



The Homelessness Reduction Act – what to expect in the years to come?

Ioana Brezeanu, Policy and Research Officer, SJOG Hospitaller Services

August 2022

Executive Summary

About the Homelessness Reduction Act

The Homelessness Reduction Act became law on 3 April 2018. The Act introduced a duty on specified public authorities to refer people who they think may be homeless or threatened with homelessness within 56 days to local authority homelessness/housing options teams.

Referrals can be made by various recognised bodies, such as prisons and probation centres, hospitals, social service and local authorities. Exceptions to the application process are in place for people who live unlawfully in the UK (including undocumented migrants and those with No Recourse to Public Funds). Additionally, where an adult lacks capacity to make a homelessness application, they may qualify for services, including accommodation under the Care Act 2014¹.

Prevention Programmes

The Act refers also to the adoption of prevention programmes, aiming to minimise the impact homelessness on the wider public services – including (but not limited to) the courts system and public health services. For this aim, several grant programmes have been issued since 2020: the Homelessness Reduction Grant, Flexible Homelessness Support Grant (2021) and the Homelessness Prevention Grant (HPG), granting £315.8m in 2022/23 for local authorities to support people. The funding provided by the Department for Work and Pensions through Discretionary Housing Payments, the 'Everyone In' and the 'Next Accommodation programmes' are one of the examples of how the grant has been invested by partners.

While approximately 33,000 people sleeping rough have been supported into temporary accommodation during the COVID-19 pandemic under the 'Everyone Scheme', 'Next Accommodation' aims to continue this project. In fact, the programme is supporting new tenancies for around 15,000 vulnerable people who were provided with emergency accommodation during the pandemic.

Looking forward into the future, for 2025, the Government aims to continue investing in prevention in order to relieve the pressure on funding temporary accommodations; this implies developing additional initiatives and increasing funding for programs such as Housing First and the Affordable Housing Program to address homelessness and rough sleeping.

Public Opinion

Whilst councils welcomed these programmes, they raised concerns that the funding is short-term, and highly restrictive in terms of the type of tenancies and support that can be funded. Local

¹https://england.shelter.org.uk/professional_resources/legal/homelessness_applications/homeless_application_process#reference-12

authorities expressed that this prevents them from delivering the long-term, flexible support needed by people experiencing homelessness².

The importance of long term accommodation support has also been highlighted by organisations such as Crisis and St Mungo's, which advocate for the inclusion of those who are not considered to be in priority need, including those with NRPF, who are left desperate and destitute.

SJOG Impact and Recommendations

SJOG welcomes the government's 'duty to refer' and is aware that the Act cannot exist in isolation. SJOG supports the idea that the issues which cause people to become homeless, and the problems facing those who are already homeless, must also be addressed, by putting in place a plan that commits to improve access to truly affordable housing, provide long-term support in stable accommodation, including for non-UK nationals sleeping rough and with NRPF.

² <https://www.local.gov.uk/parliament/briefings-and-responses/ending-rough-sleeping-house-commons-8-september-2021>

The Homelessness Reduction Act

With the introduction of the Act in October 2018, Local Housing Authority (LHA) are required to provide new homelessness services, including more meaningful assistance to all people who are eligible. The HRA has three primary focus areas: prevention, intervention, and recovery.

Within this law, public sector bodies, including Prisons and Probation services, are required to refer anyone who is homeless or at risk of becoming homeless to a LHA of the person's choice³. This last will be taking reasonable steps to help the applicant to secure suitable accommodation, by providing a bond guarantee, funding a rent deposit or working with a private landlord to make properties available, where necessary⁴.

These who are considered eligible for the 'Duty to refer' scheme include, but are not limited to⁵:

- Temporarily residing with family or friends ('sofa surfing')
- Rough sleeping
- Residing in a squat
- No fixed abode
- Transient short-term accommodation, including BASS and Approved Premises, with no identified move-on provision
- A prisoner to be released within 56 days and likely to be homeless
- Where the person is likely to be living in the previous-listed situations, or in any event likely to become homeless, within 56 days

Exceptions to the scheme include:

- A person who is in the UK unlawfully is not eligible for housing assistance;
- An application cannot be made by a person who lacks mental capacity to do so. Where an adult lacks capacity to make a homelessness application, they may qualify for services, including accommodation under the Care Act 2014⁶.

