

# Brighton & Hove City Council

## Housing Committee

## Agenda Item 68

**Subject:** Homelessness and Rough Sleeping update

**Date of meeting:** 16<sup>th</sup> March 2022

**Report of:** Executive Director of Housing, Neighbourhoods and Communities

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**Ward(s) affected:** All

### 1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 Housing Committee (17<sup>th</sup> June 2020) agreed to adopt the Homelessness & Rough Sleeper Strategy 2020 – 2025 and to the formation of a member led Homelessness Reduction Board (HRB). The purpose of the HRB includes to promote homelessness reduction and prevention, to monitor and ensure delivery of strategic priorities contained in the Homelessness and Rough Sleeper Strategy and to report back to Housing Committee.
- 1.2 This paper reports back to Housing Committee on the latest updates received by HRB on the council's Homeless Transformation Programme and the work of our Rough Sleeper & Single Homeless Services. These two update presentations provided to the HRB on 22 January 2022 are contained in the Appendices to this report and outline progress on transforming the Homelessness service and provide an update on the Rough Sleeper and Single Homeless service.
- 1.3 Details of significant progress in reducing placements in Emergency Accommodation (EA), overall numbers in EA and out of borough placements are outlined in the report. Current forecasts are that two hotels will be required until June 2022 and that these costs can be met within the proposed 22/23 budget for this service.
- 1.4 The report includes an update on progress on our Rough Sleeper and Single Homeless services and our continued work with Government on securing further funding and support for verified rough sleepers in the city going forwards. The report requests committee note the contents of the Homes England Compliance Audit Report on the Rough Sleeper Accommodation Programme (RSAP).
- 1.5 In addition, the report confirms that the Emergency Accommodation Charter developed by Justlife and Fulfilling lives, has been reflected and embedded within the new specification for emergency accommodation where it is measurable and practical in contract terms. This specification will shortly be tendered. Those items in the Emergency Accommodation Charter that are

not measurable and therefore difficult to incorporate and monitor within a contract, have been noted for the upcoming tender.

- 1.6 At January 2022 Housing Committee a Notion of Motion as amended requested a report “on the action proposed to ensure homeless people and rough sleepers placed in emergency accommodation by Brighton & Hove City Council have proper support to ensure their safety and wellbeing”. The response to this is contained in the body of this report.

## **2. RECOMMENDATIONS:**

### **Housing Committee:**

- 2.1 Note the update on Rough Sleeper & Single Homeless Services.
- 2.2 Note the update on the Homelessness Transformation Programme.
- 2.3 Note the contents of the Homes England Compliance Audit Report on the Next Steps Accommodation Programme
- 2.4 Note the update requested following the Notice of Motion agreed at January Housing Committee on the action proposed to ensure homeless people and rough sleepers placed in emergency accommodation by Brighton & Hove City Council have proper support to ensure their safety and wellbeing.
- 2.5 Agree the Emergency Accommodation Charter as an aspirational document and a standard against which the Council and its partners judge our policies and practices and outcomes.
- 2.6 Note that the measurable and feasible aspects of the Charter have been embedded in our revised Emergency Accommodation specification.
- 2.7 Agree that the charter be subject to review periodically and upon renewal of the associated contracts. Where the Charter is not embedded in the contract, this will also be kept under review with JustLife and Fulfilling lives.

### **That Housing Committee recommends to Full Council:**

- 2.8 To adopt the Emergency Accommodation Charter as outlined in paragraph 3.12 and included in Appendix 4, as an aspirational document and a standard against which the Council and its partners judge our policies, practices and outcomes.

## **CONTEXT/ BACKGROUND INFORMATION**

### **Homeless Transformation Programme**

- 3.0 To support the corporate priority of reducing homelessness and rough sleeping, and to embed the transfer of the rough sleeper and single homeless service into Housing, a Homelessness Transformation programme is underway to focus on the aims of:
- reducing use of emergency & temporary accommodation
  - improving the customer experience.

- prevention of homelessness.
  - support and new pathways.
  - improved data and systems to support service development.
- This is further outlined in the Transformation presentation in Appendix 1.

- 3.1 Significant progress has been made, in particular with our overall Emergency Accommodation (EA) reduction plan:
- Reducing placements in EA – 160 -per calendar month as of July 2021 month to 42 placements per month as of January 2022.
  - Reducing numbers in EA – 817 as of 4<sup>th</sup> May 2021 (highest point) to 653 as of 3 March 2022.
  - Reducing numbers placed out of borough (in Lewes DC & Eastbourne BC) – 314 as of 26<sup>th</sup> February (highest point) to 142 as of 4 March 2022.

