

REPORT TO CABINET

25 July 2018

Subject:	The Restructure of the Housing Choice Service in Response to the Homeless Reduction Act
Presenting Cabinet Member:	Councillor Kerrie Carmichael - Cabinet Member for Housing
Director:	Alan Caddick Director – Housing and Communities
Contribution towards Vision 2030:	 
Key Decision:	Yes
Forward Plan (28 day notice) Reference:	SMBC 09/07/2018
Cabinet Member Approval and Date:	Council Kerrie Carmichael – Cabinet Member for Housing: 10 th May 2018
Director Approval:	Dr Alison Knight Alan Caddick 13 June 2018
Reason for Urgency:	Urgency provisions do not apply
Exempt Information Ref:	Exemption provisions do not apply
Ward Councillor (s) Consulted (if applicable):	Ward Councillors have not been consulted.
Scrutiny Consultation Considered?	Safer Neighbourhoods and Active Communities Scrutiny Board on 25 th January 2018
Contact Officer(s):	Stephen Gabriel, Service Manager – Housing Management Stephen_gabriel@sandwell.gov.uk Kevin Tebbett, Business Manager – Housing Choice Kevin_tebbett@sandwell.gov.uk

DECISION RECOMMENDATIONS

That Cabinet:

1. Approve the revised structure for Housing Choice as set out in 4.4 of the report, as a basis for consultation with employees and Trade Unions and all relevant stakeholders
2. Subject to the outcome of the consultation referred to above and the Director of Housing and Communities being satisfied that there are no significant issues arising, the Director be authorised to formally implement the restructure of the service area with effect from 1st October 2018.
3. Give effect to the structure in 4.4 and subject to any changes made following the consultation: -
 - a) 33.5 posts contained in 4.5 are deleted from the establishment
 - b) 44 posts contained in 4.5 are created
 - c) 2 posts are re-designated contained in 4.6
 - d) all affected employees are put at risk
4. That in the event of significant changes arising from the consultation process, a further report on the Housing Choice structure is submitted to the Cabinet Member for Housing

1 PURPOSE OF THE REPORT

- 1.1 Approval is sought to restructure of the Housing Choice Service as a result of the introduction of the Homeless Reduction Act 2017, which came into effect from 3rd April 2018 and places new legal duties on Local Authorities.

2 IMPLICATIONS FOR SANDWELL'S VISION

- 2.1 Preventing and reducing homelessness in all its forms contributes to improving a wide range of both physical and mental health factors that will have a direct and positive impact on Sandwell's Vision. In particular, it will impact on Ambitions Two and Five.

3 BACKGROUND AND MAIN CONSIDERATIONS

- 3.1 The Homelessness Reduction Act 2017 will amend Part VII of the Housing Act 1996. The Act has placed new legal duties on Local Authorities to assess all eligible applicants, agree an individual Personal Housing Plan, take reasonable steps to prevent homelessness and to relieve homelessness by helping the applicant to secure accommodation.
- 3.2 The new Prevention Duty applies to applicants threatened with homelessness within 56 days, previously it was 28 days. The Relief Duty, to help secure accommodation also lasts for 56 days.
- 3.3 The duty to refer has been deferred until October 2018. It places a duty on the public authorities specified in regulations to notify a housing authority of service users they consider may be homeless or threatened with homelessness, with the service users consent. Appendix four contains a list of public authorities specified in the Homelessness Review Procedure Regulations 2018.
- 3.4 This Act represents the biggest change in homelessness for 15 years.
- 3.5 The Act came in to effect from 3rd April 2018 and requires: -
- A significant change in culture to embrace the ethos of the Act
 - An increase in emphasis on early intervention and prevention of homelessness
 - An increase in resources due to the anticipated 30% increase in workload resulting from an increase in the number of approaches and cases remaining with officers for longer periods
 - An increase in the use of the Private Rented Sector to offer a comprehensive re-housing service.
- 3.6 There is now a requirement to undertake a thorough assessment of the clients housing and support needs, following which a Personal Housing Plan will be agreed. This will provide a holistic approach to tackling all the client's needs. However, should the client not engage with officers to complete the identified actions, the homeless duty can be discharged.
- 3.7 In order to respond to the additional duties outlined in the Homeless Reduction Act it will be necessary to restructure the Housing Choice service to ensure that it is in a position to prevent homelessness within the borough.

