



Pathway into and out of the adult supported hostel sector including the use of B&B

**Housing Options Service (Development and Renewal Directorate)
Vulnerable Adults Commissioning Team (Adult Services)**

September 2016

Why this process is needed

- The aim has been to produce a procedure that sets out clearly the route individuals take into and out of Tower Hamlets' adult supported hostel sector including the use of B&B accommodation.
- Setting out the procedure in detail will ensure that the process is open and transparent.
- Stakeholders can have a say in how we, as a council, work.
- The many stakeholders involved will have a formal process that we can all work to.

Aims and underlying principles

The Process aims to ensure that:

- The council fulfils its legal duties under s. 188 Part VII of the Housing Act 1996 to single homeless adults
- Rough sleeping in the borough is both reduced and prevented.
- The council provides housing support in the interest of public safety.
- The council supports other agencies working with clients with significant support needs who are homeless.

The Process has a number of underlying principles:

- Equality – to ensure that all clients have equal access to services and are not unfairly advantaged or disadvantaged by using the adult hostel sector
- Transparency and clarity – to ensure that the process is clear and transparent to all clients and stakeholders
- Personalised service – to provide a personalised package of support for clients to meet the needs of the individual to the fullest extent that budgetary constraints will allow
- Client control – a clear procedure will make it easier to develop joint support plans with the client to give them as much control over their life choices as possible within the finite resources available
- Reduction in use of B&B – to reduce and sustain lower numbers of single people entering B&B accommodation, in turn delivering financial savings to the council
- Clear client journey – to ensure that the pathway through hostel accommodation is clear to the client from the start so that the expectations on the local authority, providers, other agencies and the clients themselves are clear and deliverable
- Prevention of silt-up – to increase the level of move-on from the hostel sector and prevent it silting up; underperformance in this area could have a detrimental effect on the whole support sector for vulnerable people in the borough; short supply of hostel spaces limits the council's ability to support people's independence, provision of choice and control, and supporting people's health and well being
- Make full use of housing options available – to ensure that the housing options available to the council are fully utilised and that there is an incentive to explore and develop more
- Maintain the council's leading role in good practice – to ensure that the council maintains national best practice in the provision of all its services and continues to lead the way in good practice.

Context

- **The Tower Hamlets context**

The growing population of Tower Hamlets is ethnically diverse, with almost half of the borough's population comprising black and minority ethnic groups, with the largest of these (33%) being the Bangladeshi community. Religion continues to play a prominent role in the lives of many of the borough's population, with 80% of residents claiming a religious belief and Tower Hamlets being home to the largest Muslim population in the country. The borough also has a relatively young population with 37% of people aged 20-34, compared to 20% across England. Overall, around 60% of under-20s are Bangladeshi.

The borough's historic challenges – housing, employment, poverty, crime and health inequalities – continue to be key issues and major concerns for local people. The employment rate is below the London average with 13% of the working age population unemployed. 44% of households and 48.6% of children in the borough are in poverty – the highest rate in the country. Health inequality remains a key characteristic of the borough, with the average life expectancy below the London average for both men and women. All of these issues converge to make Tower Hamlets one of the most deprived boroughs nationally.

- **Background to single homelessness in Tower Hamlets**

Single homelessness in Tower Hamlets has remained stubbornly high for a number of years. HOST continues to receive on average more than one new episode of single homelessness every hour of the working week. In 2015-2016 alone, this amounted to the team working with 2099 new homeless presentations.

The profile of single homelessness in Tower Hamlets is 70% male, with Bangladeshis being the largest ethnic group followed by white English, and with a disproportionate incidence in the 25-44 age group. The vast majority of single people in Tower Hamlets who experience homelessness are in low paid work or benefit dependant. The cohort contains people with multiple and complex needs and serious physical and mental health needs, including those under adult social care and the community mental health team. Care leavers and high profile ex-offenders, double amputee wheelchair users, people who have experienced childhood abuse, women fleeing domestic violence or sexual exploitation, those currently or previously sleeping on the streets in the borough and vulnerable substance misusers are also commonly found in the cohort.

- **Background to rough sleeping in Tower Hamlets**

Official Rough Sleeping Street Counts and intelligence from outreach services indicate that in 2015/16, the number of people sleeping out on any given night is between 10 and 15 people, sometimes with little overlap of clients between each count.