The council has for many years had to use some emergency short term accommodation outside the city due to the capacity of the market within the city. However, as previously reported, following the outbreak of the pandemic and the increasing need for emergency accommodation, we have worked hard to identify additional accommodation within the city. We have now managed to reduce numbers to pre-pandemic levels of placements outside of the city as we reduce our overall need for Temporary and Emergency accommodation with our refocus on prevention.

The remaining number of people that need to be moved on from those accommodated under pandemic provisions, as of 27<sup>th</sup> February 2022 is 50 which is a significant achievement. This reduction is contained within the overall reduction of homeless households in emergency accommodation as set out in the Transformation presentation contained in Appendix 1. It is important to note that the Council has been successful in enabling just under 800 of the additional households accommodated during the covid pandemic to move on during the period of the pandemic.

However, while the focus has been on moving those accommodated during the pandemic, and more latterly on reducing down the use of emergency accommodation, there still remains a need for 47 units of additional emergency accommodation in two hotels until June 2022 when we project those figures will be reduced sufficiently to end the need for this accommodation. This can be managed within current budget.

### **Rough Sleeper & Single Homeless Services update.**

- 3.2 As we prepared for Winter provision and Severe Weather Emergency Protocol (SWEP) for the Winter of 2021-22, the levels of the Omicron variant of the Coronavirus were rising. In response to this and in partnership with the Department of Levelling Up, Housing and Communities (DLUHC) provided additional funding to enable provision of 45 units of accommodation under the “Protect and Vaccinate” programme, to enable rough sleepers to have accommodation and be encouraged to be vaccinated. The funding for Protect and Vaccinate ends on 31<sup>st</sup> March 2022, and we are currently planning the move on of current occupants to align with the ending of that funding programme. Provision for clients with No Recourse to Public Funds who remain accommodated is outlined below.

- 3.3 This winter provision was additional to our current No Second Night Out and Off the Street offer of 79 bedspaces for rough sleepers to move from the street. This increased the total provision to 124 units commissioned for rough sleepers and single homeless people to enable them to move off the street during the winter.

A total of 891 bed spaces are currently provided in the city for single homeless people and rough sleepers. Provision comprises:

- 79 spaces at hubs and assessment accommodation throughout the year (these include Off Street Offer and No Second Night Out)
- 45 spaces available to vulnerable rough sleepers, including those with No Recourse to Public Funds, until 31 March 2022 under 'Protect and Vaccinate'
- 25 Beds within EA for restricted eligibility/NRPF under winter provision which covers until 31 March 2022.
- 469 units of supported accommodation for adults (ranging from low through to high complex needs and includes 30 units in female-only accommodation)
- 145 units of supported accommodation for young single people and young parents
- 122 units of mental health supported accommodation
- 6 hospital step-down beds for homeless clients being discharged from hospital
- The Severe Weather Provision shelter is open to all when temperature drops to 'feels like' 0 degrees or in response to an Amber Weather Warning
- We are in the process of increasing Housing First stock to 90 units of housing led support for entrenched rough sleepers

- 3.4 The numbers of people sleeping out is reducing. Following the last official count of rough sleepers which took place in November 2021, the number of people found to be rough sleeping in Brighton & Hove had reduced significantly in comparison with figures prior to the Covid 19 pandemic.

In 2019 there were 88 people sleeping rough compared to 37 in the official count in November 2021. This is a reduction of over 50% which is a significant achievement and has put us in a good position to end the need to rough sleep, in line with the council and government priorities.

In 2020, due to the lockdown, it was not possible to undertake a full count and instead a smaller count was taken, and an estimate made of the full number which was estimated at 27. We are pleased that we could conduct a full count in November 2021 to have more accurate data.

An intelligence count was conducted in January 2022 which is a combination of a partial count supplemented by intelligence from the Street Services Outreach Team. This counted 9 people bedded down which indicates a downward trend.

During the initial and early stages of the outbreak of the pandemic the government guidance was for local authorities to make accommodation available for all people who would otherwise be rough sleeping and also for

those living in shared dormitory style accommodation so as to contain the spread of infection, on public health advice. This ceased as restrictions relaxed but in December 2021 with the upsurge of the Omicron variant and following government advice, accommodation was provided under a Protect and Vaccinate programme which has been very successful in Brighton and Hove. This will cease at the end of March 2022.

In line with the national government's stated aim to end rough sleeping by the end of this parliament and the Council's priorities, the approach going forwards is focused on prevention of homelessness where possible, and to adequately support and intervene where it is not possible; with a view to moving on when stable as people recover.

