

Title of Report	The Hackney Homeless and Rough Sleeping Strategy 2023 -26
Key Decision No	F S255
For Consideration By	Cabinet
Meeting Date	11 December 2023
Cabinet Member	Cllr Guy Nicholson, Deputy Mayor for Delivery, Inclusive Economy and Regeneration Councillor Sade Etti - Deputy Cabinet Member for Housing Needs and Homelessness
Classification	Open
Ward(s) Affected	All wards
Key Decision & Reason	Yes
Implementation Date if Not Called In	19 December, 2023
Group Director	Dawn Carter-McDonald, Interim Chief Executive

1. Cabinet Member's introduction

- 1.1. The multiple issues of central Government policy combined with housing affordability is impacting communities across London and Hackney is not exempt. It is well known that the cost of either buying or renting a home in the private sector in Hackney are amongst the highest in London. These high costs are still rising and the impact of this is being acutely felt by the Council's Benefits and Homelessness Prevention Service.
- 1.2. The evidence shows that there are increasing numbers of Hackney residents who are now finding themselves either homeless or at risk of homelessness. Not having a place to call home impacts on mental wellbeing, it affects children's development and places households under relentless physical pressures.
- 1.3. Despite the current central Government's draconian approach to homelessness, rough sleeping and asylum seekers, the Council is committed to keeping the resources in place to assist residents in their time of need and

ensuring Homelessness remains firmly at the top of the political agenda whilst supporting existing services.

- 1.4. Hackney Council has been working hard to alleviate and mitigate the impact of the housing crisis on residents. The Council has had a Homelessness Strategy in place since 2002, it has been regularly reviewed to respond to evolving circumstances. This has included responding to a fast moving and high value local property market, managing an increased demand for affordable homes and supporting residents through significant government led welfare reform.

In an attempt to respond to the above pressures the Council has adapted by changing the way it works, introducing new initiatives and partnerships in an attempt to support residents. These include the Council increasing the affordable housing supply in the borough, proactively engaging with and supporting rough sleepers, resident pathways developed led by multi agency partnership working, developing and implementing a new Hackney wide housing allocations and lettings policy and finally, strengthening the Council's homelessness prevention work.

- 1.5 These actions are delivering but the need and demand continues to grow and the 2023-26 strategy describes the Council's commitment to adapt and continue its work. It commits the Council to putting in place the advice, support and tools for residents who are either at risk of homelessness or who lose their home, to ensure everyone has the help they need and that no one in Hackney is left facing homelessness alone.

- 1.6 To support this objective the strategy is centred around seven key themes that have been recognised as the most pressing drivers of homelessness and rough sleeping in Hackney and sets out to describe how they can be addressed:

- 1. Maximising access to short and long-term affordable housing.**
- 2. Tackling rough sleeping.**
- 3. Supporting homeless residents with complex needs.**
- 4. Addressing homelessness amongst young people in Hackney.**
- 5. Inequality and the Cost of Living crisis.**
- 6. Advice and assistance for those with no recourse to public funds.**

7. Managing the Pace of Change in the Homelessness Environment.

- 1.7 Underpinning the seven key themes is a commitment to communicate clearly and honestly about the housing options available when a resident gets in touch about finding a home and giving them the tools and support to move to a settled home.
- 1.8 With no sign of central Government providing Councils with the means to meet the needs and demands that bring homelessness and rough sleeping about, there is little prospect of an end to the current homelessness crisis.
- 1.9 There is a need for the policy and legislation from central Government that goes beyond addressing rough sleeping and tackles the root causes of homelessness in London. This includes welfare reform, housing supply, and housing affordability. Hackney alongside London Councils and partner organisations will continue to lobby central Government for these changes to policy.
- 1.10 In the meantime and despite the challenges, the Council remains committed to delivering a supportive and responsive Housing Needs service and I commend this report to Cabinet.

2. Group Director's introduction

- 2.1. Hackney Council remains committed to preventing and reducing homelessness, tackling the main causes of homelessness and supporting those in need.
- 2.2. Homelessness in the Borough is rising, and this Strategy is a response to a period of unprecedented change, including working in a challenging property market where supply of properties for both settled and temporary accommodation is diminishing and competition is high. There is increased demand for social housing across the board and supporting residents through significant welfare reform.
- 2.3. The Benefits and Housing Needs Service is experiencing an increasing proportion of residents approaching with complex needs and specific accommodation requirements.
- 2.4. Limited housing options and underlying economic conditions are forcing more residents into rough sleeping and, despite enhancements to our Outreach Service for rough sleepers, providing a co-ordinated solution for these residents continues to be a concern.