In 2014-2015, 377 individuals were met rough sleeping in Tower Hamlets by outreach services. 65% were new to the streets. A third of the individuals met by the outreach services have longer histories of rough sleeping with 1 in 10 having returned to living on the street after some time away (e.g. in prison, hospital or accommodation). These individuals often have complex needs (e.g. drug and/or alcohol misuse, poor mental and physical health, criminal histories, sex working) and are unwilling to engage with services. Many have no local connection to Tower Hamlets but rather originate from another part of the UK, EEA or beyond. Those with no recourse to public funds who have support needs face additional barriers to accessing accommodation in the UK.

The street scene and the demographic of those sleeping rough in the borough can change rapidly. Whilst there are a number of regular 'hotspot' areas of people sleeping rough in groups there are also new areas that spring up suddenly as a one off and therefore the situation on the street requires constant monitoring and responding to, as the need arises. The link between homelessness and mental health is well known, A report by Homeless Link (a national charity that leads on innovation, and support to homeless agencies) reports that 45% of homeless people have a diagnosed mental health problem compared to 25% of the general population. In Tower Hamlets the percentage of those found rough sleeping who have a mental health need is higher again at 55%.

- **Current use of B&B for single homeless people**

B&B hotel accommodation to house single homeless people in an emergency is used by TH HOST to meet the council's statutory obligations under homelessness legislation. To a lesser extent B&B hotel accommodation is used for single homeless people as an emergency measure as part of the council's rough sleeping prevention/ reduction strategy.

Placements under the homelessness statute

The homeless legislation requires councils to provide interim emergency accommodation to any person it has 'reason to believe' may be homeless, eligible for assistance and in a priority need group for the purposes of relieving homelessness so as to ensure that person is temporarily housed whilst statutory enquiries are undertaken (s.188, Part VII, Housing Act 1996). In addition, should there be a negative determination, the service may exercise its discretionary powers to provide interim accommodation may arise where the homeless applicant requests a review of the council's decision (s.202) and subsequent appeal to the County Court (S204).

The priority-need groups provide a statutory safety net of last resort for certain classes of household. The priority need group most single people are assessed against is that of 'vulnerability'. A person may be vulnerable on grounds of physical and mental ill health, sensory impairment, old age, violence, or an institutional background, such as a childhood in care, periods in the armed forces, or periods in prison or youth offender institutions. This is a complex and composite assessment with technical features passed down through several decades of case law.

People accommodated under the interim duty if they are subsequently determined as having 'no priority-need' are given reasonable notice to leave the B&B and are provided with advice and assistance by HOST to find their own accommodation.

Placements to reduce and prevent rough sleeping

The council have made a commitment to end rough sleeping in the borough and as part of that they have agreed to the No Second Night Out (NSNO) principle that we provide accommodation to anyone who finds themselves resorting to rough sleeping as their only option. HOST provide emergency B&B accommodation to all NSNO rough sleepers who have a local connection to Tower Hamlets. These are individuals who have been verified by street outreach as bedded down on the streets for the first time. These individuals are taken to the Mayor of London's NSNO hubs sited around the Capital and then referred to the housing options service for their home borough. The purpose of NSNO is to ensure individuals who end up rough sleeping do not become entrenched in street living which a strong body of research repeatedly shows has significant health, psychosocial and life expectancy consequences as well as high statutory sector costs to health, social care and the criminal justice system.

Tower Hamlets has enjoyed sector-wide prestige for its pioneering support of NSNO since the inception of the NSNO approach in 2010. The borough has recently achieved the DCLG National Practitioner Support Service NPSS award for the standard of its 'No Second Night Out' work. Insofar as the borough is a net exporter of NSNO rough sleepers, without the existence of NSNO the borough would have limited means to move-on rough sleepers bedded down on the streets of Tower Hamlets with no connection to the borough and the rough sleeping population would rise. Placement of these clients in B&B is as an interim measure pending move-on to medium term accommodation in either the council's commissioned adult hostel sector or a home in the private rented sector.

