

Report

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Report to:	Housing and Technical Resources Committee
Date of Meeting:	17 February 2010
Report by:	Executive Director (Housing and Technical Resources)

Subject:	Consultation on Revised Homelessness Policy
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1. Purpose of Report

1.1. The purpose of the report is to:-

- ♦ update Committee on the process of consultation on South Lanarkshire Council's revised Homelessness Policy.

2. Recommendation(s)

2.1. The Committee is asked to approve the following recommendation(s):-

- (1) that progress with the ongoing consultation be noted.

3. Background

3.1. A report was presented to this Committee in September 2009 providing an update on homelessness in South Lanarkshire. Among other things, the report outlined how homelessness services had been reconfigured during 2009 and indicated some areas still be progressed.

3.2. Among the areas to be progressed was the revision of South Lanarkshire's Homelessness Policy which was previously revised and approved in 2003. The September report indicated that the revised Policy would be presented to this Committee pending consultation and approval at a future meeting.

3.3. The Homelessness Policy has now been revised and issued for consultation. (Copy attached).

4. The Revised Policy

4.1. The draft revised Homelessness policy sets out how the Council will provide and manage services to people affected by homelessness in the light of changes and developments in:-

- legislation and policy
- understanding of good practice
- extent and nature of homelessness in South Lanarkshire

4.2. The revised policy also sets out the aims, objectives and principles of the Council's Homelessness Service.

4.3. The content of the policy is set out in 18 section heading:-

- 1) Introduction
- 2) Homelessness Services Statement of Principle
- 3) Aims and Objectives
- 4) Best Value
- 5) Partnership Working
- 6) Legal and Regulatory Framework
- 7) Access to Homelessness Services
- 8) Prevention of Homelessness
- 9) Presentations and Applications
- 10) Inquiries and Decision Making
- 11) Notification and Review of Decisions
- 12) Provision of Accommodation
- 13) Advice and Assistance
- 14) Management of the Homelessness Service
- 15) Involving and Informing Service Users
- 16) Equal Opportunities
- 17) Housing Support
- 18) Quality Assurance and Performance Management

4.4 The full draft revised Policy will be widely circulated for comment to all partners including elected members.

4.5 The deadline for responses on the consultation is 28 April 2010.

On receipt of comments the Policy will be finalised and will be submitted to a future Housing and Technical Resources Committee.

5. Employee Implications

5.1 There are no employee implications.

6. Financial Implications

6.1 There are no financial implications.

7. Other Implications

7.1 There are no other implications.

8. Equality and Impact Assessment and Consultation Arrangements

8.1 The draft revised Policy has been issued for consultation to employees and managers within Housing and Technical Resources and to key partners through the Homelessness Steering Group.

8.2 An Equality Impact Assessment on the Homelessness Policy will be completed during February 2010.

8.3 The revised Policy will be finalised and presented to this Committee along with the Equality Impact Assessment in May 2010.

Jim Hayton

Executive Director (Housing and Technical Resources)

21 January 2010

Link(s) to Council Objectives

- Improve the quality, access and availability of housing
- Improve the lives of vulnerable children, young people and adults

Previous References

- Update on Homelessness in South Lanarkshire – Report to Housing and Technical Committee – 16 September 2009

List of Background Papers

- South Lanarkshire Council Homelessness Policy 2003

Contact for Further Information

If you would like to inspect the background papers or want further information, please contact:-

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South Lanarkshire Council's

Homelessness Policy

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1. INTRODUCTION

This Policy describes how South Lanarkshire Council will provide services to people who are homeless or threatened with homelessness.

The extent and nature of Homelessness and the services which currently exist in South Lanarkshire are outlined in the Council's Homelessness Strategy, 2006-12, along with our strategic plans covering this period.

This policy will summarise:

- The Council's Statement of principle;
- Aims and objectives;
- The main statutory and regulatory requirements which prescribe how homelessness services are delivered ; and
- Our approach to delivering homelessness services.

Our operational procedures provide additional information. Officers have received comprehensive training on these procedures and will follow these procedures to ensure that the overall Policy and service standards are achieved in practice. A Quality Assurance system is in place to ensure that these are consistently applied throughout South Lanarkshire.

2. Homelessness Services - Statement of Principle

South Lanarkshire Council has 2 main aims for its services to people affected by Homelessness:

- To prevent homelessness from occurring, wherever possible; and
- To provide fast, effective and sustainable solutions that minimise its damaging effects on individuals and families, where homelessness does occur.

