

Leicester
City Council

Referral Protocol between

Leicester City Council's Children's Social Care

&

Leicester City Council's Housing Options Service

covering:

**s213B (Housing Act 1996) Duty to Refer to other local authorities &
relevant mirrored process to be undertaken within LCC**

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Referral of Ineligible homeless families

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Referral of intentionally homeless families

1 Purpose

1.1 From 1st October 2018, Social Service Authorities will have a Legal Duty to notify a Housing Authority of service users they think may be homeless or threatened with homelessness. The Duty to Refer is intended to help people get access to Homelessness Services as early as possible to maximise the opportunities to prevent homelessness

1.2 This protocol outlines;

- How Children's Services can comply with their duty to refer when referring a service user to another area.
- How Children's Services can refer to Leicester Housing Options Service to mimic the principles of the duty to refer as an internal process within this authority.

This protocol also outlines;

- Referral of vulnerable Intentionally Homeless families and young persons following discharge of housing duties
- Referral of vulnerable Ineligible homeless families and young persons following discharge of housing duties

Part 1 – Duty to Refer and related internal process

2 Background

2.1 Under section 213B of the Housing Act 1996 (following amended by the Homelessness Reduction Act 2017) the public authorities specified in regulations are required to notify a housing authority of service users they consider may be homeless or threatened with homelessness (i.e. it is likely they will become homeless within 56 days). Before making a referral a public authority must:

- a) have consent to the referral from the individual;
- b) allow the individual to identify the housing authority in England which they would like the notification to be made to; and,
- c) have consent from the individual that their contact details can be supplied so the housing authority can contact them regarding the referral.

2.2 The duty to refer only applies to public authorities in England and individuals can only be referred to housing authorities in England.

2.3 The public authorities which are subject to the duty to refer are specified in The Homelessness (Review Procedure etc.) Regulations 2018. Included are 'social service authorities'.

2.4 The duty to refer applies to Children's and Adults social care services in Leicester City Council only in the event where a referral is required to another local authority. The legal duty to refer does not apply between internal departments of the same authority however we are expected to apply the spirit of the duty and ensure that arrangements are in place to identify people at risk of homelessness as early as possible to maximise the opportunities to prevent homelessness. The purpose of this protocol is put in place such arrangements.

3 The procedure for referrals

3.1 Overview

3.1.1 If a Social Services Authority considers that a service user may be homeless or at risk of homelessness, they must refer the case (with consent) to a housing authority identified by the service user.

3.1.2 Public authorities are not expected to conduct housing needs assessments or a local connection assessment as part of the section 213B duty to refer. However, the service user may find they have less access to housing options and/or social care support if referred to an area they are not locally connected to, and if owed the Relief Duty the receiving local authority will complete a s198 Referral to re-connect the service user as part of the formal Local Connection Process.

3.1.3 As such, the referring body should offer the service user practical advice to reduce the need for this additional step where possible and avoid time being wasted unnecessarily for the client.

3.1.4 Referrers should be mindful that for certain individuals, rather than making a referral, it may be more appropriate to assist them to approach a housing authority directly for assistance. This might apply, for example, for clients with particular support needs.

3.1.5 As a minimum, the referral to a housing authority must include the individual's name and contact details and the agreed reason for referral (e.g. that the individual is homeless or at risk of homelessness). The Homelessness Code of Guidance encourages public authorities to expand on the minimum legal requirement in section 213B(3) to ensure information included in the referral is as useful as possible.

Consent

3.1.6 Referring agencies must confirm that the referee has given their consent to the referral.

3.2 When referring between departments within Leicester City Council

3.2.1. The Referrer should complete a referral at the earliest point of identifying that the service user will be homeless (not more than 56 days).

3.2.2 The referral will be made by e-mail to dutytorefer@leicester.gov.uk and must include;

- Individual's name
- Contact details (telephone number and email where available)
- Agreed reason for referral (e.g. that the individual is homeless or at risk of homelessness).
- Confirmation of consent for;
 - the referral to take place and information to be shared
 - the contact details supplied to be used to contact the service user

3.2.3 Additional information to support the referral should be sent along with the e-mail and should include:

- Any relevant risk assessment together with any housing plan or support plan that has been devised with service user.
- Whether the service user is at risk of rough sleeping on the date the referral is made and if so whether this is imminent.
- Any relevant medical information known.
- Any other pertinent information as part of Children's Services own legal duties, for example as an element of care or supervision.