³ <https://www.gov.uk/government/publications/homelessness-reduction-act-duty-to-refer-policy-framework>

⁴ <https://www.haringey.gov.uk/housing/housing-advice/about-homelessness-reduction-act-hra#:~:text=Background,What%20is%20the%20HRA%3F,priority%20need%20under%20the%20Act>

⁵ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1047472/duty-refer-pf.pdf

⁶ https://england.shelter.org.uk/professional_resources/legal/homelessness_applications/homeless_application_process#reference-12

Referral Process

Applications can be made by the person who is homeless or threatened with homelessness, or by someone on their behalf. This could be someone acting in a professional capacity, for example a solicitor, adviser or social worker. It could also be made by a friend or relative if the applicant is unable to make an application for themselves⁷.

The referral (Appendix 1) may be completed using the nationally agreed standard referral form which is available via different portals such as NDelius, P-NOMIS and Jigsaw⁸.

The below specified public authorities are subject to the 'Duty to refer' (in England only)⁹:

- prisons
- young offender institutions
- secure training centres
- secure colleges
- youth offending teams
- probation services (including community rehabilitation companies)
- Jobcentres in England
- social service authorities (both adult and children's)
- emergency departments
- urgent treatment centres
- hospitals in their function of providing inpatient care
- Secretary of State for defence in relation to members of the regular armed forces

The eligible person can apply to any local authority regardless of local connection.

⁷https://england.shelter.org.uk/professional_resources/legal/homelessness_applications/homeless_application_process

⁸ <https://live.housingjigsaw.co.uk/alert/duty-to-refer>

⁹ <https://www.gov.uk/government/publications/homelessness-duty-to-refer/a-guide-to-the-duty-to-refer>

Homelessness Prevention

The Act also refers to the adoption of prevention programmes. In July 2022, the Government launched a call for consultation for local authorities and relevant stakeholders¹⁰, aiming to prioritise prevention activity that tackles homelessness without someone being placed in Temporary Accommodation wherever possible. The Government looks into establishing how people could stay in their homes and to remain in their communities (for example by helping them to develop the skills to sustain a tenancy or supporting them into gainful employment).

As the intervention aims also to minimise the impact homelessness on the wider public services – including (but not limited to) the courts system and public health services, several grant programmes have been issued since 2020: the Homelessness Reduction Grant (2020) was introduced to enable local authorities to continue meeting the costs of the Homelessness Reduction Act following the expiry of the original new burdens funding arrangements, while in 2022 the Flexible Homelessness Support Grant (2021) was integrated into the Homelessness Prevention Grant (HPG), granting £315.8m in 2022/23 for local authorities to support people. The funding provided by the Department for Work and Pensions through Discretionary Housing Payments, is one of the examples of how the grant has been invested by partners.

Looking beyond 2025, the Government aims to continue investing in prevention in order to relieve the pressure on funding temporary accommodations¹¹. As the United Kingdom (UK) Ministry of Housing, Communities and Local Government was rebranded into the Department for Levelling Up, Housing and Communities (DLUHC), the UK government is also developing additional initiatives and increasing funding for programs such as Housing First and the Affordable Housing Program to address homelessness and rough sleeping¹².

Everyone In Programme

The 'Everyone In' programme started during the COVID-19 pandemic for people sleeping rough or in places where it was difficult to self-isolate (night shelters, hostels, and other shared housing). It was the first national plan to give everyone who is homeless somewhere to stay right away¹³. When the Everyone In initiative was brought in on March 26th 2020, the assumption was that more than 5,000 people would need emergency accommodation. Nevertheless, The National Audit Office report published in January this year showed that the total number of people supported overpassed 33,000¹⁴. The report found that, in many cases, the programme was successful and led to a rapid

¹⁰ <https://www.gov.uk/government/consultations/homelessness-prevention-grant-202324-onwards-technical-consultation/homelessness-prevention-grant-202324-onwards-technical-consultation>

¹¹ <https://www.gov.uk/government/consultations/homelessness-prevention-grant-202324-onwards-technical-consultation/homelessness-prevention-grant-202324-onwards-technical-consultation>

