

Exeter 'Duty to Refer' Protocol
for
Public Authorities
& Voluntary Organisations
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(England only)

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The following Protocol has been developed for all agencies, across Exeter, to report people who are homeless or at risk of homelessness to the Exeter City Council Housing Needs Service. In October 2018, certain Public Authorities were required to inform Local Authority Housing Teams if a person was homeless or at risk of homelessness, in Exeter we would like to extend this to all agencies who work with people who are homeless or at risk or homelessness in the city. Early prevention is essential and the sooner we are able to work with people the sooner we are able to prevent homelessness. We invite you to work with us to end homelessness together.

1. Introduction

Exeter continues to be committed to early intervention and a collaborative citywide approach to ensure that accessible and comprehensive support is available to those who are homeless or at risk of homelessness. To achieve this Exeter City Council is actively working with statutory and voluntary organisations across the city and are committed to going beyond our legal duties.

The 2017 Homelessness Reduction Act (HRA), effective 3rd April 2018, aims to reduce homelessness with the introduction of two new statutory duties to prevent or relieve homelessness for all eligible applicants, regardless of their priority need status.

The following categories of applicant have a priority need for accommodation:

- *A pregnant woman or a person with whom she resides or might reasonably be expected to reside*
- *A person with whom dependent children reside or might reasonably be expected to reside*
- *A person who is homeless as a result of that person being a victim of domestic abuse*
- *A person who is vulnerable as a result of old age, mental illness, learning disability or physical disability or other special reason, or with whom such a person resides or might reasonably be expected to reside*
- *A person aged 16 or 17 who is not a 'relevant child' or a child in need to whom a local authority owes a duty under section 20 of the Children Act 1989*
- *A person under 21 who was (but is no longer) looked after, accommodated or fostered between the ages of 16 and 18 (except a person who is a 'relevant student').*
- *A person aged 21 or more who is vulnerable as a result of having been looked after, accommodated or fostered (except a person who is a 'relevant student')*
- *A person who is vulnerable as a result of having been a member of Her Majesty's regular naval, military or air forces*
- *A person who is vulnerable as a result of having served a custodial sentence; having been committed for contempt of court or any other kindred offence; or, having been remanded in custody*
- *A person who is vulnerable as a result of ceasing to occupy accommodation because of violence from another person or threats of violence from another person which are likely to be carried out*
- *A person who is homeless, or threatened with homelessness, as a result of an emergency such as flood, fire, or other disaster.*

The Duty to Refer, effective 1st October 2018, is a key part of the act. Under the legislation, the below specified public authorities have a duty to refer any service users they have reason to believe may be homeless or at risk of homelessness within 56 days to their local housing authority.

Public Authorities with a Legal Duty to Refer

- 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

Note: referrals can only be made to local housing authorities in England under the legislation.

By embracing a more collaborative approach, we can improve communication and coordination between agencies across the city to maximise positive outcomes for service users. **Exeter therefore welcomes referrals from all organisations, whether statutory or voluntary.**

Despite its medium population size, Exeter sees a comparatively high number of approaches from households seeking housing/homelessness related support. A total of 1305 households were assessed under the homeless legislation during 2019/20. By working together under a joint protocol, partners can work towards common objectives for better outcomes, as well as creating a comprehensive network of support across statutory and voluntary organisations for those who may struggle to engage with services.

This document sets out the action plan that will enable us to work with more efficiency towards our shared objective of reducing homelessness and repeat homelessness. The aim of the protocol is to provide a clear framework within which all participating agencies can work to prevent and relieve homelessness, to the benefit of those individuals who are homeless or at risk of homelessness, as well as the wider community.

2. Objectives

We recognise that this protocol will be used by a range of partners, with varying responsibilities and different levels of knowledge around homelessness. We also recognise that some of these partners may need to comply with the Duty to Refer, while others may be referring to us on a voluntary basis.

In addition, we have taken into account when writing the protocol that some partners may not be familiar with the homeless legislation or housing legislation generally. Further information and training around homelessness can be made available for participating agencies.

Primary objective

The primary objective of this protocol is to ensure compliance with the requirements of the 'Duty to Refer' rules as set out in the Homelessness Reduction Act 2017. The minimum requirements for specified public authorities are outlined below:

- The public authority must make a referral to a local housing authority if they have reason to believe that a person using their service will be homeless, or at risk of becoming homeless, in 56 days or less; and
- The individual being referred has given their **consent** for the referral

Secondary objectives

The secondary objectives centre on responding to the ideals of the new legislation through the development of processes that will have a lasting impact on homelessness reduction, favouring creative solutions and a collaborative approach.

- Identify the issues and blocks to success faced by Exeter public services
- Establish new and build on existing joint working arrangements with partners
- Continue to develop creative solutions for households with complex needs and entrenched rough sleepers
- Continue to develop innovative approaches to improve joint working (e.g. expansion of online agency referral form to include referrals from voluntary organisations)
- Continue to record, capture and analyse referral data to identify good practise and opportunities for building on joint work
- Transparent access to outcomes
- Share findings and ideas for improvements with partners
- Working closely with landlords across private and social sectors to prevent homelessness

While we recognise the challenges associated with agreeing shared objectives, we are committed to transparency and scrutiny of existing processes in order to ensure we are working in the best possible way to support households facing homelessness.

3. Making a referral

While all housing authorities are subject to the same legislation, each will have its own way of processing a homeless approach. This protocol sets out Exeter City Council's referral process, as well as the expectation of how that referral will be processed.