- 3.5 In addition to HRA budget funding for 18 units, under the Rough Sleepers Accommodation Programme (RSAP) 21-22 funding previously reported to Housing Committee, enabled the purchase of an additional 12 new homes to be used for Housing Led Support for rough sleepers with complex needs to bring the total to 30, ( 20 in 2021/22 and 10 in 2022/23) as at 15<sup>th</sup> February 2022, a total of 25 offers have been made to purchase accommodation, of which 14 are now completed with 9 of those ready to let.
- 3.6 The RSAP also awarded funding towards purchasing a further 30 properties under 10-year leases for Rapid Rehousing scheme aimed at lower need rough sleepers. As of 15<sup>th</sup> February 2022, we have completed on 8 properties and are on track to deliver the remainder by early April 2022.
- 3.7 In order to maximise available capacity in the accommodation commissioned to move rough sleepers off the street, the council is working with NSNO and Off the Street Offer providers to achieve swift move on for clients of these services into more settled accommodation. These move on pathways encompass support and funding to: -
- assistance to move from supported accommodation into private rented accommodation thereby freeing up supported accommodation for those who need to move in.
  - Increase in Housing First under NSAP by 30 units to create a total of 60.
  - A further 30 units of Housing Led support will be delivered across 21/22 and 22/23(18 funded via Housing Revenue Budget and 12 via RSAP)
  - 30 units acquired under 10-year leases for a Rapid Rehousing Scheme for rough sleepers who have a lower support need.
  - 40 bedspaces in HMOs have been delivered with support for low to medium level of needs.
  - In addition, there are moves to social housing which stalled during the pandemic as previously reported to Housing Committee is now increasing at a steady rate.
- 3.8 However, there remain significant challenges that we are focusing on. We are working with our advisors at DLUHC to revise our Action Plan aligned with the Homelessness and Rough Sleeper Strategy, to build on the work undertaken during the covid pandemic and develop the broad partnerships with public health; the voluntary and faith sector to find tailored solutions to anyone who has, is, or will, sleep rough. To assist with planning provision

DLUHC have confirmed the next round of Rough Sleeper Initiative Funding (RSI) will be for 3 years instead of one year. This will cover the period from April 2022 to March 2025.

3.9 There are a number of strands of funding provided by DLUHC in 2021-22. The funding comprises:

- Homelessness Prevention Grant,
  - RSI grant
  - Ex Offender PRS access grant.
  - Protect and Vaccinate funding of £451,313 which comprised £399,616 for accommodation and £51,697 for health to undertake vaccinations
  - Winter pressure funding to provide accommodation for rough sleepers over the winter of £86,000
- This funding expires 31<sup>st</sup> March 2022.

In addition, there was funding under NSAP (2020/21) and RSAP (2021/22 and overflow into 2023/24) which provided capital funding to enable property purchases, with Revenue attached to deliver support for 3 years.

Funding for 2022-23

- Homeless Prevention Grant confirmed at the same rate as for 21/22
- RSI grant which will be part of a three-year settlement 2022 -2025, bid underway with outcome anticipated in summer 2022.
- AEFO (Accommodation for Ex-Offenders) is available to bid for a 6-month extension in 2022
- RSAP is available to bid for to cover 2022/23 and 2023/24.

With this funding and over the three years of RSI (22-25) funding, the Government wish to see a clear transition to a strong prevention focus and pro-active interventions rather than reactive approaches. Focus will be on transitioning provision to deliver:

1. Prevention: understanding the issues that lead to rough sleeping and providing timely support for those at risk.
2. Intervention: helping those already sleeping rough with swift support tailored to their individual circumstances.
3. Recovery: supporting people in finding a new home and rebuilding their lives.
4. A focus on systems and performance monitoring on outcomes which will inform future funding.

This aligns with our overall Homelessness and Rough Sleeper Strategy and mirrors the council's priority to reduce homelessness and rough sleeping. The outcome of the bid will not be known until the summer 2022 and will be reported to the Homeless Reduction Board who also oversee progress towards the outcomes in the strategy.

### **Homes England Audit**

3.10 Homes England have an annual Compliance Audit programme which provides assurance that organisations receiving grant have met all of Homes England's requirements and funding conditions and have properly exercised their responsibilities as set out in its Capital Funding Guide. Standardised checks are made by provider appointed independent auditors on an agreed

sample of schemes which have received Homes England funding under current and earlier affordable housing programmes.