¹² <https://www.huduser.gov/portal/pdredge/pdr-edge-international-philanthropic-020822.html>

¹³ <https://arc-w.nihr.ac.uk/research/projects/lessons-from-the-everyone-in-programme-to-help-people-who-were-homeless-during-covid-19/>

¹⁴ <https://blogs.lse.ac.uk/lse/2022/07/21/everyone-in-the-numbers/>

and expansive response in identifying people sleeping rough or in unsafe conditions - including people not normally eligible for public services due to immigration status, and enabled councils to carry out comprehensive needs assessments, and to provide holistic services in collaboration with other agencies.

The Local Government Association (LGA), who investigated lessons learnt from the Everyone In response to the COVID-19 crisis, considers the programme demonstrated that councils, working with their partners, do have the means to end the vast majority of rough sleeping.

Some of the outcomes could be reflected as:

- rapid and expansive response in picking up and accommodating people sleeping rough and people living in unsafe conditions at risk of sleeping rough, including those not normally eligible for public services due to immigration status;
- comprehensive needs assessment, including health, substance abuse and specific needs of women;
- characteristics of hotel accommodation giving important feelings of safety and self-worth;
- multi-agency services coming to the emergency accommodation and encouraging engagement;¹⁵

Next Step Accommodation Programme

This programme will ensure that only a minimum number of people helped off the streets and into accommodation during the pandemic, return to sleeping rough. This implies that councils and their local partners can apply for funds to cover property costs and support new tenancies for around 15,000 vulnerable people who were provided with emergency accommodation during the pandemic.

It includes capital for property costs and an attached long-term revenue aid to ensure people are supported in their new tenancies. Additional revenue funding is also available to support a range of initiatives, like moves into the private rented sector, interim accommodation and reconnection with friends and families¹⁶.

The Next Steps Accommodation Programme, was allocated £271 million of funding in two tranches (£105 million and £166 million) for 2020/21, to support councils to source 3300 units of move-on accommodation and support for the 29,000 people accommodated under Everyone In. Of this, £241 million has been allocated to date.

Whilst councils welcomed this funding, they raised concerns that the funding is short-term, and highly restrictive in terms of the type of tenancies and support that can be funded. Local authorities

¹⁵ <https://www.local.gov.uk/publications/lessons-learnt-councils-response-rough-sleeping-during-covid-19-pandemic>

¹⁶ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/907977/NS_AP_Guidance.pdf

expressed that this prevents them from delivering the long-term, flexible support needed by people experiencing homelessness¹⁷.

Public Opinion

Between 2018-2021, Crisis carried out a piece of research, funded by Oak Foundation, exploring people's experiences following the implementation of the Act. While findings highlighted that new procedures have opened up support and assistance for significantly more people facing homelessness, many are still being turned away under the new system and not getting the help they need. In fact, the HRA does not include a duty on local authorities to provide accommodation to those who are not considered to be in priority need, even if they are at immediate risk of sleeping rough, and does not deliver long-term support NRPF, who are left desperate and destitute. Overall, one in six (17%) of people across the second and third waves of our survey said they received no support, advice or assessment at all from Housing Options¹⁸.

This is partly due to lack of housing options, increasing housing costs and insecurity for private renters, while cuts to homelessness services have led to 4,677 people sleeping rough in England on a given night. CHAIN data shows that, from August 2018 to July 2019, 45% of UK citizens who used the London No Second Night Out service for people newly rough sleeping had approached their council for help in the 12 months before they started sleeping rough.¹⁹

Crisis is supporting the Housing First initiatives and encourages the Government to continue funding the programme, which works on the principle that someone is provided with a stable ordinary home first and then tailored unconditional support, for issues such as trauma, mental health and addiction²⁰.

Other organisations, such as St Mungo's, also endorse the need for prevention, thus reducing both the human and financial costs of homelessness. It is generally agreed by advocates, and increasingly recognized by the Government, that focusing on addressing the underlying causes of homelessness such as unemployment or lack of financial literacy as well as the symptoms, applicants' will increase their independence and resilience and be enabled to recover from homelessness in a sustainable way²¹.