Exeter has welcomed the introduction of the Duty to Refer as an opportunity to expand and develop partnership working and maximise homelessness prevention. One of our key strategic aims July 2019 – March 2021 is to improve homeless prevention within community settings, working with statutory and voluntary organisations across the city to facilitate early intervention. Our online agency referral form (details below) has been designed to be accessible for both statutory and voluntary organisations, and we encourage referrals from all services working with homeless or vulnerably housed clients in the city.

It is important to note that a referral to a housing authority does not constitute a homeless application. However, we will always attempt to contact the individual you have referred to us and that may result in a homeless application being taken.

When to make a referral:

As soon as a service user is identified as homeless or at risk of homelessness within 56 days, they should be asked for their consent to make a homelessness referral to their local housing authority.

What is meant by 'at risk of homelessness within 56 days'?

The Homelessness Reduction Act places an increased focus on early intervention and prevention work to reduce the number of households reaching the point of homelessness. You can refer a service user to us as soon as their housing situation becomes less secure, for example if:

- A change in circumstances is making it difficult for them to pay rent; or they are in rent arrears

- They have received a notice to quit or have been asked to leave by their landlord
- Relations at home are deteriorating and there have been requests or threats to leave
- They are in a vulnerable or short term housing situation, e.g. sofa surfing or temporary housing
- They are approaching discharge from hospital, armed forces or release from custody, with no accommodation available to them
- They are facing significant challenges in their current accommodation and may choose to leave
- Their current accommodation is not suited to the needs of the household

What information is needed?

- Name and date of birth of the individual being referred, as well as contact details where possible (if the individual has no contact details we can contact via the referrer if they consent for us to do so)
- **Consent of the individual** being referred to the referral
- The agreed reason for referral (e.g. that the individual is homeless or at risk of homelessness).
- Expected date of homelessness where applicable/known
- Information regarding any other individuals who might be expected to live in the household (partners, children etc.)

Where the household being referred has regular access to an email account, please provide us with their email address. This will enable us to send a confirmation of referral to the household, and increase the likelihood of successfully making contact.

We appreciate that voluntary agencies may not be able to provide detailed information about their service users. Where insufficient information exists to make a referral, agencies can direct service users to contact Exeter City Council for help directly at <https://exeter.gov.uk/housing/housing-homelessness-prevention-and-advice/contacting-us-for-housing-advice/>

What information is useful?

More information allows us to process referrals more quickly, helping us to identify the appropriate support for the individual being referred. Where possible, it is always beneficial to provide information on the following areas; please remember to gain consent from the individual before providing additional information:

- Health, including physical, mental or any impairment that may impact on the household
- Care leaver status
- Criminal convictions
- Addiction issues
- Any hospital admissions (last 12 months) and/or any expected future admissions
- Risk assessment information, considering risk to the individual and to others

How to complete a Referral – Statutory & Voluntary Organisations

Click on or type in the following link:

<https://exeter.gov.uk/housing/housing-homelessness-prevention-and-advice/professionals-only-referring-your-client/professionals-only-how-to-refer-your-client/>

Then click on **Start >** to complete the form (this should take five minutes or less).

The form includes secure document upload for any supporting evidence.

OR;

Alternatively, if you are unable to use the form, please send referral details to:

dutytorfer@exeter.gov.uk

4. Responses to referrals

Submitting the form will trigger the following:

1. (Where email address provided) automated email at submission point to the individual making the referral, to confirm receipt and provide a copy of the information provided. Where possible please include the email address of the household you are referring as they too will receive confirmation of receipt of the referral.
2. (Where email address provided) automated email to the individual being referred, to confirm that a referral for housing/homeless assistance has been received, and to provide 24 hour Housing Options contact details in case of emergency
3. Telephone call/email from Housing Options team within five working days to offer advice and/or arrange appointment. **Note:** If the person is homeless on the day of the referral, contact will be made on the same workingday. If the referral is after working hours (9 - 5 Monday to Friday, excluding bank holidays), please use the emergency out of hours number - 01392 265147.
4. If there is reason to believe that the person is currently homeless and eligible, a homelessness application will be taken and a relief duty will be accepted
5. If there is reason to believe that the person is eligible, not homeless but threatened with homelessness in 56 days, a homelessness application will be taken and a prevention duty will be accepted

Where the housing authority does not have reason to believe that the person is eligible and/or homeless, they will be given advice and information to help resolve their housing situation.

In accordance with the HRA, the housing authority will then undertake the following steps:

- Create a HRA case for the applicant and document any relevant information
- Identify with the applicant any housing and support needs and produce a joint plan to address these and resolve housing situation
- Explain the Personal Housing Plan and any relevant duties to the applicant

5. A collaborative approach

This protocol sets out our commitment to improving the way services work together to address homelessness and the threat of homelessness, striving towards earlier coordinated intervention at a service and community level. Although the HRA has led to an uptake in service demand across all frontline services, it will provide long term benefits by encouraging access to services prior to crisis point, reducing the harmful effects that homelessness can have on the lives of those who experience it.

6. Appendix 1 – Homelessness poster

See following page.

Help end Homelessness in Exeter

Do you work with someone who is homeless or at risk of homelessness?

1. Go to [exeter.gov.uk](https://www.exeter.gov.uk)
2. Go to **Housing**
3. Click on **Professionals only - Referring your client**
4. Go to page 4 - Professionals only - Who can make a referral? and click on the **Start button** at the bottom of the page to make your referral.

We'll get back to you within one working day.

For local support and resources:

<https://www.exeterhomelesspartnership.org.uk/helpful-information>



I am homeless or at risk of being homeless, where can I find help?

Contact Exeter City Council as soon as possible:
[exeter.gov.uk/housing](https://www.exeter.gov.uk/housing)