HOST have also since April 2016 been providing emergency accommodation to individuals who are deemed to be at risk of rough sleeping as part of the tri-borough 'No First Night Out' project (NFNO) which Tower Hamlets leads on and which also encompasses Hackney and City of London and a local partnership of statutory and voluntary sector partners. The aim of NFNO which is funded by DCLG and GLA is to trial new approaches to prevent and reduce rough sleeping. The project, one of two funded by the DCLG and the only one to be funded by the GLA, and one of only a handful nationally, is attracting sector-wide interest, particularly at government level, and will run until at least March 2017. Placements of these clients in B&B only occurs where intensive attempts at supporting people to sustain their accommodation by the specialist NFNO workers have failed and the person is homeless and assessed as falling into a 'rough sleeping risk group' (there are 5 in total as defined by empirical independent field research which the NFNO project commissioned). Placement of these clients in B&B is as an interim measure pending move-on to medium term accommodation in either a (council- or non-council hostel depending on level of needs) or a home in the private rented sector.

- **Trend in the use of B&B for single people in Tower Hamlets**

Since 2012 HOST have been making a high number of B&B placements under the homelessness statute. These, coupled with the rising numbers of rough sleepers, have led to an almost two-fold increase in the number of non-families housed in B&B in the period from May 2015 (64) – June 2016 (114).

Costs of accommodating single people in B&B generally relate to rent arrears and service charge arrears and can potentially be recouped through HB casework and/or agreeing a payment plan with the homeless person. People aged 35 and over who are placed in B&B accommodation are entitled to receive housing benefit up to the local housing allowance rate for a studio/one-bedroom property.

However, the cost of placing someone under the age of 35 once they have been placed onto Universal Credit can be prohibitively high, typically £5k per individual per annum. The annual cost of 100 placements per year could run between £250-500k depending on the number of under-35s placed. Homeless U-35s do not have an affordable housing option because their housing benefit is restricted to the shared accommodation rate of Local Housing Allowance. The LHA SAR rate is generally below the rate at which it is possible to procure rooms in shared accommodation throughout London and is around half the LHA rate (or less) for a self-contained studio or one-bedroom flat. In Q1 2016-17 just over 50% (43) of placements of single people in B&B were u-35. If single people u-35s achieve a 3-month hostel placement they are exempted from the shared accommodation LHA rate and can qualify for housing costs up to the rate for a self-contained one-bedroom/studio property, at least until a resolution to the question of future housing benefit levels for supported accommodation has been determined.

The increase in cost and numbers culminates from a combination of potential factors, both new as well as historic, making their way through the service system:

- Constant high incidences of statutory homelessness
- Welfare reform impacts shrinking access to private rented accommodation Rising numbers of new rough sleepers (NSNO referrals)
- Higher than anticipated NFNO use and blockages with move-on for u-35s
- Historic low evidential thresholds for placement within TH HOST
- Blockages in hostel throughput into the PRS
- Lack of a pathway for rough sleepers with low support needs who have no proven tenancy sustainment skills
- Blockages in hostel throughput into social housing for those assessed as being in priority-need

These issues will be addressed by the implementation of this policy and innovative and improved practice.

The Process

HOST/assessments etc

- Initial assessments should be robust and examine whether a person is:
 - Eligible for assistance and
 - Homeless or at risk of homelessness

- Depending on the outcome of the assessment, a person may be offered:
 - Advice and assistance in finding their own accommodation
 - Mediation to return to their accommodation
 - Diversion to other, specialist services eg a refuge
 - B&B accommodation
 - Immediate supported hostel accommodation

Non- emergency Housing Options

There are two long-term housing options for single homeless households – the Social rented sector and the private rented sector. Social rented accommodation (Council and Housing Association/Registered Provider) is available either via the bidding process homeless households to whom the Council owes a statutory duty under S193 of the 1996 Housing Act; or via the hostels quota for households to whom it does not owe a statutory homeless duty. Up to 75 ‘quota’ offers are available each year, subject to there being sufficient properties becoming vacant for letting via this route. Social housing it should be noted is extremely limited in the borough and for the foreseeable future this will remain the case.

Private sector accommodation is also procured for single homeless households provided it is affordable and otherwise suitable. Applicants who are subject to the quota system (see below) will be placed on a direct offer list and offered the next available property in date order of them completing a programme of support – this may be a property from the quota or PRS, whichever arises first.

In future there will be **one offer only** to single homeless households leaving the hostel sector, which gives them equality of treatment with homeless families.

The offer of accommodation will be suitable for the assessed needs of the applicant. The HOST service will make the decision about which pathway a client will go through and will administer the one offer policy. HOST may consult hostel providers and partner agencies but the decision on pathway and offer remain solely with HOST.