A comprehensive set of 'Homelessness Procedures & Guidance' have been developed for staff. These detail the values and ethos which underlie our operational homelessness services as well as the procedures which operational staff will use in providing services to homeless people. The procedures and guidance are based on the following principles:

1. People affected by homelessness will be treated with respect and dignity at all times.
2. We will keep homeless people fully informed of their rights under the law and ensure that their rights are upheld in our working practice.
3. We will ensure equality of access to services and housing at all times, irrespective of race, culture, gender, disability, age, or sexual orientation.
4. We will strive to prevent homelessness wherever we can.
5. We will support people to make informed and realistic choices about how and where they want to live.
6. We will support people to tell us what extra help they need in order to prevent or resolve their homelessness and that as far as possible, we will aim to ensure that this help is provided.

7. We will encourage people to tell us about their experience of our service, and strive to make improvements where this is necessary.

3. AIMS AND OBJECTIVES

POLICY STATEMENT

The strategic aims and objectives of South Lanarkshire Council's Homelessness Service are set out in the Council's Homelessness Strategy.

We will continue to develop and improve our services, to reflect local needs and both the spirit and substance of recent legislative and policy changes. We are committed to providing a high quality and responsive service to people who are homeless or threatened with homelessness.

PRACTICE

Our procedures and working practices promote:

- A commitment to providing a response which meets the individual needs and circumstances of those who approach us for assistance;
- Positive and pro-active measures which will prevent or resolve homelessness;
- Consistency in front line service responses;
- Consistency in homelessness assessment and decision-making;
- Compliance with the Council's statutory obligations, and with the Code of Guidance on Homelessness; and
- A commitment to tackling inequality and social exclusion.

4. BEST VALUE

We will aim to achieve best value in our homelessness services. In particular:

- We will establish clear service standards and communicate these to customers, so that they know what they can expect from us;
- We will aim to achieve greater customer involvement in setting standards;
- We will set targets for both contracted and in-house homelessness services, and monitor performance in achieving these;
- We will compare our performance with that of other local authorities, to identify strengths and weaknesses and where we can learn from others; and
- We will aim to deliver services which are efficient and effective and which achieve continuous improvement.

5. PARTNERSHIP WORKING

We are committed to effective partnership working on both a strategic and operational level, with other Council Services, external agencies and landlords. The Council's Homelessness Steering Group, which includes internal and external statutory and voluntary partners, has a key role in planning, developing and monitoring the South Lanarkshire Homelessness Strategy.

6. LEGAL AND REGULATORY REQUIREMENTS

POLICY STATEMENT

The Council will have full regard to its statutory obligations, the Code of Guidance on Homelessness and the requirements of the Scottish Housing Regulator: 'Performance Standards for Social Landlords and Homelessness functions' in the development and delivery of its homelessness services.

PRACTICE

Statutory Requirements

This Policy does not attempt in any way to provide a comprehensive statement of law relating to homelessness. We do however refer to our statutory obligations and our commitment to delivering best practice in line with the Code of Guidance on Homelessness throughout. Our legal obligations are fully reflected in our operational procedures and working practices.

The primary legislation relating to the provision of homelessness services is the Housing (Scotland) Act 1987 as amended by the Housing (Scotland) Act 2001 and the Homelessness etc. (Scotland) Act 2003.

Part II of the Housing (Scotland) Act 1987 places a duty on local authorities to secure accommodation for persons who are homeless, in priority need, and who did not become homeless intentionally. The key aspect of the implementation of the Housing (Scotland) Act 2001 was the duty for local authorities to carry out an assessment of homelessness in their area, and prepare and submit a homelessness strategy to Scottish Ministers, when requested to do so. In addition, local authorities have a duty to ensure that advice and information about homelessness and its prevention are available in the local authority area. Whilst, amongst other responsibilities, the Homelessness etc. (Scotland) Act 2003 amended the priority need categories and gave Scottish Ministers the power to abolish the priority need test (2012 target) and make amendments to the intentionality and local connection distinctions.

Our approach to the provision of homelessness services also reflects a broad range of other legislation. This includes the Children (Scotland) Act 1995; the Matrimonial Homes (Family Protection) (Scotland) Act 1981; and the full range of equalities legislation.

We will ensure that all our own procedures and policies are fully consistent with legislation and guidance

Regulatory Requirements

In planning and delivering homelessness services, the Council will observe the requirements of the Scottish Housing Regulator as set out in: "Performance Standards for Social Landlords and Homelessness functions". South Lanarkshire Council's performance in meeting these Standards will be assessed by the Scottish Housing Regulator through their inspection regime.

The 'Performance Standards for Social Landlords and Homelessness functions' are fundamental to how Homelessness Services operate and are therefore used to inform all aspects of the Service. This includes: partnership working; access to services; information and advice; appeals and accommodation provision.

7. ACCESS TO HOMELESSNESS SERVICES

POLICY STATEMENT

The Council will ensure that the Homelessness Service is readily accessible to all customers who need it, 24 hours a day, and 7 days a week.