- 2.5. The combined Homelessness and Rough Sleeping Strategy builds on the achievements of the previous Homelessness Strategy and Rough Sleeping Strategy, whilst responding and adapting to the changing environment in which homelessness and support services are delivered.
- 2.6. The primary strategic focus remains on finding sustainable housing solutions for homeless households and those threatened with homelessness; offering high quality and innovative services to those seeking advice and support; and working with homeless households to explore the full range of housing options available to them.

3. **Recommendations**

- 3.1. **That Cabinet approves the new Homelessness and Rough Sleeping Strategy 2023 - 25.**

4. **Reason(s) for decision**

- 4.1. The Homeless Act 2002 places an overriding statutory duty on all housing authorities to review homelessness trends in their area on an at least 5 yearly basis, and produce an overriding strategic homeless strategy which reflects the results of that review.
- 4.2. Statutory guidance issued by the Department for Levelling Up, Housing and Communities (DLUHC) requires Housing Authorities to ensure that strategies are compliant with and take into account the duties introduced by Homeless Reduction Act in 2018.
- 4.3. Additionally in 2018 Central Government published its Rough Sleeping Strategy, which requires Councils to update their Homelessness and Rough Sleeping strategies to include a focus on Rough Sleeping.
- 4.4. The Council's current homeless strategy is now out of date. Given significant and fast moving changes in the local housing market and the introduction of new legislation and duties under the Homeless Reduction Act, it is necessary for the Council to produce a new Homelessness and Rough Sleeping Strategy. This strategy reflects the latest trends in homelessness, follows best practice and is compliant with current legislation.
- 4.5. The Strategy deliberately covers a shorter period than before to reflect the fast paced changes we have recently seen in housing and the wider economy, and the uncertainty of Government policy beyond the general election due no later than January 2025.

5. **Details of alternative options considered and rejected**

- 5.1. The publication of a homelessness strategy is a statutory requirement as set out by the Homeless Act 2002 which has been subsequently reinforced by Government guidance. All Housing authorities are required under Section 1(4) of the Homeless Act to publish a new homelessness strategy, based on the results of a further homelessness review, within the period of 5 years beginning with the day on which their last homelessness strategy was published.
- 5.2. Not having an up to date strategy will make the Council non-compliant with legislation and would place the authority at risk of Government action, which would potentially have an adverse impact on any future funding.
- 5.3. Given the current pressures placed on Council services as a consequence of the level of homelessness in the borough, an up to date homelessness strategy that includes a strategic framework that reflects the current market conditions and operating climate is essential if the Council is to respond effectively.
- 5.4. A basic refresh of the existing strategy was considered, but given the significant changes in the housing landscape and implications of delivering the Homeless Reduction Act a new strategy was considered to be more appropriate. It was also an opportunity to combine the Homelessness and Rough Sleeping Strategies into a single coordinated document.
- 5.5. By not introducing a new Homeless Strategy the Council is in danger of being less effective in both tackling the current levels of homelessness and rough sleeping and in preventing homelessness in the future.

6. **Background**

Policy Context

- 6.1. Hackney Council's Strategic Plan 2022 - 26 reflected the challenge faced in meeting future housing demand in the borough " Hackney continues to build affordable homes and improve the private rented sector, including through licensing schemes and improving temporary accommodation. The high cost of housing and the greater complexity of need in communities, is, however, making meeting housing needs and finding temporary accommodation for homeless people virtually impossible."
- 6.2. However it is fundamental that a safe, secure home should be an essential requirement for all Hackney residents.

