and Homeless Link to oversee the implementation of recommendations from the Thematic Safeguarding Adult Review regarding people who rough sleep are implemented where possible. This review is attached at appendix D.
18. **Complex Adult Risk Management (CARM)** – under the CARM process, the Council works with frontline staff from partner organisations including the VCSE sector, statutory services such as NHS and Police, and the Districts to facilitate effective working where those experiencing homelessness are at risk of harm due to their complex needs and their risks cannot be effectively managed via other processes or interventions. The CARM process is attached at appendix E.
19. **Homelessness and Rough Sleeping Strategy 2022-2025** – the 6 District Councils have a joint strategy on how they will address homelessness and rough sleeping over the next 3 years. There are actions within the Strategy which require the District Councils and WSAB to work together around supported housing provision, awareness of the Mental Capacity Act 2005 process for those with complex needs who have capacity and exploring a collaborative approach around access to training for VCSE and smaller organisations providing homelessness services. The strategy is attached at appendix F.
20. Prior to the implementation of the Care Act on 1 April 2015, there was a duty to provide accommodation under section 21 of the National Assistance Act 1948 for a person aged 18 or over who needed 'care and attention' because of illness, disability, old age, or another reason, if the care and attention was not 'otherwise available'. The Care Act 2014 replaced the accommodation duty with a general duty to meet the needs of a person who needs care and support.
21. As a result, the provision of accommodation under the Care Act 2014 is restricted to cases in which the authority is providing 'accommodation-related' services. Services are defined as 'accommodation-related' where they:
 - are of a sort normally provided in the home (such as domestic tasks, or checking that the home environment is safe), or
 - would be 'effectively useless' if the client was homeless.
22. Section 23 of the 2014 Act prevents local authorities from meeting eligible care needs by doing anything that is required under the Housing Act 1996.

Housing Hospital Pathway

23. There is a Homeless Liaison Pathway Officer within the Onward Care Team (OCT) who works closely with Social Care supporting those who are homeless on admission to hospital, who become homeless whilst in hospital or who are

threatened with homelessness. From 2023 this post is being funded by the Better Care Fund.

24. Following agreement at the Integrated Commissioning Executive Officers Group (ICEOG), funding has been awarded for a Homelessness Lead within the Emergency Department to help identify those who are homeless, at risk of homelessness or rough sleeping and ensure the Duty to Refer requirement is fulfilled. In addition, the pathway will be developed to provide greater clarity and earlier identification of individuals. The additional post will be hosted by a District Council and overseen by Place (a group of partners working across Worcestershire within the Integrated Care System) to enable an integrated approach and greater collaboration with partners.

25. In July District Councils and the OCT began a Hospital Homelessness Discharge Group to discuss complex discharges where homelessness issues could delay discharge. The data gathered from this is shared with WSHOG to identify where there are gaps in provision.

Services Supported by the Council.

Single and Childless Couples homelessness prevention support contract

26. This service is commissioned by the 6 District Councils and supported by the County Council to provide homeless prevention support to single households and childless couples. Support within temporary accommodation and tenancy ready support is included to ensure early tenancy sustainability.

Promoting Independent Living (PIL) service

27. Currently provided by Millbrook Health Care, the PIL service is jointly commissioned between County Council and the 6 District Councils. Subject to funding there are discretionary grants to support hospital discharge that enables works to be fast-tracked which are non-means tested to enable an earlier discharge where problems are identified in the home as a possible reason for delayed discharge.

Substance misuse

28. The integrated drug and alcohol service, commissioned by the County Council includes the provision of harm reduction support to individuals using drugs. This support, which includes needle exchange, advice and guidance and the distribution of naloxone enables service users to adopt safer practices, thus reducing the risk of harm. This countywide service focuses on hard-to-reach groups, including those experiencing homelessness. Delivery of this service is also supported by Maggs Day Centre.

29. The Rough Sleeper Drug and Alcohol Treatment Grant (RSDATG) led by Department for Levelling Up, Housing and Communities (DLUHC) invited eligible areas across England to apply for funding to improve access to drug and alcohol and mental health services for individuals experiencing homelessness. Worcester City was one of the areas invited to apply and a partnership approach which

included enhanced drug and alcohol and nurse outreach provision has been developed.

Sanctuary Schemes

30. Homeless applications from those experiencing domestic abuse have increased during and post pandemic. The District Councils and the County Council have worked together to provide a service designed to keep victims of domestic abuse safe in their own homes if it is safe for them to do so and they choose to. If the relationship has ended and the perpetrator is no longer residing at the permanent residence, then safety measures such as additional locks on doors and windows, security lights, and video doorbells are provided. More advanced measures may also be considered such as safe rooms built into the property. Work has been undertaken by the County Council to ensure that sanctuary schemes are available and consistent in all areas.

Head of Housing and Health

31. The County Council currently contributes to this the newly created post of Head of Housing and Health, which works across Worcestershire and promotes collaborative working across all partners to ensure that the housing needs of individuals are tackled collectively to enable better health and social care outcomes for individuals and reduce the impact on all services where possible.

Purpose of the Meeting

32. The Panel is asked to:

- consider and comment on the information provided on how the Council works with partners on homelessness; and
- determine whether any further information or scrutiny on a particular topic is required.

Supporting Information

Appendix A - [Homelessness code of guidance for local authorities - Guidance - GOV.UK \(www.gov.uk\)](#)

Appendix B - [A guide to the duty to refer - GOV.UK \(www.gov.uk\)](#)

Appendix C - [WSAB Multi Agency Self-Neglect and Hoarding Policy](#)

Appendix D - [WSAB Thematic Safeguarding Adults Review Regarding People who Sleep Rough](#)

Appendix E - [Worcestershire Complex Adult Risk Management \(CARM\)](#)

Appendix F - [Worcestershire Homelessness and Rough Sleeping Strategy 2022-25](#)

Contact Points

Faye Pemberton, Assistant Director for Integration & Service Development. Email: fpemberton@worcestershire.gov.uk Tel: 07518 299647

Harriet Brown, Head of Housing & Health Partnerships – Worcestershire. Email: harriet.brown15@nhs.net Tel: 07563376462

Emma James / Jo Weston, Overview and Scrutiny Officers, Tel: 01905 844964 / 844965
Email: scrutiny@worcestershire.gov.uk

Background Papers

In the opinion of the proper officer (in this case the Assistant Director for Legal and Governance), the following are the background papers relating to the subject matter of this report:

[Agenda and Minutes for Adult Care and Well Being Overview and Scrutiny Panel on 14th July 2023](#)

[All agendas and minutes are available on the Council's website here.](#)