PRACTICE

People will be able to access our homelessness services via either the Q and A service or by contacting any of the homelessness teams based within the local housing offices.

Q and A staff and reception staff in local housing offices will receive appropriate training and will follow clear procedures for referring customers to the appropriate homelessness team.

At the first point of contact with the Council, people will be provided with clear factual information about their legal rights, in a form that is appropriate to their needs.

Details of how to access the service will be available through other Council services and through partner agencies such as Social Work; Women's Aid; Shelter; and the Citizen's Advice Bureau, as well as other Registered Social landlords. We will also ensure that information about how to contact the service is available at other local information points.

Outside office hours the Council will provide emergency accommodation and advice through our out of hours homelessness services.

8. PREVENTION OF HOMELESSNESS

POLICY STATEMENT

As evidenced in our Homelessness Strategy and its associated action plan, South Lanarkshire Council is committed to working to prevent homelessness, in line with our statutory duties.

Together with our partners, South Lanarkshire Council aims to maximise the range and quality of services available to assist in the prevention of homelessness. We will ensure that both, Council provided, and contracted homelessness services place a strong emphasis on preventing homelessness where possible.

PRACTICE

Information and Advice Provision

In line with statutory requirements, we will ensure that information and advice regarding the prevention of homelessness, and the availability of local services, will be freely available from all our local housing and Q and A offices.

We will work to ensure that other Council and partner services and places of local interest have a consistent stock of housing-related information materials. We will also ensure that services are publicised widely and effectively. We will review the effectiveness of our methods of publicity and dissemination via our Service User Involvement Working group, and satisfaction questionnaires issued to service users and partner organisations.

We will make consistent use of the Council's website to publicise homelessness information and services. Upon request, we will make all information available in other languages and information formats in order to meet the particular needs of individuals.

We will provide information and advice to prevent homelessness through our own staff, including specialist Housing Advice Officers, and through referrals to partner agencies, such as Shelter and Govan Law Centre.

Advice and Support

Where we are working with households who are threatened with homelessness we will, when it is safe and reasonable to do so, assist them to retain their current accommodation. We will always

take into account the individual needs and circumstances of the household in working to prevent homelessness.

We will ensure that people threatened with homelessness receive information about the full range of options and services available to help them. This may include referral to other statutory and voluntary agencies for support and/or advice, and to any other specifically relevant services (for example, the local rent deposit scheme, where appropriate).

South Lanarkshire Council's landlord policies and practice

Our own policies and practices as a landlord will be consistent with the Council's aim of preventing homelessness.

We will be alert and responsive to the risk of homelessness in all our dealings with current tenants.

We will ensure that our policies and procedures for dealing with anti social behaviour and rent arrears are consistent with our objective to prevent homelessness and minimise the number of evictions.

Providing support to vulnerable people

South Lanarkshire Council's Homelessness staff will work with a range of other services and agencies to ensure that vulnerable households receive appropriate support to:

- Enable them to prevent homelessness;
- Support them through a period of homelessness; or
- To assist them to resettlement and prevent homelessness reoccurring in the future.

To achieve this, we will continue to improve upon our inter-departmental and inter-agency referral, assessment, support planning and monitoring procedures for vulnerable groups. We have developed a range of in-house services and have contracted with a number of external agencies and voluntary partners, to provide support services to:

- Young people;
- Families with children;
- People with complex needs;
- People with substance misuse problems; and
- People involved in the criminal justice system.

9. PRESENTATIONS AND APPLICATIONS

POLICY STATEMENT

We will provide all applicants with a private interview with a dedicated homelessness officer as quickly as possible. Nobody will be refused the right to make a homelessness application. When conducting homelessness interviews, we will treat all applicants fairly and with courtesy and respect.

PRACTICE

Initial approaches to the Council by people considering themselves homeless or threatened with homelessness

The Council will respond proactively to all approaches by potentially homeless people through Q and A offices, direct to our housing offices or through our out of hour's service. Our primary aim will be to help the household resolve their housing problem in the most appropriate way for them.

Households who are considered to be roofless will be provided with immediate advice and access to temporary or emergency accommodation.

For applicants who currently have accommodation, our aim is to provide them with an appointment with a Housing Officer (Homelessness) within 3 working days.

Each local housing office will record, monitor and report on:

- The length of time taken between initial contact and the formal homelessness interview with a dedicated officer, for all applicants.

Ensuring a consistent approach to applications

The Council will ensure a consistent approach to dealing with applications:

- Local housing offices and other Council Services will follow clear procedures about how initial approaches should be dealt with; and
- Procedures and protocols with other agencies and departments will promote responses based on the individual needs of applicants.