Priority need homeless applicants will have a statutory right of review; non-priority and not homeless households moving on from the hostel sector will be entitled to request a review

of the suitability of the offer, but this is not statutory, and there is no right of appeal should they remain dissatisfied with the offer following review.

Low support needs are defined as people whose homelessness can be prevented or relieved by advice and assistance, which may include the provision of emergency B&B pending the completion of prevention work, such as family mediation; or for people who have become homeless in an emergency such as fire or flood. These people will not normally have access to the supported hostel sector.

Medium support needs are defined as people who are at risk of rough sleeping or have slept rough and have either never had a tenancy or been unable to sustain a tenancy and who may have lower-level support needs related to substance misuse, health problems (including mental health); learning difficulties, offending; institutional care; isolation; lack of life skills. Generally it is expected that clients in this category will be ready to move into independent tenancies after completing a programme of housing-related support of between three and twelve months; perhaps with an ongoing short-term need of floating support to facilitate resettlement and sustain their tenancy.

High support needs are defined as people at risk of rough sleeping or who have slept rough with complex needs related to substance misuse, health problems (including mental health); offending; institutional care; isolation; lack of life skills. People with this level of need are likely to have a history of rough sleeping and/or insecure accommodation, with repeat episodes of homelessness; entrenched behaviour related to substance misuse and/or offending; moderate to severe mental health problems meeting CMHT thresholds and/or moderate learning difficulties and associated physical health problems. Generally it is expected that people with this level of need will require a programme of housing-related support in excess of twelve months before they are likely to be ready to sustain an independent tenancy. They are almost certain to need ongoing floating support once they have been re-housed to assist with resettlement and to sustain their tenancies over a longer period of time. The most complex cases may require long-term supported housing, housing with care or residential care.

B&B placements and pathway

Criteria

- A B&B placement will only be provided for people who meet the definition of homeless – i.e. have no accommodation available to them which is suitable and reasonable for them to occupy e.g. unless there are health or safety reasons why someone cannot continue to sofa surf in general this will be suitable and reasonable for them to continue to occupy.
- Under 35s will be moved on as soon as possible.

- If the client does not take up a B&B booking, the booking will be cancelled and any further request for a placement rigorously challenged on 'reason to believe' grounds.
- Everyone referred to B&B accommodation will also be referred to the Tower Hamlets floating support service. Continued B&B placements for non-priority (NFNO/NSNO) applicants will be conditional on them engaging with floating support.
- HOST will carry out detailed assessments for everyone referred into B&B to establish the facts of their situation and their onward pathway. All applicants with a local connection, or statutory entitlement will have the right to apply to join the housing register. However if they do not have a priority need they are unlikely to receive an offer of accommodation via the housing register for the foreseeable future.
- Depending on the outcome of the assessment a client will be offered one of these pathways:
 - Not homeless clients will normally have their booking closed giving 24 hours' notice with the expectation they return to the accommodation that is available to them. A s184 letter will be issued. If, in consequence of the cancellation of their booking they present as at risk of rough sleeping they will be referred to the NFNO/NSNO scheme as appropriate.
 - Non priority-need and homeless will be given advice and assistance in finding their own accommodation and reasonable notice to leave the B&B accommodation. If, in consequence of the cancellation of their booking they present as at risk of rough sleeping they will be referred to the NFNO/NSNO scheme as appropriate.
 - Applicants to whom the Council owes a statutory duty under S193 of the 1996 Housing Act will be entitled to bid for a property from the Common Housing Register once they have completed a programme of support. They will receive a S184 letter confirming the acceptance of a full homelessness duty, may be placed in supported hostel accommodation as suitable temporary accommodation and given a licence agreement depending on the nature of their support needs.
 - Homeless applicants deemed vulnerable by HOST but to whom the Council does not owe a statutory duty under S193 of the 1996 Housing Act will be referred to the supported hostel accommodation sector. Their pathway out of the hostel will be via the Direct Offer procedure outlined above. At the time of referral to the hostel sector, applicants will be given a letter specifying their move on pathway.
 - NSNO rough sleepers will be referred into the supported hostel sector. They will be given an introduction letter to the hostel sector that includes information on the Single Service Offer (SSO) of move on through the Clearing House, including Clearing House Sensitive Lets.

