

To: Cabinet – 11 October 2010

By: Mike Hill, Cabinet Member

Subject: The protocol for emergency accommodation between Kent local housing authorities and other referring agencies.

Classification: Unrestricted

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Summary:

The report presents the protocol for emergency accommodation between Kent local housing authorities and other referring agencies. The Joint Policy and Planning Board (Housing) has asked Cabinet to approve the protocol. The Joint policy and Planning Board (housing) is a body that represents health, housing, social care, Supporting People, Probation, and the prisons within Kent. The Joint policy and Planning Board (Housing) has existed within Kent since the early 1990s to try and work in partnership to address issues that are held in common in relation to housing vulnerable people within Kent.

FOR DECISION

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## **1. INTRODUCTION**

1.1 The protocol aims to address the need to place vulnerable households in bed and breakfast or other emergency accommodation due to the lack of temporary accommodation. The protocol also seeks to address the need to try and divert vulnerable households away from the Thanet District Council area. There have also been well expressed concerns about the lack of control and inadequate coordination of placements and the risks that this might expose vulnerable people to including children.

1.2 The Supporting People Programme within Kent plays a key role in diverting vulnerable people into supported housing (1,180 units of short term supported and 887 units of long term supported) or alternatively by funding floating support to 5,343 vulnerable people in social, private rented, or owner occupied accommodation. Floating support can also be provided to vulnerable people in bed and breakfast who may be waiting for supported housing or for social or private rented housing. It can also be provided to people sleeping rough on the streets of Kent.

## **2. Responsibilities of Local Housing Authorities and Referring Agencies**

2.1 The expectation is that local authorities will endeavour to find accommodation for service users within their own area. If they cannot achieve this consensus across the Housing Authorities is that referrals to the Thanet area should be zero. The Protocol places an assumption on local authorities that if they have to find accommodation outside of their own area they will ensure that they keep in touch with the individual/families that they have placed. The objective is to avoid the usage

of bed and breakfast, and both to ensure that it is used for the shortest possible amount of time and those individuals/families are reconnected back to their area of origin as quickly as possible. There is a prerogative to ensure that the accommodation meets health and safety standards and where appropriate is licensed. Should the authority discover that it does not have a duty to house the individual/family they will assist them in finding private rented sector accommodation in their area of origin. Receiving authorities can expect to be notified of any placements that are being made in their area, and when that placement is terminated. This will be reinforced by quarterly information being received in relation to placements. Placing authorities will also share relevant information with the receiving authority. The intention is not to place an individual/family in another area and then require the receiving authority to pick the individual/family up where there has been an incident of domestic violence or harassment leading to homelessness.

2.2 There is an expectation that other protocols relating to other client groups will be adhered to, and that 16 and 17 year olds will not be placed in bed and breakfast accommodation at all.

2.3 There is an expectation that Floating Support funded by the Kent Supporting People programme will be utilised to appropriately support vulnerable individual/families. There is also an expectation that liaison with third parties such as social services are maintained and facilitated by careful placement of vulnerable individuals/families.

### **3. CONCLUSION**

3.1 The protocol for emergency accommodation placements between Kent local housing authorities and other referring agencies is a genuine attempt to try and ensure that vulnerable individuals/families are placed appropriately, and that wherever possible the usage of accommodation outside of a district or borough is not utilised unless absolutely necessary. It also obviates placements being made in Thanet. The protocol has been developed by the Districts and Boroughs in consultation with their partners on the Joint Policy and Planning Board (Housing) represents a sensible, rational approach to dealing with one of the most unfortunate situations any individual or family can find themselves in; being homeless. The Supporting People Programme is attempting to alleviate the problem by supporting and housing some of the most vulnerable individuals and families within Kent.

### **5. RECOMMENDATION**

5.1 Cabinet is asked to:

- (i) Agree the contents of the report.

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**Background Information:**

**None.**

**Appendix 1: The definition of Housing Related Support**

**Appendix 2: Protocol for emergency accommodation placements between Kent local housing authorities – and other referring agencies**

**Appendix 1**

- **Understanding tenancy or occupancy or agreement**
- **Managing debt, budgeting and applying for benefits**
- **Getting on with neighbours**
- **Life and social skills**
- **Setting up home and resettlement**
- **Staying safe at home**
- **Dealing with other agencies**
- **Taking up daytime activities; training, education, employment**

## Appendix 2.



Protocol for emergency accommodation placements between Kent local housing authorities – and other referring agencies

### Background

Due to the lack of temporary accommodation in all areas in Kent, in times of emergency, placements of vulnerable households are made at Bed and Breakfast (B&B) or other emergency accommodation (EA) establishments in Kent. Many of these placements have, in the recent past, been made in Thanet, in particular in Cliftonville, which is one of the two most deprived wards in the county. Poor quality and readily accessible housing attracts a range of vulnerable people from across the region to move to the area. There are widespread concerns about the role of public bodies and voluntary agencies in adding to deprivation problems through the placement of vulnerable households in the area.

