



Justus

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Please ask for: [REDACTED]
Direct line: 01234 [REDACTED]
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Your ref:

Date: 21 June 2018

Dear [REDACTED],

Re: Report from Justus regarding Homeless Advice in Cases of Suspected Domestic Abuse

I am writing on behalf of myself and Cllr Anthony Forth, Portfolio Holder for Housing in response to the report that Justus submitted via the local Member of Parliament raising concerns about homelessness advice given in instances where there may have been grounds for suspecting the applicant was the victim of domestic abuse. I would also to take this opportunity to thank you and your colleague for taking the time to meet with me recently to discuss the concerns in more detail.

At the meeting I explained that there had been a number of changes to the Council's organisation structure, that the Housing Service now formed part of the new Customer Directorate and that this was part of the Council's aim to improve the customer focus of its services. In addition, and as you are aware, the approach to providing homelessness advice has changed as a result of the Homelessness Reduction Act taking effect from April 2018.

I have shown the recommendations as set out in the report from Justus in italic text with the response below each item in ordinary font.

- 1. Mr Yasin to consult with independent legal expert to corroborate or dismiss the account of the law as presented in this report so that he can judge what merit the report has.*

Strictly speaking this is a matter for Mr Yasin. However, we agreed at our meeting that you would provide details of any recent cases that have given you cause for concern so that I could arrange for the action taken in these case to be investigated in more detail. This would assist the Council in determining if there are serious or systematic deficiencies in the way homelessness application from vulnerable persons, and particularly those at risk of domestic abuse, are currently being dealt with. This will, in turn, enable a view to be taken on any remedial action that was required and whether any concerns warrant a review of safeguarding procedures in this area.

I agreed that I would respond in writing to any concerns that you raise and I am pleased to note that you have referred one recent case to me which is currently being investigated.

Director of Customer
Borough Hall, Cauldwell Street, Bedford MK42 9AP
DX 117105 Bedford 4

2. *Housing Options Team to have its funding increased by an amount that will enable the team to deal lawfully with every homeless person's approach for assistance.*

The Council has recently increased the funding for its Housing Option team as a result of the introduction of the Homelessness Reduction Act and has appointed additional staff. The resources requirements are being kept under review as it is expected to take some months before the staffing requirement can be properly quantified once the new regulations and process are properly established.

I can offer my assurance that the Council's intention is to deal lawfully with all approaches for assistance with homelessness and welcomes any feedback from organisations such as Justus that can help us to improve the service that we offer or highlight any deficiencies.

In setting its annual budget the Council seeks to balance limited resources across the wide range of services it is required to provide. Local residents and other interested parties have the opportunity to contribute to this process by participating in the public consultation which is held each year as part of the budget setting process. In view of the concerns that Justus has expressed regarding the funding for homelessness services and I would encourage you to respond to future budget consultations.

3. *Housing Options Team to become multi-disciplinary, incorporating social workers, including at management level. Opportunities to prevent serious harm to people affected by homelessness to be capitalised on, including joint enterprises with mental health teams, criminal justice, physical health etc.*

The Council is in the process of a major modernisation programme, referred to as Bedford Borough 2020, and as part of that programme is reviewing its organisational and staffing structure. Whilst it is not proposed to directly employ social workers as part of the Housing Options Team, a key aspect of the modernisation programme is to facilitate closer working across different service areas to ensure that services received by residents are better focussed based their residents' needs and not hampered by the Council's organisational structure.

I am sure that you will already be aware, the Council does works closely in partnership with a wide range of partners, including neighbouring authorities, third sector organisations, police, health bodies etc. on homelessness issues and will continue to do so. This includes, for example, the Rough Sleepers Partnership which has enabled mental health outreach workers to be employed to assist homeless people who are sleeping rough and have mental health needs.

4. *Council-wide Domestic Abuse policy should be implemented including the following requirements for the Housing Options Service:*
 - i. *Any reported abuse should be documented*
 - ii. *Any risk should be assessed formally and documented*
 - iii. *Risk assessment to include suitability of any accommodation offered*
 - iv. *Discussion with client and manager around forwarding concerns to Child / Adult Safeguarding Teams to be documented*

The Council is committed to supporting residents at risk of or suffering from domestic abuse or violence and the Executive agreed a strategy to tackle the causes and effects

of domestic abuse at its meeting on 14 June 2017. The Strategy was developed using research which the Council commissioned from SafeLives (a specialist domestic abuse organisation) and included consultation during January and February 2017.

It is not unusual to find that a person experiencing domestic abuse who seeks assistance from the Housing Service is already receiving support from an Independent Domestic Violence Advisor that has been appointed through MARAC. In these circumstances it would not be necessary to complete a MARAC risk assessment and referral. However, I do agree that the domestic abuse should still be documented as part of the homelessness enquiries.