Where appropriate, customers will be referred by the one of the dedicated Housing Officers (Homelessness), to other Council Services or to independent agencies for specialist advice and assistance.

For further information on how South Lanarkshire Council will ensure consistency in the provision of homelessness services please see section 19 - Quality Assurance and Performance Monitoring.

Interviews

The Housing Officers (Homelessness) will ensure that everyone attending a homelessness interview will be given a clear and straightforward explanation of the application process, and will be provided with relevant written information in a form appropriate to their individual needs. This will include the timescale for completing inquiries and for reaching a decision.

Interviews will always be conducted in private.

Customer confidentiality will be maintained at all times, as we will only share information with other agencies where this is essential and where the customer's written consent has been obtained (unless child or adult protection issues are involved).

We will ensure that sufficient time is allowed during the interviews in order to ensure that we fully understand the applicant's circumstances.

We will make applicants aware of their right to be accompanied at interviews by a person of their choice, and to be interviewed by an officer of the same sex if they wish.

Applicants with language or literacy difficulties will be provided with the appropriate level of support, and if requested we will arrange access to interpreters or intermediaries.

During the interview, if the applicant is distressed, we will offer the opportunity to take a break, or to complete the interview on another date.

Housing Officers (Homelessness) will be supportive and sensitive towards applicants, particularly where the applicant may have experienced any form of abuse.

10. INQUIRIES AND DECISION-MAKING

POLICY STATEMENT

The Council's assessment of homelessness applications will be based on the statutory requirements described in Section 6 of this Policy, and any subsequent changes to legislation.

We will also have regard to the Scottish Government's revised Code of Guidance on Homelessness issued in 2005, and to the specific needs and circumstances of each individual applicant.

PRACTICE

Information for applicants about the assessment and decision-making process

We will provide applicants with written information, or information in a format that suits the applicant's needs, about:

- The assessment process and how decisions are made; and
- The importance of providing accurate information, and of notifying us of any changes in circumstances.

If an applicant, or a person acting on their behalf, wishes to receive more detailed information (e.g. access to the Code of Guidance), we will make this available.

Overview of the inquiry process

The Council is required by law to undertake enquiries into homelessness in a specific order, starting with whether the applicant is eligible to apply for assistance, then whether they are homeless, as defined by the legislation.

Following on from this, enquiries focus on whether the applicant has a "priority need" for accommodation; whether they have become homeless or threatened with homelessness intentionally; and finally, whether the applicant has a local connection to South Lanarkshire. The last enquiry determines whether South Lanarkshire Council (as opposed to another Council) should be responsible for meeting any duties owed to the applicant under the law.

The enquiry process involves building up a detailed picture of the applicant's individual / personal circumstances. We will aim to make sure that inquiries are completed speedily, efficiently and sympathetically.

We may seek information to support the applicant's case, but we will never seek information from an alleged perpetrator of abuse, nor will we insist that "proof" must be provided by a third party where there is alleged abuse. Officers will work with Social Work Services or other specialist agencies where appropriate to assist in our investigation and to support the applicant in such cases.

Ensuring fairness, flexibility and consistency

The Council will strive to ensure that all decisions are fair and correct in law.

While very detailed, the law on homelessness does provide considerable scope for local authorities to exercise judgement in the decision-making process.

Through our assessment procedures and working practices, we aim to strike the correct balance between consistency and flexibility (so that we can take full account of an individual applicant's needs and circumstances) in decision-making.

To help achieve consistency and fairness, the Council will:

- Subject all homelessness decisions to a challenge management process. This will involve the officer who has conducted the inquiries presenting the key findings and conclusions to the Team Leader. The Team Leader will ensure that the assessment has been undertaken and is correct in law before 'signing off' the decision; and
- Undertake an audit of homelessness decisions. A percentage of all decisions will be audited by the Quality Assurance Team. For further information on this see Section 19 of this Policy.

Inquiries into homelessness

Inquiries into whether an applicant is homeless (or threatened with homelessness) will be based on the definition detailed within existing legislation.

In summary, this means that the applicant (or a member of their family or household):

- Does not have accommodation in the United Kingdom or elsewhere which they are entitled to occupy; or
- Does not have accommodation which they can reasonably continue to occupy.

It is our policy to prevent homelessness, where possible. We will provide information, advice, assistance to all persons threatened with homelessness, (including those outwith the statutory two month period).

We will take full account of the applicant's individual circumstances when determining whether it is reasonable for them to continue to occupy their existing accommodation.

In considering if a property is reasonable to continue to occupy, we may take into account, whether:

- Available accommodation is suitable for occupation, for example whether it is Below Tolerable Standard as defined in law;
- Accommodation is overcrowded in terms of legislation;
- Accommodation is of a permanent or temporary nature, for example hostel or bed and breakfast accommodation;
- Accommodation is suitable for the applicant in terms of risks to health and safety;
- External violence (including racial and other forms of harassment) has taken place or may take place.

