

## London Borough of Hammersmith & Fulham

**Report to:** Cabinet

**Date:** 05/07/2021

**Subject:** Homelessness and Rough Sleeping Strategy & The Tenancy Strategy 2021

**Report of:** Councillor Lisa Homan, Cabinet Member for Housing

**Report author:** Beatrice McGuire, Senior Housing Strategy & Growth Officer

**Responsible Director:** Glendine Shepherd, Assistant Director Housing Management

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### SUMMARY

This report seeks Cabinet approval for the adoption of two housing related strategies:

#### **Homelessness and Rough Sleeping Strategy** (Appendix A)

We believe no one should have to sleep rough in 2021. But issues like the housing crisis, austerity and limited access to support mean many people still do. We are determined to break down these barriers and end rough sleeping in Hammersmith & Fulham.

This strategy sets out the Council's approach to the prevention of homelessness and ending rough sleeping. The Strategy identifies five objectives for preventing homelessness and ending rough sleeping, which are:

- End rough sleeping in Hammersmith and Fulham for good.
- Better partnership working.
- The right housing solutions.
- Improved resident experience: every contact counts.
- Safe housing solutions.

The Rough Sleeping Commission's report 'Ending Rough Sleeping in Hammersmith and Fulham' highlights how a complex mix of factors can affect lives in our borough. This report presents the commission's findings alongside key local and national contextual data and information. The Commission's recommendations are reflected in the Housing Strategy, and are now developed further by the Homelessness and Rough Sleeping Strategy.

The **Council's Tenancy Strategy** (Appendix B) which sets out the Council's approach to the types of tenancies issued by the Council when allocating

social housing in the borough. The Localism Act 2011 sets out a statutory requirement for local authorities to develop and publish a tenancy strategy.

The report also includes the following associated documents for information:

- Equality Impact Assessment (Appendix C)
- Homelessness and Rough Sleeping Strategy Consultation Summary Report (Appendix D); and
- Tenancy Strategy Consultation Summary Report (Appendix E).

## RECOMMENDATIONS

1. To Adopt the:
  - a) Homelessness and Rough Sleeping Strategy (Appendix A); and
  - b) Tenancy Strategy (Appendix B).
2. To note the summary and analysis of responses to the Homelessness and Rough Sleeping Strategy, and Tenancy Strategy in the consultation Summary Report (Appendixes D and E).
3. To note the Equality Impact Assessment (Appendix D).

**Wards Affected:** All

Our Values	Summary of how this report aligns to the H&F Values
Building shared prosperity	Opportunities to access work and training, as well as funding for rental deposits, through BEAM.
Creating a compassionate council	Working in partnership with Adult Social Care , the strategy will help meet the immediate needs of homeless people, work together to keep families in the borough, use joined-up services and provide family support.
Doing things with local residents, not to them	Improved co-production with disabled people, community engagement and resident-led commissions.
Being ruthlessly financially efficient	Protecting vulnerable residents ensuring they have access to affordable accommodation and reducing the use of expensive temporary accommodation. Working with partners in the 3 <sup>rd</sup> Sector to deliver solutions to ending rough sleeping in the borough.
Taking pride in H&F	Become the greenest borough, better Youth Services, support for victims of

	crime.
Rising to the challenge of the climate and ecological emergency	This strategy is linked to the Housing Strategy, which outlines our plans to retrofit our housing stock towards our vision of a zero-carbon future.

## Financial Impact

There are no additional financial impacts as a result of implementing both the Tenancy and the Homelessness and Rough Sleeping Strategies.

The Strategies set out in detail the objectives and priorities of the Council on delivering services to residents within the borough. The associated costs will be managed within existing budgets, whilst maximising every opportunity to secure central government grant funding for homelessness and rough sleeping initiatives as and when the opportunities arise.

## Legal Implications

The Localism Act 2011 requires the Council to produce a Tenancy Strategy which sets out the Council's approach to social and affordable housing relating to:

- the types of tenancies they grant.
- where they elect to issue fixed-term tenancies, the length of the fixed term period.
- the circumstances in which they will grant a further tenancy when the fixed term expires.

The Tenancy Strategy summarises those policies and explains where these can be found.

The Homelessness Act 2002 requires the Council to undertake a homelessness review for their district every five years and formulate and publish a homelessness strategy based on the results of that review. The Council is required to have regard to its current allocation scheme under section 166A of the Housing Act 1996, its current tenancy strategy under section 150 of the Localism Act 2011, and the current London housing strategy.