Where a person discloses domestic abuse for the first time (to the Council's knowledge) to a Housing Officer, then the officer should complete a MARAC risk assessment and referral. Ideally this would be done with the person's assistance, however, if the person does not wish to complete a risk assessment it can be completed based on the knowledge the Housing Officer has of the situation and referred to MARAC where it will be considered under professional judgement.

Referrals should also be made where the person does not disclose risk of domestic abuse but the officer has good cause to suspect that the person is experiencing domestic abuse.

The Council's current risk assessment recording form used in connection with homelessness enquiries does not include specific reference to risk of domestic abuse and it is expected that any risk would be recorded under another category such as risk of aggression/violence or other. However, it is agreed that it would be beneficial to have a separate record of any domestic abuse risk and the Council will be contacting its ICT supplier with a view to amending the risk assessment form so that a specific domestic abuse risk assessment can be recorded.

An assessment of the suitability of any accommodation offered is conducted as part of the process of determining which accommodation should be offered. This should include giving consideration to any risks associated with domestic abuse. The suitability of any accommodation will, of course, depend on a range of factors including the person's individual circumstances, which may sometime be very complex, and the availability of accommodation.

It is agreed that any consideration about whether to refer a case to safeguarding services should be documented together with the reasons for the final decision on whether or not to refer.

5. *All Housing Options staff to attend regular training on topics related to domestic abuse (incorporating training delivered by MARAC / Freedom Program / Adult Safeguarding / MASH)*

A training programme is currently being finalised for Bedfordshire Domestic Abuse Partnership which includes the Council. The training programme will be delivered by suitable qualified and experienced trainers and all Housing Options staff will be required to complete the training. I anticipate this training for Housing staff will be completed in the two to three months.

I understand that the Freedom Programme training is specifically for victims of domestic abuse; therefore, it would not be appropriate to provide this training to Housing staff. However, the training programme currently being developed for the Bedfordshire Domestic Abuse Partnership will include awareness training of domestic abuse programmes such as Liberty and Freedom Programme.

The Housing Options staff currently receive adult safeguarding training on a periodic basis.

6. *Private interview space to be used for all homeless interviews.*

I understand that housing interviews may be particularly sensitive and that ideally they should be carried out in a private area. There are four private interview rooms at the Council's Customer Service Centre, two of which are now allocated exclusively for use by the Housing Options Service. The additional two interview rooms may also be used for Housing interviews if they are not already in use.

The Council is currently reviewing its Customer Service facilities following the closure of the BPHA enquiry office and it is anticipated that additional private interview space may be made available within the Customer Service Centre in the future which would further reduce the need to interviews to be held at the enquiry desks.

As you are aware, the Council has now moved to an appointment based interview process and I understand that this has reduced the need for interviews to be held at the enquiry desks. I will remind the Housing Team that private interview space should be used where available and that interviews should only be held at the enquiry desks when there is no alternative. In addition, measures to improve privacy at the interview desks are currently being considered.

7. *Advice on seeking legal assistance from Citizen's Advice Bureau / Luton Law Centre to be given to every person approaching Housing Options in writing.*

I do agree that it is important that residents are fully informed of their rights, including the right to challenge decisions made by the Council if they disagreed with them. I also recognise that some people find it more difficult to understand legal processes or may not have the confidence to challenge decisions.

The Council provides funding to the Bedford Citizens Advice Bureau to provide community advice services and in view of your concerns I will contact the Chief Executive at Bedford CAB to discuss how we may be able to work together to better inform people about their rights in connection with homelessness.

The Luton Law Centre is not located in Bedford Borough and the Council does not have a working relationship with the Centre. Therefore, there it would not be appropriate to advise a person to seek advice from Luton Law Centre in preference to any other advice agency that operates outside the Council's geographical area.

8. *The Re-Housing Team to have its budget increased by an amount that will enable the procurement of enough housing units in the private rented sector to fulfil its duties to homeless people for whom there is a duty to house.*

The Council currently procures accommodation from the private sector as required in order to ensure that any homeless person to whom it has a duty to provide housing is accommodated. On occasion, in emergencies, the Council may use bed and breakfast or hotel accommodation, however, the length of time that any person or family is housed in this type of accommodation is kept to a minimum.

9. *Mr Yasin to scrutinise the legitimacy of the steps that officers currently take to ensure that homeless applicants' decisions 'not to make a homeless application' are adequately informed, and to compare this to the LGO's report on gatekeeping.*

Where the Council is approached for advice regarding homelessness or the threat of homelessness the intention is to provide the person with accurate and complete information to enable them to make an informed decision about whether or not they wish to make a homelessness application. I understand that you have concerns that applicants may not always be given impartial advice to assist them in making the decision and I trust that the offer to review recent cases and to maintain an ongoing dialogue with Justus will help to address these concerns.

