

Meeting of South Ayrshire Health and Social Care Partnership	Strategic Planning Advisory Group		
Held on	23 February 2022		
Agenda Item:	8		
Title:	Prevention of homelessness duties consultation		
Summary:			
The purpose of this report is to advise the Strategic Planning Advisory Group of the Joint Scottish Government and COSLA Consultation on the Proposed Prevention of Homelessness Duties.			
Author:	Danielle Rae, Coordinator – Planning and Performance		
It is recommended that the Strategic Planning Advisory Group:			
<ul style="list-style-type: none"> i. Note the proposals contained within the consultation document; and ii. Provide any commentary on the proposals to inform the South Ayrshire HSCP response (which will be considered by the SPAG on 22nd March). 			
Route to meeting:			
N/A			
Directions:		Implications:	
1. No Directions Required	<input checked="" type="checkbox"/>	Financial	<input type="checkbox"/>
2. Directions to NHS Ayrshire & Arran	<input type="checkbox"/>	HR	<input type="checkbox"/>
3. Directions to South Ayrshire Council	<input type="checkbox"/>	Legal	<input type="checkbox"/>
4. Directions to both SAC & NHS	<input type="checkbox"/>	Equalities	<input type="checkbox"/>
		Sustainability	<input type="checkbox"/>
		Policy	<input checked="" type="checkbox"/>
		ICT	<input type="checkbox"/>

PREVENTION OF HOMELESSNESS DUTIES CONSULTATION

1. PURPOSE OF REPORT

1.1 The purpose of this report is to advise the Strategic Planning Advisory Group of the Joint Scottish Government and COSLA Consultation on the Proposed Prevention of Homelessness Duties.

2. RECOMMENDATION

2.1 It is recommended that the Strategic Planning Advisory Group:

- i. Note the proposals contained within the consultation document; and**
- ii. Provide any commentary on the proposals to inform the South Ayrshire HSCP response (which will be considered by the SPAG on 22nd March).**

BACKGROUND INFORMATION

3.1 At the request of Scottish Government, Crisis convened the Prevention Review Group to develop recommendations for legal duties on Scottish local authorities and wider public bodies to prevent homelessness, and how these might be best implemented. The [recommendations in the final report](#) of the Prevention Review Group were published in early 2021 and provide the framework for the consultation document.

3.2 The [consultation paper](#) recognises there is already much good practice by local authorities, wider public bodies and landlords and the third sector that takes place in preventing homelessness, including through joint working with their partners. This joint working has been enhanced in some areas through responses to coronavirus (COVID-19) since March 2020. This consultation offers the chance to give views on how to improve practice around joint working on prevention through legislative change to ensure consistency of delivery across Scotland, while recognising local circumstances and decision making. It also asks for reflections on how new duties would change organisational practice, and what the resource implications of that may be.

3.3 The consultation paper invites views in two broad areas:

1. Introducing new duties (through a Housing Bill expected in 2023) on a range of public bodies and landlords to prevent homelessness, particularly by asking and acting on a risk of homelessness, as well as responsibilities relating to strategic and joint planning.
2. Changing existing homelessness legislation to ensure homelessness is prevented at an earlier stage, including a proposal to extend the duty to take reasonable steps to prevent homelessness up to six months before, to

maximise the housing options available to people and to prescribe what reasonable steps may include.

3. REPORT

4.1 There are proposals within the consultation which will have a direct impact on the HSCP. The implications for which must be considered. These are listed below:

Duties on wider public bodies

- A statutory duty on HSCP's to identify the housing circumstances of service users, and where necessary work with partners to ensure that service users are assisted into suitable housing or that a risk of homelessness is prevented.
- Where needs are more complex, to the extent that they cannot be supported in mainstream housing even with additional support, then primary responsibility for meeting those accommodation needs should sit with the HSCP.
- Where a social worker or social care worker identifies a risk of homelessness, they should make a referral to the relevant part of the local authority. If they consider that there are unmet social care needs, a social care needs assessment should be carried out.
- Where it is identified that an individual may have health and social care needs as part of an assessment of homelessness or threat of homelessness, or an assessment of housing support needs, a statutory duty is placed on the health and social care partnership to co-operate with the local authority in planning to meet those needs.
- GP practices should be under a requirement to refer to the local authority where a risk of homelessness is identified.
- For people with complex needs requiring input from two or more public services to support their health or wellbeing, or to facilitate community safety, a case co-ordination approach is put in place.
- If a health visitor and head teacher identify that there is a housing issue or a risk of homelessness for a family, they should make a request for assistance to the local authority's homelessness service.
- Local authorities should work with partners to ensure the service meets the needs of young people at risk of homelessness. Services should be able to respond to the diversity of this group.
- Local authorities should ensure that they have family mediation available as part of their homelessness prevention offer.
- Young people aged 16 and 17 at risk of homelessness must be treated as children under the law and should receive assistance from children's social work, who have expertise in the needs of this group. Primary responsibility for assisting homelessness 16- and 17-year-olds should sit with social work.

Joining-up services through strategic planning

- Community planning partners should set out and establish in Locality Plans the impact of homelessness, emerging issues and joint working to address this. A community planning statement should be included within the Local Housing Strategy.

- Health and Social Care Partnerships should set out a clear statement of their contribution to preventing homelessness within the Local Housing Strategy.

4.2 Questions to consider when responding to the consultation proposals above are:

What do you think are the potential implications for the organisation's role of the implementation of new duties to prevent homelessness in terms of time and resource?

What do you think your organisation would be doing to meet new prevention duties as outlined in this consultation that you were not doing before?

Do you think these proposals offer an opportunity for potential savings or benefits to services through an increased focus on early intervention and preventing homelessness?

What additional training needs do you think will be required for your organisation's role in implementing any new prevention of homelessness duties, and what do you think the timescales for this would be?

Next steps

4.3 The SPAG are invited to note the proposed following steps:

- Comments from the SPAG will feed into the HSCP's consultation response.
- There will be ongoing consideration of the implications by the HSCP management team, including individual teams paying close attention to relevant parts of the consultation.
- A full response will be signed off and submitted ahead of the 31 March deadline.

5. STRATEGIC CONTEXT

5.1 Consideration of this report and engaging fully in the consultation ensures the HSCP are contributing to the Strategic Objectives of the IJB Strategic Plan, particularly:

- We are an ambitious and effective Partnership.
- We are transparent and listen to you.

6. IMPLICATIONS

6.1 Financial Implications

6.1.1 There are currently no financial implications to agreeing this report.

6.2 Human Resource Implications

6.2.1 There are no HR implications to agreeing this report.

6.3 Legal Implications

6.3.1 There are no legal implications to agreeing this report.

6.4 Equalities implications

6.4.1 There are no equality implications to agreeing this report.

6.5 Sustainability implications

6.5.1 There are no sustainability implications to agreeing this report.

6.6 Clinical/professional assessment

6.6.1 N/A

7. CONSULTATION AND PARTNERSHIP WORKING

7.1 Details on consultation and a partnership approach are set out above.

8. RISK ASSESSMENT

8.1 There is no risk associated with agreeing this report.

REPORT AUTHOR AND PERSON TO CONTACT

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BACKGROUND PAPERS

February 2022