We will also consider the specific issues which may affect:

- Gypsies/travellers;
- People experiencing financial difficulties;
- People leaving the Armed Forces or tied accommodation.

The factors described above are not exhaustive. The Council will ensure that our assessment procedures are based on statutory obligations and the Code of Guidance on Homelessness.

Inquiries into Priority Need

The Housing (Scotland) Act 1987 (as amended) describes the categories of applicants who will have a priority need for housing if assessed as homeless.

In general terms, the law states that the following groups, if considered homeless, should have a priority need for accommodation:

- Households with dependent children, or pregnant women;
- People who are vulnerable (following assessment) due to a range of factors (for example age, illness, health, disability or personal circumstances);
- Households who are homeless as a result of an emergency such as flood, fire or disaster;
- Young people aged 16 or 17;
- Young people aged 18-20 who are at risk of exploitation or involvement in substance misuse;
- Young people previously looked after by the Council
- People at risk of domestic abuse;
- People at risk of other types of violence or harassment.

When assessing whether a household has priority need, Housing Officers (Homelessness) will comply fully with the law and have full regard to the Code of Guidance. In some cases officers will

need to exercise careful judgement (for example, in determining whether an applicant is vulnerable due to the factors specified in the Act). In these instances officers will:

- Obtain correct and relevant advice / information regarding an applicant's vulnerability, including where appropriate, undertaking a Support Needs Assessment; and
- Consider the circumstances of each applicant on an individual basis.

The Council acknowledges that as a result of the Homelessness etc (Scotland) Act 2003 Scottish Ministers have set a 2012 target to abolish the priority need test, and that current practice may change in future as a result.

Inquiries into Intentionality

As specified in law, the intentionality test will only be applied where applicants have been found to be homeless or threatened with homelessness and have a priority need.

Decisions regarding intentionality will be based on the law, and the criteria stated in the Code of Guidance. An intentionality decision will only be made where there is clear evidence that:

- An applicant has become homeless, or threatened with homelessness, because they have deliberately done something, or failed to do something while being aware of all of the relevant facts, that resulted in the loss of their secure accommodation;
- It would have been reasonable for the applicant to have continued to occupy their previous or current accommodation.

There will be no automatic presumption of intentionality, and Housing Officers (Homelessness) will give consideration to the specific circumstances associated with each individual case. They will also pay close attention to less obvious reasons which may have contributed to the applicant's homelessness and inquiries will take account of any relevant factors such as:

- Relationship difficulties;
- The age or health of applicants;
- Financial difficulties;
- The threat or occurrence of domestic or external violence;
- Mental health or substance misuse problems.

If an applicant is assessed as being intentionally homeless they will be provided with a full statement of the reasons behind the assessment decision. The Council will not operate a fixed disqualification period which would prevent the applicant from re-applying as homeless and will advise the applicant of what changes in conduct or circumstances will be needed for them to have their case reviewed.

The Council will, where required, provide temporary accommodation while the application is being assessed, and will continue to do so for a reasonable period whilst providing the applicant with advice and assistance in order to obtain alternative accommodation.

Inquiries into Local Connection

In line with legislative requirements, The Council will only investigate local connection where:

- An applicant has been assessed as homeless, in priority need and not intentionally homeless;
- There are reasons to suggest that the applicant does not have a local connection with South Lanarkshire

If inquiries confirm that the applicant does not have a local connection with South Lanarkshire, the Council may refer the applicant to another local authority, where the applicant has a local connection, in order to be rehoused.

The Council will base its decisions on the definition of local connection provided in the Code of Guidance. This means that a local connection will be established if:

- The applicant has been resident in South Lanarkshire for at least six months in the previous twelve months, or for at least three years during the previous five years;
- The applicant or a member of their household is employed in South Lanarkshire;
- A member of the household has a close family member currently resident in South Lanarkshire for at least five years;
- There are special circumstances - for example, where applicants have no local connection with anywhere in the United Kingdom.

Timescales for completing assessments and inquiries

We will aim to:

- Complete inquiries within 28 days, unless there are legitimate reasons why this timescale cannot be achieved; or
- Issue decision letters within one working day of the completion of inquiries.

Maintaining contact with applicants

Wherever possible, the Housing Officer (Homelessness) will maintain contact with the applicant during the inquiry process to keep them advised of progress. We will check applicants' preferences about contact arrangements as part of their initial homelessness interview.

Record-keeping

We will maintain detailed records about each homeless application received, to enable:

- Effective and appropriate management of individual cases;
- Effective performance monitoring; and
- Accurate statistical returns to the Scottish Government.