3.2.4 It is the referring agency's responsibility to get consent to share any personal or sensitive information and ensure that the information is sent securely.

Exceptions in the event of an emergency

3.2.5 Where early notification has not been possible, for example due to an unexpected presentation, the referring body has a duty to notify the Housing Options team at the earliest opportunity. This would consist of the usual s213 Referral followed up with a telephone call to alert the Housing Options Team of the situation.

3.2.6 This process should be completed at Team Leader / Manager level, and therefore these telephone numbers should not be shared amongst officers.

3.2.7 The key contact at Housing Options is;

- Dina Taank – 0116 454 1707.

3.2.8 In the event that this contact cannot be reached, there are two secondary contacts:

- Mussa Hajat – 0116 454 1726.
- Dawn Williams – 0116 454 1702.

Housing Options Opening hours

Monday 8.30am - 5pm

Thursday 8.30am - 5pm

Tuesday 8.30am - 5pm

Friday 8.30am - 4.30pm

Wednesday 8.30am - 5pm

Saturday and Sunday – Closed

3.2.9 In the event that an emergency need for accommodation is required 'out of hours' the referrer should contact the Dawn Centre on 0116 221 2770.

3.2.10 If accommodation is offered, the hostel team who received the service user will book an appointment for a homeless assessment with the Housing Options Team at the earliest opportunity.

3.2.11 The referrer must also complete the referral process outlined in 3.2.

3.3 When referring to another local authority

3.3.1 The Ministry of Housing, Communities, and Local Government (MHCLG) have published the Duty to Refer e-mail addresses of all local authorities on their website alongside a template referral form.

3.3.2 The website address is [<to follow>](#).

3.3.3 The Referrer should complete the template referral form and e-mail this in a secure manner to address supplied by the relevant local authority.

4 Action upon the receipt of a referral (Leicester)

4.1. Receipt of Referral (Leicester)

4.1.1 A referral made by a public authority to the housing authority under section 213B will not in itself constitute an application for assistance under Part 7, but Housing Options will always respond to any referral received and record the outcome.

4.1.2 Housing Options will contact the service user within 5 working days of the referral being received.

4.1.3 Housing Options will liaise with the referrer and/or service user to complete a housing assessment. If Housing Options are unable to make contact they will, wherever possible, provide information on accessing advice and assistance including the housing authority's website, opening hours, and contact details via a voicemail, email or letter.

4.1.4 Where Housing Options' contact with the service user provides the housing authority with reason to believe that they might be homeless or threatened with homelessness and the individual indicates they would like assistance it will trigger an application for assistance under Part 7 of the Housing Act 1996. The Homeless Officer will then assess what duties are owed.

4.2 Prevention and Relief of Homelessness (Leicester)

4.2.1 Where the s195(2) Prevention Duty (threat of homelessness), or the s189B(2) Relief Duty (actual homelessness) is accepted, the Housing Options team will complete an assessment of the individual's circumstances under the requirements of s189 of the Act and develop a Personalised Housing Plan in accordance with the requirements of the Act. A Personalised Housing Plan is a framework for a Housing Authority and an applicant/service user to work together to identify appropriate actions to prevent or relieve the applicant's/service user's homelessness

4.2.2 The Homelessness Code of Guidance encourages parties to adopt a practical and collaborative approach when identifying actions under a Personalised Housing Plan. The Housing Authority and the applicant are jointly responsible for delivering on the identified actions but, in appropriate cases, with the agreement from relevant professionals from Children's Services, the Homeless Officer may include actions to be completed by Children's Services to reflect any duties owed to the applicant / service user

4.2.3 The Homeless caseworker will ensure that they liaise with the Social Worker, Leaving Care Personal Advisor, Young Offending Service Officer, or other involved parties to ensure that any actions in PHP assigned to the referring agency are aligned with existing objectives and plans.