4 THE CURRENT POSITION

4.1 As a result of the introduction of the Homeless Reduction Act, a review of the Housing Choice structure has undertaken. The Homeless Needs Review has informed the development of these proposals. It is therefore proposed to: -

- Rename and rebrand the Housing Choice service to the Housing Solutions Service, to reflect the change in culture that has taken place as a result of the Homeless Reduction Act
- Review existing job descriptions and job roles to ensure that these reflect the needs of the service going forward.
- Introduce new job roles
- Increase the overall establishment in response to the anticipated increase in workload and additional responsibilities
- Delete a number of existing job roles

4.2 There has been a move away from generic job description to specific job descriptions which reflect the job roles undertaken. As a result, a number of new job descriptions have been introduced. However, it is proposed to retain a generic Job Description for the revised Team Leader post to undertake duties across the service area.

4.3 New job roles will be introduced which will offer an opportunity for progression within the workforce.

4.4 The proposal to restructure the Housing Choice Service will increase the current establishment from 45.68 to 56.50 FTE posts. The current Housing Choice organisational structure is attached as appendix one and the proposed Housing Solutions structure chart is attached as appendix two.

4.5 The following posts within the Housing Choice Service be deleted:

Job Title	Grade	No of Posts FTE
Neighbourhood Services Manager – Housing Choice	H	1
Housing Choice Co-ordinator	G	3
Housing Choice Co-ordinator - Advice	F	1
Housing Choice Officers	E	16.5
Under-occupation Officer	E	1
Housing Advisor	D	11
TOTAL DELETED		33.5

The following posts be created within the Housing Solutions Service

Post	Grade	Number of Posts FTE
Neighbourhood Services Manager – Housing Solutions	H	1
Team Leader	G	3
Complex Needs Officer	F	2
Housing Solutions Officers	E	13
Visiting Officer	E	2
Accommodation Officers	E	5
Lettings Officer	E	6
Lettings Support Officer	D	6
Apprentices	N/A	6
TOTAL CREATED		44

4.6 The following posts will be recruited on a two-year fixed term contract: -

- 1 x Lettings Officer
- 2 x Visiting Officer
- 1 x Accommodation Officer
- 1 x Lettings Support Officer
- 6 x Apprentices

Furthermore, it is proposed to recruit to one further Complex Needs Officer post as a result of the introduction of the Housing First project. This will be subject to funding being made available.

4.7 The post of Business Manager – Housing Choice will be re-designated to Business Manager – Housing Solutions. In addition, a review of the MASH officer post provided within the Children’s Trust will be undertaken.

4.8 There are no changes to the role of Customer Service Assistants, however, the number of posts will reduce from 10.18 to 9.5. In addition, the vacant Tenancy Fraud Officer post has been transferred to the Counter Fraud Team.

4.9 The reduction in supervisory posts (Team Leaders) is to meet the cost of an agreed planned leaver elsewhere within the structure. The Team Leader role will be enhanced to undertake project work, lead on service improvement, be responsible for portfolio roles and take the lead on change management. They will also act as ambassadors for the service developing relationships with other partners.

- 4.10 The Introduction of the Complex Case Officer role is to oversee all complex cases and case manage a number of complex cases such as immigration, mental health and Modern Slavery cases. The post will have a supervisory responsibility for officers within the Housing Solutions Team.
- 4.11 There will be an increase in the number of Housing Solution Officer posts to provide one caseworker for clients. All officers will be upskilled to provide a comprehensive approach to a Housing Advice and Prevention using a customer centred approach.
- 4.12 Lettings Officer and Lettings Support Officer posts will be introduced so that their job descriptions accurately reflect the duties carried out.
- 4.13 The Accommodation Hub which is responsible for sourcing Private Sector properties and well as the management of Temporary Accommodation and Private Sector Leasing scheme will be strengthened with the introduction of additional Officers. This role involves specialising in developing relationships with landlords and letting agents, promoting the Private landlord offer and obtaining properties in the private sector as well as sourcing the most cost effective temporary accommodation.
- 4.14 The Youth Hub will be strengthened by the introduction of an additional Housing Solutions Officer. The officers will also be mediation trained to support the St Basils mediator. It is proposed to work with St Basils and the Children's Trust to further develop the approach to a Youth Hub due to the anticipated increase in the number of young people that will present to the service.
- 4.15 A new role of Visiting Officer will be introduced to provide an immediate response to family exclusions, potential Temporary Accommodation placements, as well as visit possible fraudulent applications for re-housing and homeless.
- 4.16 The Overcrowding Officer post will be deleted as the approach has been in place for a number of years and is embedded in the approach within the Local Service Centres.
- 4.17 The approach to application fraud will be strengthened by the provision of an additional Lettings Officer post within the Registrations Team. This officer will undertake investigations into potential fraudulent applications highlighted by other team members. They will also be responsible for ensuring the more complex applications are correctly registered and prepare cases for the inclusions panel if appeal is received.

