

Homeless Prevention for Non-Homeless Services

A toolkit for services to help identify, prevent,
and alleviate homelessness and housing crisis





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When Is a Household Homeless?

Legally, in Scotland, a household is homeless if they have no home in the UK or anywhere else in the world where they and their family can live together, or have no rights to live in the place they are currently staying, or if the current place is unsuitable or unsafe.

When Is a Household Potentially Homeless?

If a household is in danger of losing their permanent accommodation and becoming homeless within 56 days they are potentially homeless and the local authority has a duty to offer help and support. There are many reasons a household may be at risk of homelessness. Examples include:

- Asked to leave a friend or relative's home
- Leaving prison
- At risk of losing a home that is owned
- Leaving care





Unintentionally Homeless

The local authority must satisfy that the household has become homeless or potentially homeless through no fault of its own.

A household should be considered unintentionally homeless if they acted in good faith or if something they weren't aware of caused them to become homeless. This may be the case if:

- They gave up their home because they didn't know they had a right to stay
- They didn't know they were entitled to benefits that could have prevented them from getting into financial difficulties
- They were given bad or misleading advice which caused them to leave their home when they didn't have to
- Someone they live with did something without their knowledge

In order for this to apply they would have to show that either they were unaware of the other person's actions, or they couldn't stop them.





Examples of Unintentional Homeless Circumstances

- Evicted for antisocial behaviour that was caused by mental illness
- Failed to pay rent or mortgage because of financial difficulties which arose because, for example, redundancy
- Illness
- A partner who helped pay the rent moved out
- Household was told they weren't entitled to benefits when in fact they were
- Left home to take up a new job in another area
- The household is overcrowded and is a danger to health, does not meet any special needs of the household or which it is otherwise not reasonable for the applicant to occupy.





Intentionally Homeless

The Council has the power to investigate if a household has become homeless. There are three requirements - all of which must be satisfied:

- To be intentionally threatened with homelessness, an applicant must deliberately have done or failed to do something, the likely result of which was that he or she will be compelled to leave accommodation
- It must have been reasonable for the applicant to have continued to occupy the accommodation
- The applicant must have been aware of all the relevant facts before taking or failing to take the deliberate actions referred to above. An act or omission in good faith on the part of a person unaware of any relevant fact is not to be regarded as deliberate

It is for the local authority to satisfy itself whether an applicant became homeless or threatened with homelessness intentionally. There is no onus on the applicant to satisfy the local authority that he or she did not become homeless intentionally





Examples of Intentional Homeless Circumstances

There are variety of ways in which a household can be intentionally homeless. It is important that we support households to act in a way that empowers them to sustain their existing accommodation where possible. This may alleviate the risk of them losing their tenancy through their own action or inaction, for example:

- Antisocial behaviour
- Failure to pay rent or mortgage when the household could have
- Ignored advice that could've help the household stay in their home
- Left accommodation that they could have stayed in for no good reason





Implications of Intentional Homelessness

We can intervene at an early stage when it becomes apparent that the household is acting in a way which could cause their homelessness. We should support the household to understand their actions, or inactions, how this could lead to homelessness, and what the implications could be.

Ultimately, if a household is found to be intentionally homeless the local authority will not provide permanent accommodation because of their homelessness.

Assessing intentionality of homelessness in East Renfrewshire is always conducted by the Housing Advice Team. If you feel that a household is at risk of becoming homeless because of their own action or inaction, or if they are in need of advice to resolve a potential problem speak to the Housing Advice Team:

Email: housingadvice@eastrenfrewshire.gov.uk

Phone: 0141 577 3001





Examples Where The Household Wouldn't Be Responsible

There are of course circumstances where a household could be homeless or potentially homeless which has been caused by intentional action or inaction, but they should not be held responsible.

Discretion and understanding of each individual case should be taken. Intervention at the earliest stage is key.

It isn't possible to go into every circumstance, however, common examples are:

- The client was not aware of, or involved in the act which led to potential homelessness. For example, a client's partner intentionally did not pay rent or mortgage payments without their knowledge
- Somebody with a mental illness or someone with learning disabilities, may well have been unlikely to have acted deliberately, and so should not be automatically be treated as intentionally homeless.

We should also take into consideration the characteristics of the household. Examples are: youth; inexperience; education; or health (including whether or not there is a history of substance abuse).





Not Homeless?

Not everybody who needs help will be homeless. Of the 301 house-holds who approached East Renfrewshire Council for housing advice, in 20/2019 did not go on to make a homeless application.

If a household is not homeless East Renfrewshire Council still have a duty to provide advice and assistance. Although the Council will not provide temporary or permanent accommodation (unless they are successful in a general waiting list application), we can still provide advice and assistance in the form of informal advice or via Housing Options advice.

The purpose of Housing Options advice is to prevent homelessness and assist households to sustain their accommodation. It is person centred and assistance must be focused on individual households' circumstances. East Renfrewshire Council can offer assistance through a Housing Options interview with the Housing Advice Team.

There are no barriers to advice and assistance - anybody can access this. Our aim is to ensure that households have access to safe and secure accommodation.



Section 2: How To Help



Early identification of an issue is key.