We will comply with the Data Protection Act 1998 with regards to processing and storing data about individual customers.

11. NOTIFICATION AND REVIEW OF DECISIONS

POLICY STATEMENT

Applicants, wherever possible, will receive a written response to their homelessness application within 28 days, within which we will explain the reasons for our decision. We will also ensure that the response is in a format that meets the applicant's needs, and that clear information is provided regarding the procedures for appealing the Council's decision.

PRACTICE

Notification of decisions

In line with our legal obligations we will notify the applicant in writing of our decision, including details as to whether the applicant:

- Is homeless or threatened with homelessness;
- Has a priority need for accommodation;
- Is considered to have become homeless intentionally; and
- Has been, or will be, referred to another local authority on the grounds of local connection.

We will provide clear reasons for our decision, if we are not satisfied that the applicant:

- Is homeless or threatened with homelessness;
- Has a priority need;
- Became homeless or threatened with homelessness unintentionally; or
- Has a local connection with South Lanarkshire.

Timescales for notification

Homelessness decision letters will be issued, wherever possible, within 28 days of the date of application.

If we do not have a mailing address for an applicant, decisions letters will be available for collection for a period of 28 days after issue.

Format of notification letters

We will ensure our homelessness decision letters are clear and written in plain English.

We will ensure that the decision letter is provided in a language, or information format which meets the needs of the applicant.

Letters will clearly state the Council's decision and the reasons for the decision. We will also provide details of independent advice agencies, and the Council's appeal procedures.

Where the Council decides that it does not have a duty to provide an applicant with permanent accommodation, we will provide temporary accommodation for a reasonable period, whilst providing the applicant with advice and assistance in order to obtain alternative accommodation.

Appealing / Reviewing Homelessness Decisions and Offers

The Council has a statutory duty to undertake a review of a homelessness decision if requested to do so by an applicant. The applicant has a right to appeal decisions and can therefore request a review of decisions regarding:

- Duties owed to applicants;
- Referrals to other local authorities; or
- The accommodation secured for applicants in discharge of any duties owed.

We will notify applicants of their right to appeal, and will provide information about sources of independent legal or other advice. We will ensure that applicants are aware of their right to be independently represented in any request for a review of the Council's decision.

Applicants will have up to 21 days from the date of decision, to submit their request for a review. If required, we will assist applicants by writing, in their own words, the reasons why they are requesting a review.

Applicants will have a continued right to temporary accommodation during the course of any review, unless their conduct prohibits them from doing so (in these instances we will invoke our Promoting Positive Behaviour Policy).

Full information regarding requesting a review (appealing a decision) is contained in the Council's Appeal's Procedures, which will be available upon request to the applicant, or to any intermediary or advocate acting on their behalf.

Applicants who are not satisfied with the outcome of a review / appeal have the right to seek a Judicial Review. We will also advise applicants of their right to seek advice from the Scottish Public Services Ombudsman if they are dissatisfied about the way in which the council managed the review.

12. PROVIDING ACCOMMODATION

POLICY STATEMENT

Improving access to temporary and permanent accommodation is a key element of both South Lanarkshire's Homelessness and Local Housing Strategies.

We aim to:

- Avoid, where possible, the use of bed and breakfast accommodation and "out of area" placements for homeless applicants who require temporary accommodation;
- Make available supported temporary accommodation for those who require it;
- Minimise the length of stay in temporary accommodation and minimise changes of temporary accommodation;
- Ensure that homeless applicants receive fair and equitable treatment with regards to the allocation of permanent accommodation; and
- Maximise access to housing for homeless households by working closely with other housing providers.

PRACTICE

Statutory obligations

The Council will meet its statutory obligations and provide temporary accommodation in the following circumstances:

- Where an applicant is believed to be roofless, pending the outcome of the inquiry process (and during any subsequent review / appeal period);
- While awaiting the outcome of any applications which are referred to another local authority;
- To allow applicants who do not have a priority need or who are intentionally homeless reasonable opportunity to find alternative accommodation. In such cases, we will provide advice and assistance and have regards to the applicant's individual circumstances in determining how long temporary accommodation will be available; and
- Where we have accepted a duty to provide permanent accommodation, until suitable accommodation is offered.

We aim to make best use of our resources when arranging temporary accommodation and will take into account the needs of the applicant when doing so.

Vulnerable applicants or households with children will only be placed in bed and breakfast accommodation if there is no alternative accommodation available, and this will be for the shortest possible time.

When we place applicants in temporary accommodation, we will:

- Maintain regular contact;
- Provide outreach housing support, as required; and
- Keep accommodation moves to a minimum (unless this involves a move to more suitable accommodation, or if the applicant has been asked to leave as a result of breaching occupancy rules).