Before adopting or modifying a homelessness strategy, the Council shall consult with relevant organisations, or other persons as they consider appropriate.

The report sets out the result of the wide consultation on Homelessness and Rough Sleeping Strategy. The issues raised during the consultation have been considered and taken into account.

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## **Background Papers Used in Preparing This Report**

None.

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## **DETAILED ANALYSIS**

### **Proposals and Analysis of Options**

1. This report recommends that members adopt the Homelessness and Rough Sleeping Strategy, and the Tenancy Strategy.
2. The Homelessness and Rough Sleeping Strategy addresses the fifth objective of the Housing Strategy: "Prevent Homelessness and End Rough Sleeping", providing a more detailed action plan to meet this objective.
3. The Housing Strategy action plan requires us to review and publish an updated Homelessness and Rough Sleeping Strategy.
4. Following the work of the Rough Sleeping Commission, the Housing Strategy Consultation and a specific Homelessness and Rough Sleeping Strategy consultation, the Homelessness and Rough Sleeping Strategy reflects:
  - residents' priorities and views, and,
  - regard to the full picture of homelessness and rough sleeping in the borough.
5. In developing the two strategies, due regard has been made of our scheme of housing allocations, and the London housing strategy.
6. The Tenancy Strategy has been updated to mainly address the Council's position on Lifetime (secure) and Fixed Term Tenancies.

7. The Tenancy Strategy reflects views and priorities of residents and local Registered Providers following consultation on the draft Tenancy Strategy.

### **Reasons for Decision**

8. Under the Homelessness Act 2002, all local authorities are required to carry out a review of homelessness in their area and publish a homelessness strategy at least once every five years. The Homelessness and Rough Sleeping Strategy updates the Homelessness Prevention Strategy published in April 2016.
9. The Localism Act 2011 also requires local authorities to develop a tenancy strategy.

### **Equality Implications**

10. A public authority must, in the exercise of its functions, comply with the requirements of the Equality Act 2010 and in particular section 149, the Public Sector Equality Duty (“PSED”). The PSED provides (so far as relevant) as follows:
  - (1) a public authority must, in the exercise of its functions, have due regard to the need to:
    - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
    - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
    - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it;
11. The adoption of the revised Homelessness and Rough Sleeping Strategy, and Tenancy Strategy requires the Council to undertake an Equalities Impact Assessment (EqIA) to fully assess what the positive, neutral and/or negative impacts of adopting the changed approach will be on those with protected characteristics. The protected characteristics to which the PSED applies are:
  - age
  - disability
  - gender reassignment
  - marriage and civil partnership
  - pregnancy and maternity
  - race
  - religion or belief
  - sex
  - sexual orientation

12. The impacts of the delivery of the Homelessness and Rough Sleeping Strategy, and Tenancy Strategy are expected to be positive or neutral as it is not anticipated that there will be any direct negative impact on groups with protected characteristics, as defined by the Equalities Act, from the proposed changes. However, officers will continue to monitor the equality implications, to ensure early identification of any adverse impacts regarding the implementation of the Homelessness and Rough Sleeping Strategy, and Tenancy Strategy on protected groups.
13. The completed Equalities Impact Assessment is attached as Appendix C to this report.
14. *Implications completed by: Beatrice McGuire, Senior Housing Strategy and Growth Officer, 07812 097 921.*

### **Risk Management Implications**

15. The impact of homelessness is broad and far reaching. The right home is an important factor in a person's health and wellbeing. Not only does good housing help a person stay healthy, but it also impacts on their ability to sustain a job, care for their family, contribute to the community and better manage their health. It is clear that preventing homelessness has obvious benefits not only for people's housing outcomes, but for reducing health inequalities and improving quality of life. This strategy looks at building upon the prior work to tackle the underlying causes of homelessness and thus minimise the risk of homelessness materialising during this pandemic.
16. *Implications completed by Michael Sloniowski, Risk Manager, telephone 020 8753 2587.*

### **Other Implications**

None.

### **Consultation**

#### Homelessness and Rough Sleeping Strategy

17. Full details of the Homelessness and Rough Sleeping Strategy consultation process can be found in Appendix D - Homelessness and Rough Sleeping Strategy Consultation Summary Report.
18. Residents, 3<sup>rd</sup> sector partners and local Registered Providers (Housing Associations) were consulted during the development of the Homelessness and Rough Sleeping strategy.