If you think that any of the issues which would make a household homeless or potentially homeless is applicable to those you are working with, you can help to prevent crisis point.

This could be through general advice, for example, encouraging a household to budget finances more effectively or entering a payment plan with their landlord if you identify that they are in arrears which can be easily managed.

Potentially, the issue could be specifically related to East Renfrewshire, for example the household is not open to considering properties available to them in the hope of accessing properties where there is high demand. This can be helped by having a conversation and managing their expectations.

Signposting is an important element in preventing homelessness.

If the household is not yet homeless, or potentially homeless they may benefit from specialist advice from services such as Money Advice and Rights Team, Scottish Welfare Fund, Private Sector Housing Team, CAB and specialist women's projects. You should signpost the serviceuser to the appropriate service or if they would prefer you can submit a referral directly to the service on behalf of the serviceuser.

If the household requires advice on what housing options are available to them, before they are homeless, a Housing Options appointment should be made with the Housing Advice Team.





Housing Need and Homeless Assessment

If you are concerned about a household's housing situation then you should act to prevent any crisis or homelessness from occurring as soon as possible. Identifying the route of the problem or concern will allow you and the service user to resolve it.

You should follow the next three steps:

Quick Assessment

Many households who approach us have specialist needs and may already be receiving assistance from our partner services, or it may be that they would benefit from engaging with our partner services.

You will have an understanding of service-users circumstances and this will assist you in identifying a risk of housing crisis. You can provide person centred preventative advice and assistance that addresses their needs.

Do they have suitable permanent accommodation? Remember criteria such as overcrowding and safety. Do they have enough bedrooms? Can they access all parts of their accommodation? Are they safe?





Do I Need Assistance?

You can prevent a household entering housing crisis or homelessness by identifying that accommodation may cease to be suitable or available by using your own knowledge. However, it may be the case that you need assistance. It may not always be appropriate to refer to the Housing Advice Team or to Citizen's Advice Bureaux because the solution can lie with you and your service.

Resources and information is available at the end of this toolkit.

Do I Need To Refer?

Everybody is entitled to advice and assistance from the Council. If you feel that your client is unable to avoid housing crisis or homelessness you should refer to the Housing Advice Team. The team will advise the client on their housing options, including staying in their current accommodation, assessing if they are homeless or potentially homeless, and if they are homeless will arrange for temporary accommodation if this is a requirement.





Homeless Process

- An interview can be booked via the Customer First team or directly through referral to the Housing Advice Team.
- The household must bring all appropriate documents requested prior to the interview. They will be asked to provide identification, proof of last address, proof of national insurance number and any eviction notice paperwork they have received.
- The Housing Advisor will ask questions about the situation, and identify whether or not the household is entitled to homeless assistance. If not, then they will still receive Housing Options advice.

Housing Options Advice

- If the household is receiving Housing Options advice solely, the Advisor will explore and discuss all housing options which are applicable. The Advisor will discuss any other issues of need, including health and wellbeing, income and affordability, employment etc. If applicable the Advisor will either signpost to other services, or make a referral on their behalf. If appropriate, the Advisor will follow up issues (such as communicating with landlords) and keep in contact with the household.





Homeless Interview and Assistance

- If the household is homeless or threatened with homelessness within 56 days they will be offered the opportunity to submit a homeless application. The Council has a duty to offer this. The household will have the right to reject or withdraw an application at any point and their rights will be explained to them. If they require temporary accommodation this will be discussed and provided.

Homeless Application and Assessment

- The Advisor will investigate if the household is officially homeless or threatened with homelessness, if they have a local connection, and if they are unintentionally homeless. This will take place after the interview, and the household will be updated on progress. If they require temporary accommodation this will be discussed. The Advisor will reach a decision within 28 days. The household will be advised in writing of the decision.



Personal Housing Plan

A personal housing plan gives the service user and the service provider steps which should be taken by each other to help sustain permanent accommodation. It is a break down of the issues that need to be addressed in a manageable way.

In Scotland these are not necessary but it can be a helpful tool to use for those who are at risk.

It should be used as an informal agreement between the two parties outlining what each of them will do.

This plan should state the key points of the discussion had, what the service will do, and what the service user will do as agreed. Discussions should be followed up on an agreed date to ensure the household and the service are working together.

The template for this can be accessed here:

www.intranet.erc.insider/CHttpHandler.ashx?id=13788&p=0





Resources and Information

Practical Advice

East Renfrewshire Council:

www.eastrenfrewshire.gov.uk/homelessness

0141 577 3001

housingadvice@eastrenfrewshire.gov.uk

Shelter Scotland:

www.scotland.shelter.org.uk/housing_advice/guideshomelessness

MyGov:

www.mygov.scot/homelessness/

Crisis Scotland:

www.crisis.org.uk/ending-homelessness/resources-for-practitioners/

Homeless Network Scotland:

www.homelessnetwork.scot/learn/

Citizens Advice:

www.citizensadvice.org.uk/scotland/housing/finding-a-place-to-live1/if-youre-homeless-or-at-risk-of-homelessness/

Policy and Legislation

Scottish Government

www.gov.scot/policies/homelessness/



East Renfrewshire Council

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