¹⁷ <https://www.local.gov.uk/parliament/briefings-and-responses/ending-rough-sleeping-house-commons-8-september-2021>

¹⁸ <https://www.crisis.org.uk/ending-homelessness/homelessness-knowledge-hub/services-and-interventions/i-hoped-there-d-be-more-options-experiences-of-the-homelessness-reduction-act-2018-2021/>

¹⁹ <https://www.mungos.org/is-the-homelessness-reduction-act-doing-enough-to-prevent-rough-sleeping/>

²⁰ <https://www.crisis.org.uk/about-us/media-centre/over-9-000-people-helped-by-the-everyone-in-scheme-are-at-risk-of-remaining-trapped-in-homelessness-due-to-a-lack-of-housing-and-support/>

²¹ <https://www.haringey.gov.uk/housing/housing-advice/about-homelessness-reduction-act-hra#:~:text=Background-,What%20is%20the%20HRA%3F,priority%20need%20under%20the%20Act>

SJOG Impact and Recommendation

SJOG welcomes the government's 'duty to refer' initiatives, that requires councils to provide a safe place to stay, such as emergency accommodation, so that no one would have to sleep rough after seeking help. The quick assessment of their needs, and the support offered for a longer-term to secure settled housing to be put in place, is also welcomed.

As SJOG services provided direct assistance to people who were referred under this scheme by local councils, we are aware that the Act cannot exist in isolation. In fact, we believe that the issues which cause people to become homeless, and the problems facing those who are already homeless, must also be addressed, by putting in place a plan that commits to:

- Improve access to truly affordable housing
- Provide long-term support in stable accommodation
- Guarantee funding for services which prevent homelessness
- Provide more support for non-UK nationals sleeping rough, including for those with NRPF

Other recommendations include: widening legal protections to help everyone address their homelessness, increasing the supply of social rented housing, and improving service standards through introducing common guidance for all local authorities.

References

Crisis, *'I hoped there'd be more options:' Experiences of the Homelessness Reduction Act, 2018-2021*, May 30, 2022; <https://www.crisis.org.uk/ending-homelessness/homelessness-knowledge-hub/services-and-interventions/i-hoped-there-d-be-more-options-experiences-of-the-homelessness-reduction-act-2018-2021/>

Crisis, *Over 9,000 people helped by the Everyone In scheme are at risk of remaining trapped in homelessness due to a lack of housing and support*, September 8, 2021; <https://www.crisis.org.uk/about-us/media-centre/over-9-000-people-helped-by-the-everyone-in-scheme-are-at-risk-of-remaining-trapped-in-homelessness-due-to-a-lack-of-housing-and-support/>

GOV.UK, *Homelessness Prevention Grant 2023/24 onwards: technical consultation*, July 1, 2022; <https://www.gov.uk/government/consultations/homelessness-prevention-grant-202324-onwards-technical-consultation/homelessness-prevention-grant-202324-onwards-technical-consultation>

GOV.UK, *A guide to the duty to refer*, Updated September 28, 2018; <https://www.gov.uk/government/publications/homelessness-duty-to-refer/a-guide-to-the-duty-to-refer>

GOV.UK, *Homelessness Reduction Act: Duty to refer policy framework*, Updated January 18 2022; <https://www.gov.uk/government/publications/homelessness-reduction-act-duty-to-refer-policy-framework#full-publication-update-history>

Haringey London, *About the Homelessness Reduction Act (HRA)*; <https://www.haringey.gov.uk/housing/housing-advice/about-homelessness-reduction-act-hra>

HUD USER, *The UK's Homelessness Reduction Act*, in PD&R Edge Online Magazine, February 7, 2022; <https://www.huduser.gov/portal/pdredge/pdr-edge-international-philanthropic-020822.html>

LGA, *Ending rough sleeping*, House of Commons, Report, 8 September 2021; <https://www.local.gov.uk/parliament/briefings-and-responses/ending-rough-sleeping-house-commons-8-september-2021>

LGA, *Lessons learnt from councils' response to rough sleeping during the COVID-19 pandemic*, November 2020; <https://www.local.gov.uk/publications/lessons-learnt-councils-response-rough-sleeping-during-covid-19-pandemic>