The council was selected in Summer 2021 for an audit on the Next Steps Accommodation Programme. This applied to the purchase and repair scheme, where the council brought 30 properties. Independent auditors Grant Thornton was appointed to carry out the audit with the outcomes verified by Homes England. In January 2022 the council was notified by Homes England that the audit had received a green rating with no breaches identified.

We must ensure that the contents of the report are acknowledged by our board (or in our case Housing committee). A copy of the report is contained in Appendix three.

### **Notice of Motion**

- 3.11 A Motion of Motion as amended was agreed Housing Committee in January 2022 which requested a report “on the action proposed to ensure homeless people and rough sleepers placed in emergency accommodation by Brighton & Hove City Council have proper support to ensure their safety and wellbeing”.

Support has been provided to people placed into emergency accommodation as follows:

- Welfare officers – Core funding was agreed previously at Policy and Resources to fund a team of Welfare officers to support residents and reduce evictions from emergency accommodation. This team has been expanded during the pandemic and now comprises 8 officers who check on all people placed into emergency accommodation at the point of placement and at regular intervals thereafter, including being on site weekly at accommodation out of the city.
- Southdown is funded from the RSI grant to provide outreach support to residents in emergency accommodation. There is also specific funding for outreach support to people placed in Lewes and Eastbourne areas.
- As part of an integrated approach to health and homelessness, Department of Health and Social Care (DHSC) have been funding 3 posts to focus on supporting homeless people in emergency accommodation and preventing a return to rough sleeping. These consist of:
  - An Out of Area Health engagement worker- supporting rough sleepers placed in out of area emergency accommodation to maintain their links with health & wellbeing services and prevent a return to rough sleeping
  - An A&E preventing admissions worker based in A&E at the Royal Sussex County Hospital. As part of their triage/assessment process, they are working to prevent potential accommodation loss due to hospitalisation/treatment services; and making referrals or securing short term accommodation placements, preventing further homelessness and rough sleeping. In the last quarter effective engagement by the A&E worker prevented four people from returning to rough sleeping and secured accommodation of a further 20

- preventing homelessness and diverting them away from statutory homeless services.
- Building on this model, a MH Engagement worker started in post in January 2022, working in A&E at Millview Mental Health Hospital. The worker is triaging clients working to sustain accommodation and making referrals for placements. Expected outcomes are in line with those of the other two workers to proactively prevent people from returning to rough sleeping locally.

As part of the bid for future RSI 22-25 funding, consideration has been given to how support is best delivered going forward. A focus is to rationalise support provision to ensure it is joined up and to tackle any gaps. In addition, with the refocus on prevention and up-coming re-procurement of supported accommodation in 2023/24, a key aim is to reduce the need for emergency accommodation, and where it is needed, to shorten the period of residency before moving on to more suitable supported accommodation.

Recommissioning of our supported accommodation contracts will also focus on aligning outcomes to strategic objectives, in particular enabling move on from supported housing to more settled accommodation sourced by commissioned partners.

### **Emergency Accommodation Charter**

- 3.12 Housing Committee on 16<sup>th</sup> September 2020 received a Deputation on Emergency Accommodation concerning a proposed 'Brighton & Hove Emergency Accommodation Charter'. Committee were advised that the Charter had been developed 'to ensure a reasonable standard of accommodation is provided to homeless households who have to spend time in emergency accommodation'. The Charter set out 'expectations, aspirations and commitments' to achieve this and sought 'for this Charter to be embedded into provider contracts'. The Deputation was presented by representatives from Fulfilling Lives South East Partnership and Justlife.

The response to the Deputation from the Chair was that 'To adopt the charter would involve a decision of the full council upon the recommendation of housing committee. Before Housing committee decides on recommending the charter, Legal & Finance advice will be needed'. 'I therefore propose that one or two meetings are organised between representatives of the Temporary Accommodation Action Group, council officers, a joint chair of housing and legal advisers to firm up agreed wording that can be recommended to a future housing committee. This was agreed'.

In developing the specifications for emergency accommodation in preparation for the impending re-procurement, the Emergency Accommodation Charter has been considered and incorporated where possible. The response to the Deputation to Sept 2020 Housing Committee is reflected in the Recommendations in this Report.

- 3.13 **No Recourse to Public Funds / Restricted Eligibility.**



There are 29 individuals in emergency or off the street type accommodation as of 1<sup>st</sup> March 2022 who have No Recourse to Public Funds (NRPF) or restricted Eligibility and require a different approach as the Local Authority has very limited powers to make provision for this group. The majority, (19) are EEA nationals who can be supported to apply for settled status. We are in discussions with Faith in Action to explore the potential to provide accommodation solutions that the community could deliver for 10 non EEA nationals.

