



PRIVATE RENTED SECTOR TOOLKIT

PART 2

JULY 2016

Table of Contents

Introduction	3
Maintaining the Prevention Focus	4
Diagnostic Peer Reviews – ‘Gold Standard’ Approach	4
Focus on ‘tenancy sustainment’	5
Pre-eviction arrangements with local PRS landlords	6
Pre-eviction arrangements with Housing Management, local Registered Providers and Supported Housing Providers	8
Marketing local services and where to go to seek help – the ‘no wrong door’ approach	8
The Toolkit Next Steps	9

Introduction

Local authorities should seek to support all client groups; both the statutory and the non-statutory homeless. Colleagues should be mindful that the PRS is an open market and highly responsive to changes in supply and demand. It is crucial that services are designed to deliver assistance to *all* clients who are genuinely homeless or threatened with homelessness through statutory and/or voluntary sector partners.

Changes applied to support one client group will have a potentially negative impact on the availability of housing for another - and on the overall success of homelessness prevention in the local area. Services should be strategically aligned to ensure a coherent and effective local approach to working with the PRS. They should not concern themselves solely with households owed a statutory duty.

For ease of reference, this toolkit has been split into 5 distinct parts:

Part 1: The Localism Act 2011 changes & The Homelessness (Suitability of Accommodation) (England) Order 2012

Part 2: Maintaining the Prevention Focus

Part 3: Working with the Private Rented Sector

Part 4: Developing a Private Rented Sector Offer Policy

Part 5: Annexe Pack

The overall value of the toolkit derives from the sum of its parts. It is therefore recommended that colleagues consider it as a complete package. This part focuses on maintaining the prevention focus and how to adopt an early intervention approach.

To support you to reflect on the key messages captured in this toolkit, Annexe 1 contains two factsheets that provide 'at a glance' synopses of the content.

Maintaining the Prevention Focus

There are a wide range of factors that homelessness and housing options services should consider in their efforts to prevent homelessness.

Maintaining a prevention focused service should assist with reducing the need to exercise the new Localism Act power in the first place. Local services should strive to prevent homelessness before a Part 7 application is triggered or at the earliest practicable opportunity (whilst being mindful of their duties under Part 7 of the HA96 as amended).

The focus of local authority homelessness prevention work should not only focus on people who will meet the statutory homelessness criteria, and the suggestions in this section of the toolkit should be used to support and assist in the development of services across client groups.

There are 3 key factors highlighted here that will support local services to develop early intervention and improve the customer journey. This list is by no means exhaustive.

Diagnostic Peer Reviews – ‘Gold Standard’ Approach

Local authorities and their partners should consider reviewing services to ensure they are maximising the potential to prevent homelessness wherever possible - by adopting early intervention as the primary theme for service delivery. Proactive and innovative approaches that reach out to households at risk with an offer of targeted support - at the right place and at the right time - prevent homelessness & deliver improved outcomes for vulnerable people. Prevention will also help a local authority save money.

The National Practitioner Support Service has developed a ‘*Diagnostic Peer Review Toolkit*’ specifically aimed at supporting local housing authorities to conduct a review of the housing options service. The Peer Review Toolkit will support local authorities to develop and improve. It will also assist them to identify key pressures & emerging trends – and to make the case for *investment* in prevention services.

By reviewing the customer journey local authorities can capitalise on opportunities to prevent homelessness – before a homelessness application is triggered and/or main duty accepted. Undertaking peer reviews is the most effective way to identify areas of weakness and good practice, and develop effective service improvement plans.

The second report from the Ministerial Working Group on Homelessness was published on 16th August 2012 – “*Making Every Contact Count: A Joint Approach to Preventing Homelessness*”.

The report describes how Government, local authorities and voluntary sector partners can work together to prevent homelessness by intervening earlier to tackle underlying issues that can lead to a housing crisis. It includes commitments from Government departments and the voluntary sector, and outlines 10 local challenges for local authorities if they are to deliver a ‘gold standard’ homelessness prevention service.

The ‘Gold Standard’ will be supported by the Diagnostic Peer Review process. Colleagues are encouraged to work together in minimum groups of 3 local authorities, using the diagnostic toolkit in to conduct a peer led review of their service. The diagnostic toolkit will support local authorities to ‘*make every contact count*’.

The Making Every Contact Count report can be viewed here:

www.gov.uk/government/publications/making-every-contact-count-a-joint-approach-to-preventing-homelessness

Local authorities who are considering peer reviews using the diagnostic toolkit are encouraged to contact the National Practitioner Support Service team for support. You can contact the practitioners to request support by emailing:

generalenquiries@practitionersupport.org

Focus on ‘tenancy sustainment’

Whilst access to the private rented sector is fundamentally important, it is equally important for local services to proactively seek to maintain existing PRS accommodation for customers at risk of homelessness.

DCLG statistics demonstrate that nationally, during 2013/14, 51% of households who were prevented from becoming homeless were assisted to obtain alternative accommodation, suggesting that the main focus is on securing alternative housing.

www.gov.uk/government/statistics/homelessness-prevention-and-relief-england-2013-to-2014

This profile remained the same during 2014/15, where 51% of households who were prevented from becoming homeless were assisted to obtain alternative accommodation.

www.gov.uk/government/statistics/homelessness-prevention-and-relief-england-2014-to-2015

Local services may be able to do more to increase their support and develop interventions for households to remain in their existing accommodation, wherever practical and/or appropriate.

