

Hampshire Homelessness Referral Protocol



**Working in
partnership**



Hampshire Homelessness Referral Protocol

1 Aims of protocol

The Homelessness Reduction Act 2017 calls for new referral and joint working arrangements between housing authorities and other public sector authorities in the prevention and relief of homelessness.

This protocol sets out how local authorities within Hampshire and public authorities operating in the local areas will work together to prevent homelessness and the procedures to be followed in making referrals of individuals identified as being homeless or at risk of homelessness.

2 Background

The [Homelessness Reduction Act 2017](#) came into force on 3 April 2018 and significantly reformed homelessness legislation by placing duties on local authorities to intervene at earlier stages to prevent homelessness in their areas. It requires housing authorities to provide homelessness services to all those affected, not just those who have 'priority need'. These include:

1. (a) an enhanced prevention duty extending the period a household is threatened with homelessness from 28 days to 56 days, meaning that housing authorities are required to work with people to prevent homelessness at an earlier stage; and
2. (b) a new duty for those who are already homeless so that housing authorities will support households for 56 days to relieve their homelessness by helping them to secure accommodation.

As a result of the Act, housing authorities have the following duties:

- to carry out an assessment in all cases where an eligible applicant (regardless of priority need status, intentionality and whether they have a local connection) is homeless or threatened with homelessness
- to identify any support needed by the person to enable them to secure and retain accommodation and to work with them to develop a personal housing plan which will include actions (or 'reasonable steps') to be taken by the authority and the applicant to try and prevent or relieve homelessness e.g. by helping them to stay in their current accommodation or helping them to find a new place to live before they become actually homeless
- to take reasonable steps to help the applicant to secure accommodation if the applicant is already homeless, or becomes homeless despite activity during the prevention stage.

If homelessness is not successfully prevented or relieved, a housing authority will continue to owe the main housing duty to applicants who are eligible, have a priority need for accommodation and are not homeless intentionally, i.e. to ensure that

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suitable accommodation is available for the applicant and their household until the duty is brought to an end, usually through the offer of a settled home.

The Act also introduced a duty on certain public authorities to refer service users who they think may be homeless or threatened with homelessness to a housing authority. The public services included in the duty are as follows:

- a. prisons;
- b. youth offender institutions;
- c. secure training centres;
- d. secure colleges;
- e. youth offending teams;
- f. probation services (including community rehabilitation companies);
- g. Jobcentre Plus;
- h. social service authorities;
- i. emergency departments;
- j. urgent treatment centres; and,
- k. hospitals in their function of providing inpatient care.

The Secretary of State for Defence is also subject to the duty to refer in relation to members of the regular forces. The regular forces are the Royal Navy, the Royal Marines, the regular army and the Royal Air Force.

Housing authorities are responsible for setting up local procedures for managing referrals from public authorities and establishing effective partnerships and working arrangements in their local areas.

This document sets out the joint working and referral arrangements that Local Authorities in Hampshire have agreed with other public authorities. The parties to the protocol are united in their commitment to developing an effective, shared approach to preventing and tackling homelessness in Hampshire, based on good communication and information sharing, early identification and referral of individuals identified as being homeless or at risk of homelessness, and timely and joined up action.

3 Underlying principles

The Homelessness Reduction Act places responsibilities on both housing authorities and other public agencies in managing referrals of individuals who are homeless or

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at risk of homelessness. The Homelessness Code of Guidance provides guidance on devising a referral procedure. This includes:

- the individual must give consent before a referral is made to the housing authority
- the individual is allowed to select the housing authority to which a referral is made
- referrals should provide details of the individual's name, contact details, and reason for referral, subject to the individual's consent
- the procedure should be decided by service partners in each local area and tailored to the role and functions of each authority
- joint working arrangements should be established to maximise positive outcomes, especially for people sleeping rough or at risk of sleeping rough, and service users with complex or multiple needs
- the focus should be on the earliest possible identification of people at risk of homelessness
- Local Authorities should store information received from the referring authority to use in its assessment and personal housing plan.
- having a single point of contact for public authority referrals, which should be widely publicised
- housing authorities should inform public authorities with a duty to refer of how they will respond to a referral

A. Referral process

Public authorities should notify the chosen local authority (see point B below) of any service user considered to be homeless or at risk of homelessness. They should do this by completing the agreed referral form which is on line on each local authorities website (see list in appendix 1), with the consent of the individual. The referral form includes the following details: name, contact details, agreed reason for referral, if the person is homeless or if and when they are likely to become homeless, if they are at imminent risk of rough sleeping, a risk assessment, and key medical information.

Completed referral forms should be emailed to the Local Authority the individual wishes to approach. A response acknowledging receipt of the referral will be provided within two working days. In urgent cases (where homelessness is imminent within two days), email of the referral form should be followed up by a phone call to the duty number for the local authority where the approach is being made. (See appendix 1)

B. Choice of housing authority

The individual can choose to which housing authority the referral is made. Wherever possible, the public authority should advise the individual to seek assistance from the most relevant housing authority (i.e. the one where they have a local connection to, unless it is not safe for them to return to that area).

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The following situations satisfy a local connection. If the individual has more than one local connection, they could approach the local authority where they would like to live.

Living in an area

You have a local connection if you've lived in a council area for at least:

- 6 out of the last 12 months
- 3 out of the last 5 years

Staying in emergency housing or a refuge counts. Time spent in prison or hospital doesn't count.

Working in an area

You have a local connection if you're working or self-employed in a council area.

Close family in the area

You have a local connection if any of the following family members have lived in a council area for at least 5 years:

- parents
- adult children
- brothers and sisters

The council might accept a local connection based on other family members. For example, if you were brought up by another relative and remain in close contact.