### **Reconnection of people who have no local connection to Brighton and Hove**

- 3.14 Reconnection of people who have no local connection to Brighton and Hove has been challenging during the pandemic. However, as restrictions have relaxed, we have been able to take a more robust approach and ensure the reconnections are of a good quality to reduce the chances of people returning to the city. To improve performance on local connection, we have established a cross agency team, which includes Housing colleagues co-located at First Base Day Centre, No Second Night Out (NSNO) and Off the Street Offer. There are potentially between 25 -35% of people within the assessment hubs who could be reconnected depending on establishing robust evidence to support a referral. We have expanded resources to enable reconnection following successful award under RSI4 and a budget to assist with expenses to enable reconnection.
- 3.15 The above measures together with the Homelessness Transformation programme will enable more focused and joined up working to improve outcomes aligned to prevention, support and move on of homeless households. Progress will continue to be reported to the Homeless Reduction Board and will be reflected in the regular performance reports brought to Housing Committee.

## **4 ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

We are working closely with advisors at DLUHC to transform services and achieve grant funding to assist.

## **5 COMMUNITY ENGAGEMENT & CONSULTATION**

- 5.1 None at this time but we will be seeking feedback from customer, partners and providers in spring 2022 as part of a review of the service going forwards.

## **6. CONCLUSION**

- 6.1 As we move out of the Winter and restrictions brought in under the pandemic are removed, we are continuing to focus on moving on the remaining people who were accommodated.
- 6.2 Services are being transformed to focus on reducing homelessness and rough sleeping by increasing prevention, support and review the pathways out of homelessness. This transformation also includes reducing overall numbers in emergency accommodation.
- 6.3 While focusing resources on those in clients accommodated under pandemic provisions, we retained high numbers of households to whom we

owe a statutory duty in emergency accommodation. We therefore seek to extended some of the hotels while we continue to recover and transform the service to refocus on prevention and enabling move on options following resolving the covid groups. These additional hotels will be decanted and handed back over the coming months.

- 6.4 There are challenges ahead that we will continue to monitor and reflect upon through updates to the HRB and work with Government.

## **7. FINANCIAL & OTHER IMPLICATIONS:**

### Financial Implications:

- 7.1 Most of the recommendation in this report are for noting and the financial information is contained within the body of the report.
- 7.2 Paragraph 3.1 mentions the need for two emergency hotels, procured during the pandemic to continue up until June 2022. Current forecasts are that these costs can be met within the proposed 2022/23 budget for this service of £0.160m.

*Finance Officer Consulted: Monica Brooks*

*Date:07/03/22*

### Legal Implications:

- 7.2 With regards to the Charter, we note that this phrased as adopting a standard to which the Council aspire. There are a number of matters in the Charter which it will be hard to measure (this could lead to unverifiable outcomes). It is noted that as far as practical many of the requirements have been incorporated within the contract – these are where there are measurable outcomes with regards to contract management. There are minor issue relating to these as compliance becomes a contractual matter, not entirely without risk, but the contract itself will contain mechanism for dispute resolution. Where there are inclusions that cannot be readily measured, but against which complaints can be raised, it is important that there is sufficient flexibility to be able to address the intention of the charter, but not set in such away, that the Council is exposed to legal challenge, for matters that are beyond their control and that there is no objective standard to apply.
- 7.4 There also need to be some flexibility in interpretation, where there is the potential for conflict between different aims and objectives. For instance, protecting residents, while also placing a minimal period before being evicted. There may well be circumstances, that a risk is so significant that it needs to be acted on promptly, by way or an eviction, so as to protect a victim. No policy should be so rigid so as to ‘tie the hands’ of a public body. There must always be exceptional circumstances where there can be a departure from, as in this case the aspirational standard. As a standard that the Council is seeking to achieve there is the flexibility inherent as it is what is being sought to be achieved rather than a rigid absolute requirement.
- 7.5 So far as recommendations 2.1 – 2.3 these are simply for note and raise no legal implications.

*Lawyer Consulted:* Simon Court

*Date:* 08/03/22

Equalities Implications:

7.3 An equalities impact assessment has been carried out

**SUPPORTING DOCUMENTATION**

**Appendices:**

Appendix 1. Transformation Presentation

Appendix 2. Rough Sleeper Services Update

Appendix 3. Homes England have an annual Compliance Audit

Appendix 4. Emergency Accommodation Charter