- 6.3. Unfortunately, Hackney is in the midst of a severe housing crisis and for some residents this is not the case. They are living in insecure, unaffordable and/or overcrowded housing. Living in unsuitable accommodation is known to have a detrimental effect on a household's health and wellbeing as well as impacting negatively on future life chances leading to poverty, inequality and hardship.
- 6.4. Since the previous Homelessness Strategy was published, Hackney and London have seen a continued growth in homelessness. This has been as a consequence of both a rising property market and ongoing restrictions in welfare support.
- 6.5. Hackney's attractiveness as a place to live is driving up house prices and rents in a high demand low supply housing market. Property values in Hackney are rising faster than elsewhere in the UK.
- 6.6. At the same time continued welfare reform, especially the freezing of Local Housing Allowance rates, has reduced the number of affordable housing options for those on a low income.
- 6.7. Changes in legislation and taxation affecting landlords, and more recently interest rate increases, have seen landlords exit both the temporary and private rented sectors. The resultant reduction in properties has further fueled rent increases.
- 6.8. For many residents it has become extremely difficult to find suitable, affordable accommodation in the local area.
- 6.9. As a result there has been a continued and sustained rise in demand for emergency and temporary accommodation. The total number of households in temporary accommodation exceeds 3000, and acceptances continue to rise. The sparsity of affordable housing options across London has caused a log jam, leaving households stuck in temporary accommodation for an extended period at an increasing cost to the Council.
- 6.10. The introduction of the Homeless Reduction Act in April 2018 created new statutory duties and responsibilities, fundamentally transforming how housing advice and homelessness services operate.
- 6.11. The overriding aims of the Act have been welcomed, with additional focus on homelessness prevention, higher quality housing advice and the joining up of services. But it has created significant additional demands on the service.
- 6.12. This new strategy builds on existing work to embed the early intervention and on delivering services that are joined up, holistic, high quality and person

centric. The strategy is aimed at ensuring that all residents have access to high quality advice and support, and that the service can identify and act to resolve issues before they lead to homelessness.

- 6.13. Following engagement with service users, third sector partners and community and voluntary organisations, the Strategy has identified seven themes as the key work streams:

6.13.1. Maximising access to short and long-term affordable housing

Through the temporary Accommodation Property Strategy we will aim to utilise existing accommodation effectively and improve our understanding of the market to deliver long term Temporary Accommodation. We will help residents to make informed decisions about their settled housing options, including as they move on from temporary accommodation. We will support people to live in Hackney where this is feasible.

6.13.2. Tackling rough sleeping.

We will explore options to increase the amount of accommodation through the Rough Sleeper Pathway and enhance the accommodation already available. We will work with partners in sharing information and coordinating service delivery to best support residents. Through targeted support, particularly for singles and refugees leaving Home Office accommodation, early intervention will reduce the numbers resorting to rough sleeping.

6.13.3. Supporting homeless residents with complex needs.

We will continue to develop tailored accommodation and support pathways for people with complex needs, including young people and people leaving hospital or prison. Improve coordination of housing-related support by bringing together all homeless contracts within the Benefits and Housing Needs Service. Ensure all staff working directly with people experiencing homelessness with complex needs have the right skills.

6.13.4. Addressing homelessness amongst young people in Hackney.

Building on existing areas of good practice we will reintroduce the mediation service to reduce homelessness due to family breakdown. We will develop accommodation pathways to include young people aged 21+ who do not have a statutory right to housing and introduce youth-specific housing advisers to improve consistency of information-sharing and advice.

We will encourage young people at risk of homelessness to engage earlier by coproducing material for the website and rethinking our use of social media.

We will enable care leavers to join the Housing Register from age 18 to improve their prospects of securing stable social housing.

6.13.5. Inequality and the Cost of Living Crisis.

Inequality and discrimination are major factors contributing to the causes of homelessness, we will take steps to improve our engagement with Black and Global Majority residents to ensure their voice is heard in shaping service delivery and delivering suitable outcomes. We will make better use of data to provide earlier interventions to prevent homelessness.

The Council has redesigned the way we work to support residents to meet their immediate needs through financial advice and support, increasing benefit take up through the Money Hub Team, and working with local voluntary and community groups to target the most vulnerable households in need of support.

Funding received from the Government through the Household Support Fund is time limited and may not continue beyond the current period (to the end of the financial year 2023/24). The Council will continue to explore all possible funding streams to ensure that we can support residents affected by the Cost of Living Crisis as effectively as possible.

6.13.6. Advice and assistance for those with no recourse to public funds

As a Borough of Sanctuary the council is committed to supporting our refugee and migrant communities. We will support applications to the EU Settlement Scheme and develop a pathway for non-UK nationals that considers other options alongside reconnection to their home country. Within the assessment centre we will continue to provide beds specifically for residents with no recourse to public funds whilst we explore suitable options.