- 4.18 A dedicated resource has been included within the Gateway Team to prepare cases for review in response to the anticipated increase in reviews from clients.
- 4.19 Six apprentices will be recruited some of whom will have “lived” experience, this will enhance the customer centred approach.
- 4.20 All additional posts will be recruited on a two-year fixed contract. The new Job roles include: Complex Needs Officer and Visiting Officer. The Job Descriptions and Personal Specifications are attached as appendix three.

5 CONSULTATION (CUSTOMERS AND OTHER STAKEHOLDERS)

- 5.1 During the period leading up to the implementation of the Homeless Reduction Act and prior to the development of the revised structure a comprehensive approach to consultation was developed. This included two workshops with key partners and stakeholders held on 14th December 2017 and 1st March 2018. The voluntary sector has also been consulted through the Sandwell Council of Voluntary Organisations on 14th February 2018.
- 5.2 In addition, the Tenant Review Panel were consulted on 20th March 2018 and Landlords were consulted at the Private Landlords Forum on 21st March 2018.
- 5.3 Furthermore, a range of senior managers and colleagues were consulted at senior management teams with Adult Social Care and Children’s Trust as well as through the Domestic Abuse Strategic Partnership. In addition, further consultation was undertaken at the Vision 2030 Town Plan events, which took place throughout the borough during February and March 2018.

6 ALTERNATIVE OPTIONS

- 6.1 The Structure can continue as it is but will not be fit for purpose. The restructure of the Housing Choice Service will ensure that the Council complies with the additional duties set out under the Homeless Reduction Act 2017

7 STRATEGIC RESOURCE IMPLICATIONS

- 7.1 The additional cost of the additional posts within the revised structure is £265,600 per annum. All additional posts will be recruited on a two-year fixed term contract.

7.2 The new Flexible Homeless Support Grant has been allocated to all Local Authorities for a three-year period from 2017/18 to 2019/20. Sandwell has been allocated: -

2017/18 £382,946

2018/19 £419,775

2019/20 £570,108

7.3 Furthermore, the Council has also received £464,503 New Burdens Funding over the same three-year period 2017/18 to 2019/20 to cover the additional expenditure incurred by the requirements of the HRA. Both of these funding streams will be prioritised for homeless prevention activities across the borough. Aside of these funding streams the homeless service is funded by existing internal Council budgets.

8 **LEGAL AND GOVERNANCE CONSIDERATIONS**

8.1 Under section 188 of the Trade Union labour Relations Act 1992 for the purposes of consultation the employer must satisfy and disclose in writing the following:

a) **The reason for the proposal**

With effect from the 3rd April 2018, the Council are required to comply with the duties contained within the Homeless Reduction Act 2017.

b) **The total number of employees of any such description employed by the employer at the establishment in question**

The structure Chart in appendix one and paragraph 4.6 set out the current number and banding of posts within the Housing Choice Service

c) **The number of agency workers working temporarily for and under the supervision of the employer**

There are no agency employees who are affected by the proposals

- d) **Those on fixed term contracts will be treated no less favourably than permanent employees pursuant to the Fixed Term Employees Prevention on Less Favourable Treatment Regulations 2002.**

The principles of the Equality Act 2010 will be adhered to in respect of applying Council Policies. Employment legislation and contractual provisions will be adhered to in implementing the proposal in this report.