Ministry of Housing, *Communities and Local Government, Next Steps Accommodation Programme: Guidance*, July 2020; www.gov.uk/mhclg

National Institute for Health and Care Research (NIHR), *Lessons from the 'Everyone In' programme to help people who were homeless during COVID-19*, Public Health Policy Research Unit; <https://arcw.nihr.ac.uk/research/projects/lessons-from-the-everyone-in-programme-to-help-people-who-were-homeless-during-covid-19/>

Shelter England, *Homeless application process*;

https://england.shelter.org.uk/professional_resources/legal/homelessness_applications/homeless_application_process

St Mungo's, *Is the Homelessness Reduction Act doing enough to prevent rough sleeping?*, Blog;

<https://www.mungos.org/is-the-homelessness-reduction-act-doing-enough-to-prevent-rough-sleeping/>

Whitehead C. Rotolo M., *Everyone In: The Numbers*, *LSE Blog*, May 10, 2021;

<https://blogs.lse.ac.uk/lse/london/everyone-in-the-numbers>

Appendix 1

Duty to refer referral form

Please insert the name of the local housing authority that the service user is being referred to.		
<p>NOTE: Service users can chose which local housing authority they wish to be referred to. However, it is advisable for them to choose a local authority with which they have a local connection. In general, a service user is likely to have a local connection to an area if they live or have lived there, wok there or have a close family connection. However, a service user should not be referred to an area where they would be at risk of violence.</p> <p>A guide to the duty to refer includes advice on the duty to refer and local connection.</p>		
<p>(1A) Written Consent to share information I agree to the information on this form being shared with _____ Council. I understand that the Council may use this information to contact me, and to help assess my needs for assistance with housing and that I am not making a homelessness application. I have read _____ privacy notice and understand how my data will be processed.</p> <p>Signed: _____ Date: _____</p> <p>NOTE: The service user must give consent to the referral. Referrers are advised to obtain signed consent to the referral; however, oral consent can be provided. The referrer must therefore complete box 1B.</p>		
<p>(1B) Oral Consent to share information Having discussed the accommodation status of _____ (<i>insert service user name</i>) the service user, I can confirm that they provided me with oral consent to refer their case to _____ Council. I explained to the Service User that the Council may use this information to contact them and to help assess their needs for assistance with housing and that this is not a homelessness application.</p>		
Signed	Public authority	Date
<p>Core information Please note that sections 2 – 4 <u>must</u> be filled in.</p>		
<p>(2) About the referring professional (to be completed by the professional)</p>		
Public authority referring (e.g. prison, hospital, etc.)		
Role of person referring (e.g. social worker)		
Name of referrer		
Address of referrer		
Email address of referrer		
Phone number of referrer		
Name and contact details of any other person who could be contacted for further information,		

if not the referrer (e.g. a support provider)	
(3) Information and contact details for the service user being referred	
Name	
Household composition (e.g. single person, couple, family with X children/X adults)	
Current address (if applicable)	
Home telephone number	
Mobile number	
Email address	
Gender	
Date of birth	
Language and communication needs (identify any assistance the service user will need for an assessment to be completed)	
(4) Main reason for referral	
What is the main reason you are referring the individual?	I believe they are homeless / I believe they are threatened with homelessness
Please explain your answer (e.g. 'they are facing eviction from their home')	
Additional information Please provide any additional information you are aware of which may help housing options officers support the individual.	
(5) Current accommodation	
What type of accommodation is the individual currently living in?	
If the service user is threatened with homelessness, on what date are they likely to become homeless?	
If the service user is due to leave prison or hospital, or is leaving the armed forces, with no accommodation available, please state when the release/ discharge will take place.	
(6) Are there any additional needs/risks to be aware of?	
Additional needs/risks might include: <ul style="list-style-type: none"> • previous history of sleeping rough • lack of support from family/friends • history of substance misuse • risk of domestic or other abuse 	
(7) Relevant medical information	
Please provide information on any physical or mental health needs that the service user has, and any treatment that they are receiving	

(8) Other information

Please provide any additional information. In particular, are there any known risks to staff visiting the service user at home or any other issues that we need to be aware of prior to initial contact?