We will develop a Council-wide view around the drivers of No Recourse to Public Funds (NRPF) homelessness, to inform appropriate homelessness prevention responses.

6.13.7. Managing the Pace of Change in the Homelessness Environment

Both the economic and financial environments have seen rapid change in recent years driving homelessness and changing the housing market through increased rents and restricting availability.

We will ensure that Hackney Services continue to meet the changing needs of local residents. We will adopt flexible procurement strategies to secure supply of permanent and temporary accommodation. We will work with Government, local colleagues (pan London and sub region), Hackney CVS and resident groups to maximise effectiveness of our collective response to the housing crisis in Hackney.

- 6.14. Each of these themes are accompanied by a number of associated action points and priorities. Above all of the themes is an accompanying and overarching priority of partnership working and an understanding that homelessness cannot be solved by the Council or the Housing Needs Service alone.
- 6.15. The strategy makes clear that preventing homelessness is everyone's priority and therefore efficient and effective partnership working is important across the Council, housing providers, public bodies and third sector and voluntary agencies.

Equality impact assessment

- 6.16. The Benefits and Housing Needs service continues to have a strong commitment to improving the quality of life for all residents. It is recognised that homeless households may experience related problems such as unemployment, poor work skills, low incomes, poverty, poor housing, high

crime, bad health and family breakdown. The Strategy seeks to promote positive outcomes amongst our homeless population, and sets out how the Council will work with partners from the statutory and voluntary services to support vulnerable homeless households and those at risk of homelessness.

- 6.17. The Strategy includes within its key themes ensuring access for all. This seeks to improve communication for all providers and residents. The strategy in particular acknowledges the increased incidence of mental health issues and those with higher support needs within the homeless cohort and commits the council to taking a more psychologically informed approach to service delivery.
- 6.18. An Equalities Impact Assessment has been completed and the Benefits and Housing Needs Service will regularly assess the ongoing impact of the actions associated with the implementation of the strategy to monitor they do not impact adversely on any particular sectors of the community.

Sustainability and climate change

- 6.19. The priorities and actions set out in this report have a limited impact on the physical and social environment.

Consultations

- 6.20. In developing this Strategy, the service worked closely in partnership with Homeless Link, a national membership charity for organisations working directly with people who become homeless in England.
- 6.21. Homeless Link were commissioned to undertake an independent refresh and review of the previous strategy. Their input and feedback has been incorporated into the updated strategy. As part of this process, Homeless Link directly engaged with a range of internal and external partners and residents with lived experience of homelessness to reflect their views.
- 6.22. Members of the The Homelessness Partnership Board had sight of the draft Homelessness and Rough Sleeping Strategy were invited to discuss and comment.

Risk assessment

- 6.23. There is a reputation risk to the Council if it is unable to adequately meet the increased service demand following the Homeless Reduction Act, including increased risk of litigation, and increased complaints including those escalated to the Local Government Ombudsman.
- 6.24. The increasing levels of homelessness, and need to provide Temporary Accommodation is a financial risk to the Council. Although this strategy seeks to reduce homelessness through prevention, and therefore mitigates

these risks, as a result of Welfare Reform it has become increasingly difficult to sustain accommodation.

- 6.25. There is a risk that some elements of the document will become out of date as national legislation and policy continues to change. Where this happens the Council will include a note on the Council's website explaining any updates.

7. Comments of the Interim Group Director of Finance

- 7.1. The priorities set out in the Homelessness and Rough Sleeping Strategy 2023 - 2025 are designed to be delivered within existing budgets across the Benefits and Housing Needs Service, and alongside the Homelessness Prevention Grant (HPG) and Rough Sleeping Initiative (RSI). The HPG allocation has been confirmed as £5.925m for 2023/24 and £6.162m for 2024/25.
- 7.2. There is also £4.75m of confirmed capital funding set aside to increase the supply of affordable temporary accommodation.
- 7.3. We aspire that the measures outlined in the strategy will effectively diminish the occurrences of homelessness presentations. It is anticipated that the early intervention and preventative approach to homelessness will be a spend to save mechanism with a reduction in costs for temporary accommodation, however it should be emphasised that the number of homeless approaches is driven by external factors outside the councils control.
- 7.4. If the council fails to prevent homelessness there is a risk of further costs to temporary accommodation budgets.