Currently within the Housing Choice Service there are two employees on fixed term contracts and one employee on a temporary contract.

- 8.2 The statutory instrument that underpins the duty to consult is defined in the Local Government Act 1999 Section 3 and the Statutory Guidance issued under it. Both the Act and Guidance state that Councils are under a duty to consult.
- 8.3 Consultation will be undertaken accordingly and proportionately
- 8.4 The implementation of any cabinet decision should not result in the violation of any person's rights under the European Convention on Human Rights (ECHR). The consultation will ensure that any potential violation is identified and mitigated.
- 8.5 Public Sector Equality Duty (PSED) – When making a decision as to changes in service provision the local authority must comply with the requirements of the Equality Act 2010 and in particular section 149 (public sector equality duty). The protected characteristics to which the duty applies includes age as well as disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, sexual orientation, religion or belief and sex.

9 **EQUALITY IMPACT ASSESSMENT**

- 9.1 An Equality Impact Assessment has been completed. It concluded that the restructure of the Homelessness service would promote equality within the equality strands and would not adversely affect any. Any unforeseen adverse impacts will be identified through monitoring processes and statistical / other data analysis.
- 9.2 The additional emphasis on prevention and early intervention coupled with the growth in resources to respond to the additional duties the Act has introduced, will provide a far more comprehensive service to all vulnerable households.

10 DATA PROTECTION IMPACT ASSESSMENT

10.1 As a result of the introduction of the General Data Protection Regulations a full review of data protection requirements has been carried out for the Housing Choice service and is currently ongoing.

11 CRIME AND DISORDER AND RISK ASSESSMENT

11.1 Some crime and disorder is associated with homelessness, most notably in the context of rough sleeping and households experiencing the wider pressures associated with being homeless or under the threat of being homeless. In this context, the approach to include a holistic assessment of a clients housing and support needs will have a positive impact on helping to reduce crime and disorder.

12 SUSTAINABILITY OF PROPOSALS

12.1 The revised approach to homelessness is compliant with the Homeless Reduction Act. The additional resources over the two-year period will ensure that the revised approach is fully embedded. It is anticipated that this will lead to a reduction in the use of temporary accommodation and the number of homeless applications taken and subsequent homeless investigations completed.

13 HEALTH AND WELLBEING IMPLICATIONS (INCLUDING SOCIAL VALUE)

13.1 The broad range of health inequalities in all its forms are well documented. The revised approach to the prevention of homelessness will contribute to improved health and wellbeing

14 IMPACT ON ANY COUNCIL MANAGED PROPERTY OR LAND

14.1 None

15 CONCLUSIONS AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

15.1 The restructure of the Housing Choice Service is required to meet the additional duties introduced under the Homeless Reduction Act 2017. As a result there will be an increase in the number of approaches from clients seeking advice.

- 15.2 As part of the revised approach to preventing homelessness, there will be a move away from a process driven service to a person centred holistic approach which will include a full assessment of the clients housing and support needs. Actions will be identified and recorded in a Personal Housing Plan for each client following the assessment.
- 15.3 Central Government have provided additional funding over a three-year period to assist Local Authorities to meet the requirements of the Act.
- 15.4 The approach to early intervention and prevention of homelessness will lead to a whole borough approach through partnership working with statutory and voluntary agencies. This work has already started with partner workshops held in December 2017 and March 2018 as well as the development and introduction of protocols with key agencies and internal colleagues.

16 **BACKGROUND PAPERS**

- 16.1 Homeless Reduction Act 2017
16.2 Homelessness Code of Guidance
16.3 Homeless Needs Review 2017/2018

17 **APPENDICES:**

- Appendix One: Housing Choice – current structure chart
Appendix Two: Housing Solutions – proposed structure chart
Appendix Three: Job Descriptions / Personnel Specifications
Appendix Four: List of Public Authorities

List of Public Authorities

- Prisons
Youth offender Institutions
Secure training centres
Secure colleges
Youth Offending Teams
Probation Services (including community rehabilitation companies)
Job Centre Plus
Social Service authorities
Emergency departments
Urgent treatment centres; and
Hospitals in their function of providing inpatient care