Supported hostel accommodation placements and pathway

- Placements into the supported hostel accommodation sector are made by HOST and the Rough Sleeping Outreach Service.
- All placements must be approved by a HOST team principal, Host Manager, or the Street Population Coordinator (rough sleeping lead).
- The Rough Sleeping Outreach Service will have access to Assessment beds, EBS beds and Safe Seats.
- Some clients will be referred directly into the hostel sector, others will have spent some time in B&B accommodation first.

Priority A: Reducing rough sleeping, protecting the public and fulfilling the council's statutory homelessness duty

- *Priority access for rough sleepers at high risk and with medium - high needs*
- *Priority access for MAPPA Level 3 for protection of the public*
- *Access for clients to whom the borough owes a statutory duty*
- *Priority access to the City of London to 5 dedicated Dellow Hostel bed spaces*

Priority B: Preventing rough sleeping

- *Access for partner agency clients with medium – high support needs at risk of rough sleeping*
- *Access for NFNO clients whom by definition are at risk of rough sleeping*

Under 35's

- All under 35's will be provided with a minimum of 3-months housing related support to undertake tenancy training, connection with employment services, assistance with benefit claims and accessing independent accommodation. This to be ideally delivered in a hostel environment.
- Anyone over the age of 25 in private rented accommodation is not limited to claiming the shared accommodation rate of housing benefit if they can prove that they have lived in hostels for homeless people for three months or more before moving to the private rented sector and while there accepted rehabilitation or support services to help them settle back into the community.

Pathways within the supported hostel sector

- The aim of the supported hostel sector is to provide temporary accommodation with specialist support to enable clients to develop the skills and confidence to move on into appropriate long-term accommodation. Most often, move on from the hostel sector will mean independent living in a self-contained flat. Long term is defined as accommodation that is secure for 12 months or longer.
- On entering the supported hostel sector clients will participate in a holistic needs assessment and a programme of support and engagement will be agreed.

- During their stay in the hostel sector, a client's needs and aspirations change. Clients may be offered a sideways move into a different hostel placement to better meet their needs. This may take the form of either a 'step up' with more intensive support provided or a 'step down' with lower support offered.
- See the Hostel Pathways document for more details.

Pathways out of the supported hostel sector

There are three pathways out of the supported hostel sector:

Pathway One

Client group:

- All clients who do not have a CHAIN number (Pathway 2) or are awaiting their Band 1B social housing offer (Pathway 3)

Pathway:

- These clients are made a Direct Offer.
- This is a single, personalised offer that must be accepted unless it is found to be unsuitable on appeal.
- The Direct Offer may be into:
 - Supported Housing via a Social Care or Sheltered Housing Assessment
 - The mental health hostel system via Mental Health Pathway, Vulnerable Adults Team
 - The Direct Offer List which comprises a mixture of PRS accommodation and the social housing quota.
- Clients on the Direct Offer List must take whichever of PRS or social housing is offered when they reach the top of the Direct Offer List. Social housing will be prioritised for those who cannot access suitable PRS accommodation, e.g. have an evidenced need to stay in-borough given most PRS provision is out of borough. HOST will have regard to statutory homelessness guidance when looking at in-borough need.

Direct Offer List appeals:

- Clients may appeal against their Single Direct Offer. This is not a statutory right and must be made within 24 hours of the viewing, or date of offer if the client refuses to view the property.
- The appeal will be decided within 5 working days. If the Direct Offer is found to have been suitable, then the client will not have a second offer made to them and their hostel placement will be terminated. If the appeal is upheld, then the client will retain their hostel place until a suitable offer can be made to them.

Pathway Two

Client group:

- Clients with a CHAIN number (i.e. former rough sleepers)

Pathway:

- Clearing House accommodation – NSNO clients with low support needs via Sensitive Lets, all others via the main list
- Where more appropriate, a referral may be made to Extra Care or Residential Care via social services or to the mental health pathway

Appeal:

- Clearing House Complaints and Appeal Procedure

Pathway Three

Client group:

- Clients who need temporary accommodation while waiting for their Band 1B social housing offer.

Pathway:

- The council has accepted a full statutory homelessness duty to accommodate these clients who will be entitled to one suitable offer of accommodation through the social housing register..

Appeal:

- Entitled to one offer only, although do have statutory right of Review & Appeal.
[*Will be placed onto autobid once they have completed a programme of support.*]