8. VAT implications on land and property transactions

- 8.1. N/A

9. Comments of the Acting Director of Legal, Democratic and Electoral Services

- 9.1. Part 7 of the Housing Act 1996 (as amended) provides the statutory under-pinning for action to tackle homelessness. Local authorities have a duty to secure permanent accommodation for unintentionally homeless people in priority need. The priority need categories are set out in section 189 of the Housing Act 1996.
- 9.2. In 2002 the approach to dealing with homelessness changed by requiring a homelessness strategy for every housing authority. Under the Homelessness Act 2002, Hackney, like all housing authorities, must have in place a homelessness strategy [s1(4) of the Act] based on a review of all forms of

homelessness in their district [s.1(1) of the Act]. The strategy must be renewed at least every 5 years. Since 1 April 2017 it has been a requirement to publish a homelessness strategy. Section 3(8) of the Act also makes it a requirement to consult other local or public authorities, or voluntary organisations before adopting or modifying the strategy.

- 9.3. Section 8 Housing Act 1985 as amended by s.124 Housing and Planning Act 2016 also requires each Local Authority to periodically assess the accommodation needs of people in their district. This should highlight the fact that the Homelessness Strategy cannot be a 'stand-alone' document but rather one which is consistent with other strategy documents.
- 9.4. Hackney' strategy, must be a strategy for:
 - Preventing homelessness
 - Securing that sufficient accommodation (of a range of types) is available for people who are or may become homeless.
 - Provide satisfactory support for people who are or may become homeless, or who need support to prevent them becoming homeless again.
- 9.5. On 3 April 2018, the Homelessness Reduction Act 2017 (HRA) placed additional duties on local authorities to relieve homelessness and this legislation gave them powers to meet these aims. But it also emphasises the need for joint working between housing authorities, social services and other statutory, voluntary and private sector partners in tackling homelessness more effectively.
- 9.6. These additional duties apply to all eligible applicants irrespective of whether they fall into a priority need category. The main thrust of changes introduced by the Homelessness Reduction Act 2017 (HRA) was to refocus English local authorities on efforts to prevent homelessness. Authorities now have:
 - a duty to **prevent** homelessness for all eligible applicants threatened with homelessness; and
 - a duty to **relieve** homelessness for all eligible homeless applicants.
- 9.7. Housing authorities have a duty to provide or secure the provision of advice and information about homelessness and the prevention of homelessness, free of charge. This advice and assistance must be made available to any person in the district *"including people who are not eligible for further homelessness services as a result of their immigration status."*
- 9.8. The HRA amended the 1996 Housing Act to provide advice and information services that must be designed to meet the needs of people within the district. The particular needs of the following groups must be taken into account:
 - a. people released from prison or youth detention accommodation;

- b. care leavers;
- c. former members of the regular armed forces;
- d. victims of domestic abuse;
- e. people leaving hospital;
- f. people suffering from a mental illness or impairment; and,
- g. any other group that the authority identifies as being at particular risk of homelessness in their district.

9.9. In addition to direct applications from homeless people/households, authorities may receive notifications from certain public bodies where they believe a service user may be homeless or threatened with homelessness. The public authorities subject to the duty to refer are specified in the Homelessness (Review Procedure etc.) Regulations 2018 and include:

- 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; and,
- hospitals in their function of providing inpatient care.

9.10. As a public authority, the council must take account of the provisions of the Human Rights Act 1998 and not act in a way which is incompatible with a Convention right

9.11. In discharging its functions to homeless persons, the council must also have due regard to the Public Sector Equality Duty in s149 Equality Act 2010. S149(1) provides that, in exercising its functions, a public authority must have due regard to the need to (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the 2010 Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (c)

foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

- 9.12. The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 9.13. S149(3) provides that having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it; and (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- 9.14. S149(4) provides that the steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.
- 9.15. Section 149(6) provides that compliance with the duties in section 149 may involve treating some persons more favourably than others.– .
- 9.16. Within the Mayors Scheme of Delegation, approval of the Council's Homelessness strategy is reserved to the Mayor and Cabinet. The Mayor and Cabinet have the authority to approve the recommendation set out in 3.1 of this report.

Appendices

Appendix 1 - Homelessness and Rough Sleeping Strategy

Appendix 2 - Equality Impact Assessment

Background documents

None

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