19. To summarise, the Homelessness and Rough Sleeping Strategy consultation process included:
  - In addition to the consultation on the Council's Housing Strategy, a focussed and pro-active consultation exercise was undertaken specifically regarding The Homelessness and Rough Sleeping Strategy between 9 and 28 February 2021.
  - The consultation was hosted on-line on the Council's CitizenSpace area and publicised on H&F's Twitter account, Nextdoor app, the Leader's Weekly Report and on H&F's 'Get Involved' website.
  - Additionally, almost 1000 residents were contacted to invite their views, including all TRA representatives.
  - We engaged with ninety resident involvement 3<sup>rd</sup> Sector organisations.
  - We also contacted all active Registered Provider in the borough.
  - There were 63 responses to the consultation; 30% of respondents had direct experience of homelessness, rough sleeping, or being at risk of homelessness.
  - The key messages from the consultation are set out in the Homelessness and Rough Sleeping Strategy, in the section 'What You Said – The Strategy Consultation,' and those messages are addressed in the strategy content and action plan.
20. The Homelessness and Rough Sleeping Strategy also responds to the Housing Strategy consultation, and the work of the Rough Sleeping Commission.
21. Full details of the Housing Strategy consultation process can be found in the Housing Strategy 2021 Cabinet Report.
22. Independent and robust investigation commissioned into the root causes of homelessness in our borough has provided a fuller understanding of why homelessness happens. In 2017, H&F established the Rough Sleeping Commission.
23. Below is a summary of the work of the Rough Sleeping Commission:
  - **Stage 1: Literature review**  
From February until March 2017, the commission conducted a literature review of international, national, and local analysis and good practice, maintaining its focus on the relevance of this data to H&F. The information gathered enabled the commission to build an accurate picture of why people sleep on the street in H&F.
  - **Stage 2: A call for evidence**  
A call for evidence was undertaken in April until June 2017 to gather the views directly from people who are, or are at risk of, sleeping rough in H&F, frontline workers, and experts in the field.  
Groundswell were commissioned to conduct a peer led research project with the aim of enabling people with experience of homelessness to contribute to the work of the commission.

- **Stage 3: Public hearing**  
The commission consulted H&F residents on its findings and draft recommendations at a meeting of the Health, Adult Social Care and Social Inclusion Policy and Accountability Committee on 12 December 2017.
- **Stage 4: Commission Report**  
The Cabinet-endorsed Rough Sleeping Commission's report was published. The report, 'Ending Rough Sleeping in Hammersmith and Fulham', can be found at <https://www.lbhf.gov.uk/councillors-and-democracy/resident-led-commissions/rough-sleeping-commission>

### **Tenancy Strategy Consultation**

24. Full details of the Tenancy Strategy Consultation can be found in Appendix E – Tenancy Strategy Consultation Summary Report.
25. Residents, Registered Providers and the Mayor of London were consulted on the draft Tenancy Strategy.
26. To summarise the Tenancy Strategy Consultation process involved:
  - The Tenancy Strategy Consultation took place between 5 February and 7 March 2021.
  - Views were gathered using two methods: an accessible online resident questionnaire with reference to the draft tenancy strategy, and invitations to comment on the draft by email.
  - The draft tenancy strategy was sent to all Registered Providers with stock in the borough, as well as the Mayor of London.
  - On 9 February, we launched an online questionnaire for residents, requesting comments on the draft strategy and a short survey. The resident consultation was publicised on the H&F's 'Get Involved' website.
  - An invitation to take part in the consultation was shared via Resident Involvement email lists.
  - Full details of the consultation can be found Appendix E, however overall 90% of respondents support the Council's use of lifetime tenancies when issuing tenancies in the borough.
  - 70% of respondents support the Council's view that we should only use fixed term tenancies in limited situations.

### **List of Appendices**

[Appendix A – Homelessness and Rough Sleeping Strategy](#)

[Appendix B - Tenancy Strategy Housing Strategy 2021](#)

[Appendix C – Equality Impact Assessment](#)

[Appendix D – Homelessness and Rough Sleeping Strategy Consultation Summary Report](#)

[Appendix E – Tenancy Strategy Consultation Summary Report](#)