4.2.4 Where the referred party is a young person, this alignment is essential to allow children's services and housing services to work together to plan and provide services that are centred on the young person's needs, and prevent young people from being passed back and forth between services.

4.2.5 Effective communication will be key, and it is the responsibility of the allocated Officers within each relevant team to update each other on any significant change of circumstances.

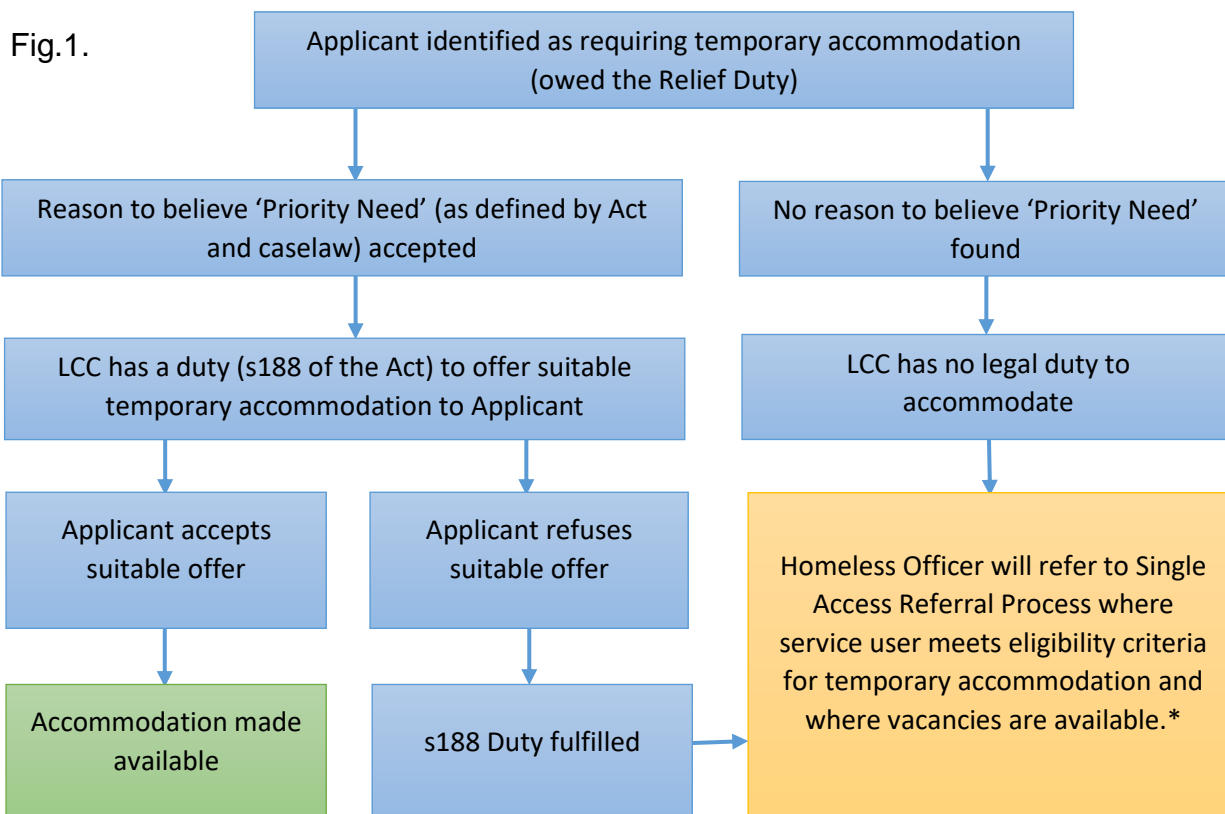
4.2.4 During the Prevention Period (when the customer is at risk of homelessness within the next 56 days) this protocol requires that, wherever possible, Children's Services must notify Homeless Officer (or the point of contact managers in the event that the officer is not available) if homelessness is likely to occur within the next 7 days. This is to allow some pre-homeless planning to take place, including facilitation of temporary accommodation if required.