Should an applicant be excluded from all temporary accommodation options as a result of their own conduct then South Lanarkshire Council will work with the applicant in line with our Promoting Positive Behaviour Policy to enable them to successfully re-access and sustain alternative temporary accommodation.

Protection of homeless applicants' property

Where an applicant is unable to do so themselves, the Council has a duty to protect the property of applicants who it believes may be homeless and who have been provided with temporary accommodation. We will have regards to the Code of Guidance on Homelessness when undertaking this duty.

During Homelessness interviews, we will check whether there is a need to carry out this duty and protect property. Where no other suitable arrangements can be made and an applicant has moveable property which they cannot take with them into temporary accommodation, we will liaise with the applicant and assist in arranging storage for the applicant's possessions.

The Council will, in the first instance pay the storage cost's, however we are in the process of developing a recharge policy for this service, which should be operational in the near future. We have an expectation that the applicant will have to repay a proportion of these costs based on their disposable income.

If an applicant has items in storage and leaves temporary accommodation and does not reclaim their belongings we will have regard to the Code of Guidance on Homelessness with regards to notifying the applicant and disposing of the unclaimed belongings.

Permanent accommodation – South Lanarkshire Council

The priority given to homelessness applicants with regards to permanent housing is detailed within South Lanarkshire's allocation policy.

To ensure that homeless applicants receive priority for rehousing, our allocation policy will include the following provisions:

- If they are not already on the list, we will ensure that all homeless applicants are added to the housing list at the date of their application;
- We will ensure that the housing situation of applicants already on the list is updated to reflect their current circumstances; and
- Homeless applicants will have the same entitlement as all other applicants in relation to expressing area choices and numbers of priority offers. In determining a discharge of duty 'reasonable offer' for homeless applicants, the Council will undertake a reasonable offer interview with the individual and have regard to the applicant's stated area preferences and circumstances.

Permanent accommodation – other landlords

To maximise the supply of accommodation, and to allow applicants' requirements to be met, the Council will operate a Common Housing Register with agreed targets for partner CHR Registered Social Landlords (RSL's). We will also operate an agreed nomination and referral arrangements with other non CHR Registered Social Landlords operating within South Lanarkshire. This will include referrals to RSL's under Section 5 of the Housing (Scotland) Act 2001.

Applicants who do not have a priority need and / or who became homeless intentionally will be provided with assistance to enable them to access suitable accommodation; this may include liaison with private sector landlords through the Rent Deposit Guarantee Scheme.

13. ADVICE AND ASSISTANCE

POLICY STATEMENT

In line with our statutory duty, we will ensure that where the Council's decision on a homelessness application is that the applicant is non priority or intentionally homeless households they will receive comprehensive advice and assistance to help them access alternative accommodation.

PRACTICE

The advice and assistance provided will be dependent on the applicant's individual circumstances and may include:

- Information about the availability of permanent accommodation provided by the Council or by registered social landlords, this will include turnover and waiting times;
- Referral to the local rent deposit scheme;
- information about services provided by estate agents and accommodation agencies; and information about any other options such as owner occupation, grants for improvement or repair and property adaptations; and
- Advice on specialist supported or furnished accommodation.

The Housing Officer (Homelessness) will also, depending on the applicant's needs provide advice on accessing any social, financial or legal advice they require. Advice may be provided directly by officers themselves or by referral to other Council and independent services. Where needed, officers will provide assistance in making any appointments.

The Council will provide advice and assistance in line with the standards specified in the statutory regulations, in that we will:

- Be accessible to the applicant by providing a personal interview, with a local authority officer at such as time and place as is reasonably requested;
- Respect any wishes applicants may have about the sex of the officer conducting interviews;
- Provide access to interpreters or personal representatives, if requested to do so;
- Maintain a written record of interviews, detailing the advice and assistance provided, which upon request should be provided to the applicant in a form that suits their needs;
- Provide assistance with arranging appointments with independent advice agencies;
- Provide access to mediation services, where appropriate; and
- Arrange follow up interviews, subject to the wishes of the applicant to review progress.

14. MANAGEMENT OF THE HOMELESSNESS SERVICE

Staff roles and responsibilities

Day to day delivery and management of South Lanarkshire Council's Homelessness Service is undertaken by the local Housing Offices dispersed throughout South Lanarkshire. This is supported by a Central Homelessness Team which comprises:

- A range of specialist housing support services;
- The Homelessness Strategy Team;
- A Quality Assurance Team;
- Supported accommodation at Lindsay House; and
- The Homelessness Management Team.

A key function of the Central Homelessness Team is to offer support and advice to local office Homelessness Teams. Local Homelessness Teams are managed by Housing Service Managers who report directly to the Area Service Managers, while the Central Homelessness Team is managed by a Homelessness Manager supported by two Homelessness Co-ordinators. The Area Service Managers and the Homelessness Manager report directly to the Head of Area Services.