Care leavers

You have a local connection if you're under 21 and were previously in care in the area for at least 2 years (even if placed there by another council).

You also have a local connection if you're under 25 and you get advice and support from Children Services under a 'pathway plan'. If your pathway plan is provided by a Hampshire county council, you have a local connection to every local housing department in Hampshire.

Refugee status or humanitarian protection

You have a local connection to the last council area you were housed in by the Home Office under asylum support. It doesn't matter how long you lived there for.

Special reasons

The council could decide you have a local connection for a special reason such as:

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- a need to live in the area to receive specialist health care
- very important social connections with the area

Although housing authorities must apply the prevention duty to anyone that approaches them, regardless of whether they have a local connection, local connection arrangements still apply if the housing authority owes the main homelessness duty, i.e. to provide accommodation. If this is the case and there is no local connection to the housing authority that accepted the original referral, they would be transferred to the housing authority with which they have a local connection.

C. Making early referrals

Some public authorities have relationships with service users which enable them to identify a risk of homelessness at an early stage. In these cases, the public authority should ensure that a referral is made to a chosen local authority as soon as a likelihood of homelessness becomes apparent, to enable the best opportunity for a solution to be found that prevents homelessness. For example this would apply to individuals due to be released from prison who should be referred well before their release date or hospitals wanting to discharge patients to make the referral as soon as it is known the patient has no suitable home to be discharged to.

D. Response to referrals

When a referral is received by the Council, it will be dealt with by the Housing Team. They will endeavour to respond within two days to a referral by contacting the individual using the contact details provided in the referral form. If they are unable to get a response, they will provide information on how the individual can access advice and assistance (e.g. on the local authorities' website or by visiting the Civic Centre) via a phone call or email.

If it is clear that the individual is threatened with homelessness within 56 days, the local authority has a duty to assess their needs and will work with them to develop a Personal Housing Plan to prevent homelessness. This will trigger a homeless application.

E. Data sharing

All Personal Housing Plans (PHPs) agreed by the Council will include a data sharing consent clause as standard to allow early notification and sharing of data from the PHPs with the referring public authority and potentially other public authorities

F. Rough sleeping

Any individual identified by a public authority as sleeping rough, or at risk of sleeping rough should be referred to the local authority using the referral process and form

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and a call should be made to that local authority to ensure a prompt and joined up response. Where the local authority assesses that the individual is at risk of sleeping rough, or is already sleeping rough they will provide triage and respond accordingly, dependant on the local authorities rough sleeping procedures.

H. Joint working

For some users, who may have complex or multiple needs, the best approach will involve the joint efforts of the local authority and public authorities. In some cases, public authorities will also have duties to provide accommodation, as well as advice and support (e.g. under the Children Act 1989 and the Care Act 2014). Where the local authority believes another public authority has the primary responsibility for housing the individual, it will make a referral, share information and work closely with the public authority to ensure homelessness is prevented.

4 Training

The protocol needs to be underpinned by appropriate training and development of staff.

Signatories accept that:

- all existing relevant staff will be briefed on the protocol and will receive training in understanding and responding to vulnerability
- all newly appointed relevant staff will be briefed on the protocol and will receive training in understanding and responding to vulnerability as part of their induction training.

5 List of parties

The public services that are included in this protocol are as follows:

Local Authorities:

Basingstoke and Deane Borough Council
East Hampshire District Council
Eastleigh Borough Council
Fareham Borough Council
Gosport Borough Council
Hart District Council
Havant Borough Council
Isle of Wight Council
New Forrest District Council
Portsmouth City Council
Rushmoor Borough Council

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Southampton City Council
Test Valley Borough Council
Winchester City Council

Public Authorities:

HM prisons
Youth offender institutions
Secure training centres
Secure colleges
Youth offending teams
Probation services (including community rehabilitation companies)
Jobcentre Plus
Social service authorities
Emergency departments
Urgent treatment centres
Hospitals in their function of providing inpatient care

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Local Authority agreement:

We the undersigned confirm that this protocol has been agreed and accepted in line with the Homelessness Reduction Act 17 section 213B Duty to Refer by Public Authorities, as defined herein;

Local Authority	Name and position of signatory	Signature
Basingstoke and Deane Borough Council		
East Hampshire District Council		
Eastleigh Borough Council		
Fareham Borough Council		
Gosport Borough Council		
Hart District Council		
Havant Borough Council		
Isle of Wight Council		
New Forrest District Council		
Portsmouth City Council		
Rushmoor Borough Council		
Southampton City Council?		
Test Valley Borough Council		
Winchester City Council		

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Appendix 1:

Local Authority	Email address/ website link	Duty Telephone number
Basingstoke and Deane Borough Council	dutytorefer@basigstoke.gov.uk	01256 844844
East Hampshire District Council	dutytorefer@easthants.gov.uk	01730 234415
Eastleigh Borough Council	dutytorefer@eastleigh.gov.uk	02380 688161
Fareham Borough Council	dutytorefer@fareham.gov.uk	01329 236100
Gosport Borough Council	dutytorefer@gosport.gov.uk	02392 545476
Hart District Council	dutytorefer@hart.gov.uk	01252 774420
Havant Borough Council	dutytorefer@havant.gov.uk	02392 446379
Isle of Wight Council	dutytorefer@iow.gov.uk	01983 823040
New Forrest District Council	dutytorefer@NFDC.gov.uk	02380 285234
Portsmouth City Council	dutytorefer@portsmouthcc.gov.uk	02392 834989
Rushmoor Borough Council	dutytorefer@rushmoor.gov.uk	01252 398634
Southampton City Council?	dutytorefer@southampton.gov.uk	02380 832327
Test Valley Borough Council	dutytorefer@testvalley.gov.uk	01264 368619
Winchester City Council	dutytorefer@winchester.gov.uk	01962 848163