Further contextual evidence demonstrates there have been increasing levels of statutory homeless acceptances reported by local authorities resulting from loss of accommodation in the private rented sector. This is supported by Ministry of Justice data which has shown increasing levels of landlord possession activity in local courts.

The statistical releases can be viewed here:

www.gov.uk/government/collections/mortgage-and-landlord-possession-statistics

Pre-eviction practices that develop relationships between advice sector, local authority, and landlords (social and PRS) can have very positive impacts. Homelessness prevention services may wish to consider adopting the following approaches:

Pre-eviction arrangements with local PRS landlords

- *“Ring Before You Serve Notice” campaigns – as part of the local landlord ‘offer’ and contributing to landlord recruitment while offering an improved service to existing landlords working with PRS access schemes. An example of a local authority’s approach to marketing “Ring Before You Serve Notice” is included at Annexe 4*
- *Basic pre-court action requirements in local Accreditation Schemes - accredited landlords should notify the Council (or relevant partner agency) when they serve a notice to quit*
- *Landlord hotline numbers to report issues or concerns where tenancies may be in the early stages of failing – including mobile telephone numbers for named contact officers to avoid landlords going through local contact centre or switchboard arrangements*
- *Out of hours email reporting to complement the hotline number*
- *Clear service standards concerning response times when issues are reported*
- *Feedback arrangements to keep landlords informed about action taken, next steps and how tenants will be supported subsequent to landlord notification*

- *Mediation Services for when the relationship between landlord and tenant breaks down*
- *Pre-eviction Panels – In appropriate cases and with agreement from both landlord and tenant, use local PRS pre-eviction panels to bring together landlord, tenant, and officers within the housing service and any relevant support providers to review the tenancy and consider how it may be sustained to avoid notice being served and/or eviction.*
- *Good links between the Council and the local County Court Possession Duty Desk to identify at risk of homelessness cases and provide advice and support including landlord liaison*

Local authorities may also wish to consider setting arrangements in place to monitor the end of tenancies created through either PRSO's (12 months) or through prevention (or other) offers; this could be as simple as setting up an electronic reminder and standard tenancy expiry letters. By adopting such an arrangement local authorities could contact the landlord and tenant to negotiate a further fixed term where appropriate, or to facilitate a planned move before the end of the tenancy.

Both local authorities, when looking to prevent homelessness due to loss of an AST, and also where acting as landlords or managing agents, and PRS landlords themselves should be mindful of the changes introduced within the Deregulation Act 2015, in particular:

- *requirements for a landlord to provide prescribed information (s.39)*
- *updated prescribed form of a s.21 notice (s.37)*
- *restrictions on the use of s.21 notices (s.36)*
- *deposit protection regulations (ss.30 – 32), and*
- *how to end an AST (s.40)*

These Deregulation Act Changes will be covered in more detail in Part 3 of this toolkit "*Working with the Private Rented Sector*"

Whilst this toolkit is focused on joint working with the PRS – when considering pre- eviction arrangements to prevent homelessness from rented accommodation, it is important to consider the role of partnership working with social landlords to:

Pre-eviction arrangements with Housing Management, local Registered Providers and Supported Housing Providers

- *Formal written protocols for joint working when tenancies may be at risk. An example from a local authority is included at Annexe 5*
- *Involving key partners such as the Area Housing Manager, Welfare Officer/Money Advisor, local third sector advice agencies, and local authority Housing Options team (not an exhaustive list)*
- *Formal arrangements with supported housing providers to provide notification to housing options teams when warnings are given to residents in supported housing – in some areas these are included as requirements in Supporting People contracts. Annexe 6 & Annexe 7 provide examples from local authorities of their approach to pre-eviction arrangements with supported housing projects*
- *Enabling access to Court Duty Schemes and managing RP possession action listings with the court service to enable the duty scheme to operate effectively*

Marketing local services and where to go to seek help – the ‘no wrong door’ approach

Local partnerships may find it beneficial to work together to develop measures to ensure households at risk of homelessness are aware of available help and where to go to seek support with housing issues.

- *Develop a communications strategy across local partners, providers and stakeholders (see also Part 3 of the toolkit, “Working with the PRS”)*
- *Produce posters, leaflets and other literature that promote services and where to go to seek help*
- *Develop information and services online to ensure they are clear, easily understood, give the right messages and support people to help themselves where appropriate*
- *Promote national help lines and where customers can access good quality telephone advice*
- *Develop signposting arrangements with internal customers / partners / departments / services*

- *Engage other agencies and partners – identify where at risk of homelessness households go to seek advice and target support at those agencies*
- *Encourage partner agencies to name ‘prevention champions’ within their services – and offer free training to partner organisations who have regular contact with clients as a way of extending the early intervention approach*
- *Engage Housing Benefit teams to ensure claims are processed & payments are paid in a timely manner – reducing numbers of ground 8 mandatory or suspended possession orders (for other rent arrears grounds)*

The Toolkit Next Steps...

Part 3 of the Toolkit provides detailed suggestions, advice and support for local authorities that want to improve their working relationship with local PRS landlords and agents. It includes focus on preventing tenancies failing, sustaining and improving access to the PRS, and considerations relating to matching customers to vacancies and providing accommodation out of borough.