



AGENDA ITEM: 10

SUMMARY

Report for:	Housing and Communities Overview and Scrutiny
Date of meeting:	16 March 2016
PART:	1
If Part II, reason:	

Title of report:	HOMELESSNESS REVIEWS
Contact:	Cllr Margaret Griffiths, Portfolio Holder for Housing Natasha Brathwaite – Strategic Housing Group Manager
Purpose of report:	To update Housing & Communities Overview and Scrutiny on the progress of Homelessness Reviews, since the change in procedure.
Recommendations	That Housing & Communities Overview and Scrutiny note the report.
Corporate objectives:	Affordable Housing
Implications:	<u>Customer service</u> The revised review process reflects feedback previously received from homeless applicants and has improved the customer experience. <u>Value for money</u> The revised review process incurs a saving in housing officer, legal officer and Member time.
Risk Implications	Risks presented are considered to be low, the independent reviewing officer is fully trained and conversant in Part VII legislation of the Housing Act 1996, and implements any change in legislation, as well as follows precedents and guidance set by court judgments.
Equalities Implications	Council policy requires that all steps are taken to ensure that all homeless applicants are given access to the information

	they require and in a format that they can use. No negative equality issues have been identified resulting from the changes being considered.
Health And Safety Implications	There are no Health and Safety implications from this process.
Consultees:	Cllr Margaret Griffiths – Portfolio Holder for Housing Elliott Brooks – Assistant Director Housing Cynthia Hayford – Strategic Housing Team Leader (People)
Background papers:	Homelessness Strategy 2013-2018 Housing Allocations Policy Housing Strategy 2013-2018 Housing & Communities Overview and Scrutiny report November 2013 Cabinet report – November 2013
Glossary of acronyms and any other abbreviations used in this report:	

Background

The Council has a statutory duty to investigate applications of homelessness in accordance with the Housing Act 1996, Part VII. On completion of enquiries into an applicant's homelessness, the Council must issue a decision letter notifying the applicant of the decision and their right to seek a review of the decision should they feel it is flawed. The previous review process involved an oral hearing, which consisted of five elected members, a legal representative, a senior officer and the investigating officer.

Following the submission of reports from the Legal Department to Cabinet and subsequently Council, it has been confirmed that delegation to the Appeals Committee to determine section 202 homelessness reviews be amended so that this power is delegated to the Assistant Director (Housing) or the Group Manager (Strategic Housing). Pending consideration of the above recommendation, it was agreed that the power to conduct section 202 homelessness reviews, is delegated to the Assistant Director Housing or the Group Manager (Strategic Housing) or Strategic Housing Team Leader (People).

1. Since January 2015, there have been **44** homelessness reviews conducted by the independent reviewing officer (Strategic Housing Team Leader, People).
2. The table below shows the breakdown of reviews completed since January 2015 by decision type and outcomes. The reviewing officer has overturned **13** decisions that had been made by the original investigating officer. In each of the overturned decisions the reviewing officer has considered fully any additional supporting information that had been provided in submissions by the applicant or their representative and this may also include oral submissions. The current process offers the flexibility of reviewing the file

and supporting information over an extended period and raising queries with the applicant and the investigating officer, through informal consultation and with continued consideration of current legislation and case-law changes.

No of reviews	Decision under review			Outcome			
	Intentionality	Priority Need	Suitability	Upheld	Overtured	Withdrawn	Pending
44	21	9	14	26	13	4	1

Of the 4 decisions withdrawn, 2 were withdrawn by the applicant due to a change in their circumstances. A further 2 decisions were withdrawn by the reviewing officer and further investigations by the officer, following consideration of the submissions and reviewing the original file.

3. There are currently no reviews that have been carried out by officers, which are the subject of County Court appeals.
4. Please see below comparative figures reported during 2014, when the Housing Appeals Committee was undertaking Homelessness Reviews.

No of reviews	Decision under review			Outcome			
	Intentionality	Priority Need	Suitability	Upheld	Overtured	Withdrawn	Appeals
22	20	3	1	20	3	1	5

There was 1 decision withdrawn and further enquiries requested by the investigating officer, following consideration of the submissions and reviewing the original file.

1 decision of intentionally homeless was overturned, in favour of the applicant.

2 decisions of priority need were overturned in favour of the applicant.

There were 5 County Court appeals submitted, challenging the decision making process in relation to upheld intentionally homeless decisions.

Recommendation

No recommendation to be made, to note the report for information only.