The successful delivery of the service depends on close working between the local homelessness teams, the Central Homelessness team and:

- Numerous other Housing and Technical Resources departments, such as Q and A, Benefits and Revenue, and Repairs;

- A range of contracted support and accommodation services for homeless households;
- Other Council Resources;
- Partner services such as the NHS, the Police and Integrated Children's Services;
- Local Registered Social Landlords; and
- Various voluntary and specialist support agencies.

15. INVOLVING AND INFORMING SERVICE USERS

South Lanarkshire Council is committed to working to involve service users in the ongoing evaluation and development of services for people affected by homelessness. We achieve this through the use of exit surveys and a service user involvement workplan that is co-ordinated by a working group comprising of workers in homelessness services and people who are themselves affected by homelessness. The associated workplan is updated on an annual basis.

We recognise that there are particular challenges to involvement for people affected by homelessness and work to support people in this, respecting the decisions of individual service users to choose the level of involvement that is right for them at any given time.

We hold an annual consultation event each June for people affected by homelessness.

16. EQUAL OPPORTUNITIES

The Council has an equal opportunities policy and is committed to providing a fair and equal service to all people. We will not discriminate on the grounds of gender, marital status, race, disability, age, sexual orientation, religion or belief or any other personal attribute.

We recognise that our homelessness services deal with a diverse range of people including those who are vulnerable and in highly stressful personal circumstances. We will therefore:

- Ensure that we treat all individuals and families sympathetically and with courtesy and respect;
- Be sensitive and respond to the individual needs and circumstances of the people using our services; and
- Monitor our services and the outcomes for people using them, to ensure that they are fair and responsive to needs.

17. DEALING WITH COMPLAINTS

In addition to our appeals procedure applicants and service users will, if they feel that the standard of the service received is unsatisfactory, be able to have these concerns noted and responded to via Housing and Technical Resources complaints procedure. We will ensure that information about our complaints procedure is freely available and accessible to people affected by homelessness.

18. HOUSING SUPPORT

Policy Statement

We will make Housing Support Services available to households who are homeless or threatened with homelessness who have an identified housing support need.

Practice

When making a homelessness application, the Housing Officer (Homelessness) will discuss with all applicants what support needs they may have. Where support needs are considered to be low, ongoing support will be provided by the Housing Officer (Homelessness). In all other cases, where the applicant wishes, they will be referred to a Housing Support Officer to have their needs assessed and an appropriate support plan will be developed.

Housing Support may be delivered by council staff or staff from partner agencies – however, where there is an identified housing support need the council will be responsible for ensuring that an appropriate service is provided.

The South Lanarkshire Council Housing Support Service (Homelessness) is registered with the Scottish Commission for the Regulation of Care and operates in accordance with the Commission's Housing Support standards.

19. QUALITY ASSURANCE AND PERFORMANCE MONITORING

Policy Statement

We will closely monitor the quality and performance of our directly managed Homelessness Services as well as ensuring that commissioned Homelessness Services meet their contractual obligations.

Practice

The Quality Assurance Team based within the Central Homelessness Service, managed directly by the Homelessness Co-ordinator (Strategy and Operations) and reporting to the Homelessness Manager, will:

- Develop, implement, operate and continually review a range of systems to monitor the quality of homelessness operations and services, ensuring that the best possible outcomes are achieved for all service users affected by homelessness;
- Assure the provision of a quality front line service through both local office and central homelessness services in accordance with legislation, procedures and in line with best value and continuous improvement principles, adhering to programme deadlines, Key Performance Indicator's and identified targets; and
- Ensure that we achieve continuous evaluation and improvement in service delivery to the benefit of service users.

In practice this means that they will:

- Develop, record and report on a suite of audits which monitor the front line Homelessness Services to ensure that the Homelessness procedural framework is being complied with;
- Establish and implement a comprehensive performance reporting framework which will include monthly monitoring reports, the completion of HL1 and HL2 returns that the Council is required to make to the Scottish Government, Audit Scotland returns and Scottish Housing Best Value returns, while supplementing other performance management information in order to assess the effectiveness of the services we provide;
- Continually improve the quality of homelessness decisions by establishing and implementing appropriate mechanisms to feedback both best practice and poor practice examples that have been identified through the Appeals / Review process, managed by the Quality Team.

Proportionality

Each area detailed within the homelessness framework will be audited, at a minimum level of once annually. However a risk and proportionality based approach will be adopted. Where, a baseline audit identifies areas that are performing well the frequency of audit will be low, however, where risk has been identified, and performance has been below that which would be expected, the frequency of audit would be greater.