10. *If Mr Yasin concludes that serious concerns exist, Serious Concern Procedure should be triggered in accordance with Council Policy.*

The Serious Concern Procedure relates specifically to concerns about social care providers and, therefore, would not be appropriate in this context. However, as explained in item 1 above if the review of recent cases highlight serious concerns about current safeguarding procedures these will be reviewed and appropriate action taken.

11. *All approaches by homeless people for assistance to result in s.184 inquiries and notifications being completed, as the law explicitly requires.*

Where a homeless person approaches the Housing Options team for advice and having been informed of their rights decides they wish to pursue a homelessness application, then the Council will carry out the inquiries required under s.184 and issue a decision in writing.

In addition, as you are aware, from April 2018 detailed written personal housing plans are now provided to all persons entitled to assistance.

12. *Robust quality monitoring system to be introduced in the form of annual audits and review of complaints.*

The Council has supervisory arrangements in place to monitor the quality of work carried out by officers in the Housing Team. In addition, the management and quality assurance processes will be reviewed as part of the service redesign being undertaken through the Council-wide modernisation programme.

All formal complaints are recorded and managed by an independent manager and team within the Council's corporate policy and performance team. Complaints are routinely reported to senior management and are analysed to detect any trends. Learning points are also identified from complaints and appropriate action taken.

The Council has a three year internal audit plan which is approved by the Audit Committee and is planned based on the level of risk associated with each service area

and the resources available to conduct the audits. Any audits identified as being required for Housing Services through the audit planning process will be conducted in accordance with the plan.

Feedback from organisations such as Justus is very helpful in providing information about the quality of the service from the perspective of the person receiving the service, which helps the Council to improve the services that it provides. Therefore, I look forward to a continuing dialogue as discussed at our recent meeting.

13. *Pregnant women and children to be placed in accommodation that has basic furniture including a bed.*

I do agree that anyone who is pregnant or has children should be placed in accommodation that has basic furniture including a bed where they do not have furniture of their own that they can use. The Council is currently utilising fully furnished accommodation for part of its temporary accommodation requirements which would address this requirement.

However, I do recognise that temporary accommodation provided through the Council's private sector leasing scheme is unfurnished, and where persons are rehoused from temporary accommodation the permanent accommodation is often let on an unfurnished basis.

Where someone is placed in unfurnished accommodation and does not have access to their own furniture the Council uses a number of options for providing furniture including providing a Re-Use Centre starter pack or a Home in the Community Grant. Anyone requiring furniture may also be offered a zero interest loan or referred to one of a number of local charities that provide furniture and white goods to persons in need free of charge. In an emergency situation where there is no option other than to house someone in unfurnished accommodation before furniture can be arranged, emergency measures such as providing camp beds can and are arranged.

I will ensure that the Housing Options staff are reminded to give consideration to furniture when sourcing temporary accommodation, particularly where a person is vulnerable, pregnant or has children with them.

14. *Bedford Borough Council to pursue the Department of Communities and Local Government's 'Gold Standard' in delivering services to potentially homeless people.*

The Council does not have any immediate plans to pursue formal 'Gold Standard' accreditation at present. However, many of the requirements of the standard are already met through the Council's and its partners' proactive approaches to tackling homelessness.

Further consideration will be given to the feasibility of achieving Gold Standard accreditation once there is greater clarity around the resource requirements following the introduction of the Homelessness Reduction Act and progress of the Council's modernisation programme.

The Council deals with high volumes of homelessness enquiries each year and there is always the possibility that, despite the best efforts of the organisation and individual officers, the service provided may not be to the standard that the Council would normally expect to provide. Where

any such failing are brought to my attention I can assure you that I will ensure any failings are rectified as quickly as possible.

In addition, there are strong safeguards in place to allow anyone to challenge decisions made by the Council through the statutory right to review and appeal or through the Council's complaints procedure. Both of these processes ultimately give an individual the right for their concerns to be considered by an independent body. I agree that it is important that people are informed of these rights and how to use them, and, as explained above I will be reviewing how we can ensure residents are made aware of their rights.

In conclusion, both Councillor Forth and I would like to thank you for bringing these concerns to our attention. We trust that you will find this response reassuring and that it answers the concerns that you have raised in your report. We also look forward to a continuing dialogue so that we can work together with Justus to assist people who are, or are threatened with, homelessness.

Yours sincerely



Chief Officer for Customer
Experience and Digital Services

Councillor Anthony Forth

Portfolio Holder for Operational
Housing