It is recognised that there needs to be a collective responsibility to ensure that more vulnerable people do not end up in Thanet than in the rest of Kent and that provision needs to be made for this.

There are also concerns over the lack of control and inadequate coordination of placements and the risks that this might expose vulnerable people including children.

### **The following list comprises the extent of concerns raised by these placements:**

- That B&Bs are an inappropriate place to house vulnerable people.
- That the full extent and nature of referrals is unknown.
- People are housed away from their support networks.
- That there are particular concerns with regard to children who are at greater risk than others.
- No agreed protocol with regard to notifications that children are being housed at B&Bs.

- That there is a danger of people being housed in B&Bs who would present a high risk to other residents.
- That there are no defined and agreed management and support arrangements for B&Bs and residents.
- The placement of vulnerable people into the most deprived community in the south east put additional pressures on support services that are already over stretched
- That other affordable temporary housing options are not readily available.
- That there is a particular concern at the concentration of mental health problems and lack of suitable emergency accommodation with adequate and specialist support arrangements.

In order to address these concerns, a sub group of the Kent Joint Policy and Planning Board for Housing, with representation from Kent Local Housing Authorities (LHAs), Supporting People (SP), Probation, East Kent PCT, Thanet Community Safety and Children's Social Services (CSS), has drawn up the following protocol to address the problem of those households, particularly when placed out of area.

### **Responsibilities of Local Housing Authorities (LHAs) and Referring Agencies**

1. LHAs will adhere to this protocol when making emergency placements.
2. Each Local Authority will use its best endeavours to ensure that it has access to emergency accommodation within its own area. If emergency accommodation out of an authority's own area is essential, this should not be in the Thanet district; i.e. only Thanet based clients should be offered emergency accommodation in Thanet.
3. Households, which can be a single person or a family placed in B&Bs/EA remain the responsibility of the placing authority until re-housed.
4. Placing agencies to do everything in their power not to use B&Bs except in an emergency, and even then for the shortest possible period and then to ensure that those households are reconnected with their originating area and are given provision to return.
5. Placing agencies will ensure that the emergency accommodation has been inspected by the local authority to ensure that the legal standards for healthy housing and related environmental conditions are met, and that where applicable, the emergency accommodation is appropriately licensed.
6. If a Local Authority decides after placing a household in temporary accommodation outside their area, that they do not have a housing obligation to that household, it will use its best endeavours to ensure that the household is helped to find alternative (private sector) accommodation in their area of origin

7. Households will not be placed in B&B/EA in another local authority area and then referred to that receiving authority to make an application for homelessness when fleeing DV/harassment without referral to that receiving authority.
8. Receiving authorities must be notified of all cases placed in B&B/EA both at start of placement (including placements made out of hours) and at point of move-on. This notification must be made as soon as the placement is made and the next working day if placements are made out of hours (Housing Act 1996, Part VII 2-4 'all authorities should notify the relevant authority if they place an applicant out of their borough')
9. There must be disclosure of full information that is available at time of referral to both the receiving authority, and of any changes/further information as and when available. There is an expectation that all relevant authorities will share relevant confidential information as appropriate and that the applicant's confidentiality is not breached.
10. Each local housing authority will e-mail all other placing agencies/authorities on a quarterly basis for returns (including nil returns) on households placed within their areas from other areas, and will also ask what the outcomes are for those households. A template will be placed on the JPPB website for downloading.
11. The referring agencies should also adhere to the following Kent Protocols:
  - Intentionally Homeless Protocol for Families with Children
  - Young Persons' Homelessness Protocol
  - Multi-Agency Protocol for Resettlement and Housing of Offenders
  - Mental Health Protocols
12. LHAs must, by statute, abide by the six week rule regarding placements in bed and breakfast accommodation and as part of this protocol, other placing agencies should, wherever possible, adhere to this principle. If unable to do this, the B&B/EA should be notified. It should be noted that by 2010, 16 and 17 year olds should not be placed in B&B accommodation.
13. Housing Options teams in Kent are working to Government guidance about minimising the use of bed and breakfast accommodation for households with children. Where they need to use B&B, they will move households on as quickly as possible.

### **Support and Links between Agencies**

1. Many households placed in B&Bs/EA are vulnerable and therefore external agencies, such as floating support, should be utilised when placing a vulnerable household in emergency accommodation to provide additional support and expertise to people in crisis.
2. It is acknowledged that a move is likely to cause disruption to the household's access to appropriate services; therefore the referrer should try to ensure that

those households maintain links with those services wherever possible. Any referrals must be done with the full agreement of the client, unless there is a child protection issue in which case a referral must be made to Children's Social Services.

3. Where appropriate, Statutory Agencies should be informed when a household leaves emergency accommodation.