4.2.5 At the start of the Relief Period (when the customer has already become homeless) the Housing Options Service will also have the responsibility to assess any need for temporary accommodation and this will be undertaken as a joint assessment with Children's Services in line with existing arrangements. The outcome of the assessment must determine which Service holds the duty to accommodation, along with other relevant duties.

4.2.8 Children's Services and the Housing Options Service will commit to, wherever possible, completing this joint-assessment ahead of time to avoid crisis presentations.

4.2.9 Children's Services and the Housing Options Service will also commit to, wherever possible, ensure that determination of accommodation duty takes place Monday-Thursday, to avoid last minute crisis on Fridays.

4.2.10 In the event that the accommodation duty is owed by housing, the process followed is outlined in Fig.1 below:



*Where there are no vacancies the applicant can be considered daily for accommodation. On average this can days or weeks.

Part 2 – Referral of Intentionally homeless persons

5 Background

5.1 Where an applicant / service user has been deemed homeless but intentionally so, and has been assessed as vulnerable for housing legislation purposes under the test of 'Priority Need', the Housing Options Service will make a referral to the Duty and Advice Service who, if relevant thresholds are met will take on the responsibility to complete an assessment.

5.3 Upon receipt of the referral, the Duty and Advice Service will complete the assessment within **x** days.

5.4 Children's Services will determine any duties owed from the assessment and, where an accommodation duty applies, take on the responsibility to accommodate without delay.

6 Referral process

6.1 The Homeless Officer should send the referral via e-mail to das.team@leicester.gov.uk.

6.2 The referral must include the following information;

- Parents or young person's details;
 - Name
 - DOB
 - Ethnic origin
 - Religion
 - Current Address
- Details of any children in the household, where applicable
 - Names
 - DOBs
- A summary of the reason for referral.
- A copy of the s184 Decision Letter.
- Confirmation of how much further time housing intend to provide temporary accommodation.
- Details of any other key agencies involved.
- Best contact details.

Part 3 – Referral of Ineligible homeless persons

7 Background

7.1 Where an applicant / service user is ineligible for Housing Assistance due to their immigration or residence status and there is reason to believe that the applicant may be vulnerable for housing legislation purposes under the test of 'Priority Need', the Housing Options Service will make an emergency referral to the Duty and Advice Service who will, if relevant thresholds are met, take on the responsibility to complete an assessment.

7.2 Upon receipt of the referral, the Duty and Advice Service will complete the assessment within **x** days.

7.3 Children's Services will determine any duties owed from the assessment and, where an accommodation duty applies, take on the responsibility to accommodate without delay.

8 Referral process

8.1 The Homeless Officer should send the referral via e-mail to das.team@leicester.gov.uk.

8.2 The referral must include the following information;

- Parents or young person's details;
 - Name
 - DOB
 - Ethnic origin
 - Religion
 - Current Address
- Details of any children in the household, where applicable
 - Names
 - DOBs
- A summary of the reason for referral.
- A copy of the s184 Decision Letter.
- Confirmation of when emergency accommodation is required.
- Details of any other key agencies involved.

- Best contact details.

9. Review

9.1 Upon launch of this protocol, a 3-month review date will be set to review initial issue and learning. After which, the protocol will be reviewed annually in line with changes to legislation and relevant guidance. Smaller aspects within the protocol such as changes in key contacts will be managed between stakeholders.

9.2 Annual reviews should include discussion of qualitative data collection and lessons learned, to continuously improve the protocol.

10. Key Contacts:

LCC Children's Services key contacts

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LCC Housing/Homelessness teams key contacts

Caroline.Carpendale@leicester.gov.uk (Strategic)

Dina.Taank@leicester.gov.uk (Operational)

Signatories:

Signed By:

Dated:

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Name:

Position:

On behalf of: LCC Children's Care Services

Signed By:

Dated:

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Name:

Position:

On behalf of: Leicester City Council's Housing Department

Signed By:

Dated:

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Name:

Position:

On behalf of: Leicester City Council's Legal Services