



Preventing homelessness and improving housing through expert advice, training and support to those working at the frontline

Here to help local authorities and advice agencies on 0300 330 0517

Government publications

- DCLG: [Written ministerial statement by Kris Hopkins on the final local government finance settlement 2015 to 2016](#) and the [funding breakdown per local authority](#)
- [Insolvency Service](#): plans to enable easier access to debt relief for financially vulnerable people announced by Business Minister
- Valuation Office Agency: [Local Housing Allowance \(LHA\) rates for April 2015 - March 2016](#)
- [Press release](#): extra money for councils to get people home from hospital more quickly and stop them from being admitted in the first place
- The annual statistical release evaluating the extent of rough sleeping is due from the DCLG on February 26, 2015: [results will appear here](#)
- [The latest minutes of the cross-government working group on homelessness](#)
- [Local Welfare Provision consultation outcome](#): summary of responses, including best practice examples starting on page 18. Note that this consultation has ended.

Housing Matters 104: February 2015

HOMAT Issue 104 is attached to this bulletin, complete with recent homelessness and allocation cases. You can also click the image below to download HOMAT.

Features and articles includes:



- a round-up of housing news
- the legal basis for arguing against an offer from children's services to accommodate a homeless child without her/his parents
- a template letter to use when children's services are suggesting they will offer to accommodate a child alone
- a feature on excluded occupiers, looking in particular at the impact of the 2014 Supreme Court decision in R(ZH and CN) v Lewisham LBC and Newham LBC
- a leaflet for homeless 16 and 17 year olds, advising them on what assistance they are entitled to, and on other support

NHAS: How we can help you and your Out of Hours Service

We extended our consultancy line opening hours to offer assistance to Out of Hours teams providing housing advice for local authorities. Whoever picks up the Out of Hours calls can now receive NHAS support with assessing what duty is owed, whether they are:

- an in house team
- another local authority department such as social services
- an outsourced service - such as a registered provider or local police; or
- a call centre providing your Out of Hours homelessness service

What type of calls are we getting?

Example 1

We received an out of hours call from HPU regarding a married couple and child who were homeless that night. The family are EEA nationals. Mrs X does not work. Mr X is employed but paid cash-in-

hand. The child is not yet in education. The HPU are adamant they have no duty towards the family because:

- Mr X has not paid tax & NI and so the work is illegal
- Mr X is only part-time
- HPU believe that Mr X does not have worker status
- So HPU are trying to pass on responsibility to Social Services

Our advice

Our consultancy line provided advice on:

- Interim (s.188) duty, and that arises if only **reason to believe** family are eligible
- EEA nationals and how they can acquire worker status
- Advice and guidance on workers who do not pay tax & NI and how case law and guidance does suggest someone is a worker in these circumstances
- Advice on how can retain eligibility even after loss of work

Example 2

We received an out of hours call from Social Services regarding a couple with children who have been evicted by their landlord. The couple told Social Services that they had been evicted because they were in arrears with rent due to Housing Benefit delays since a loss of employment. The couple were evicted by the Landlord without a court order. Social Services said that they contacted HPU who did not help on the grounds the family were intentionally homeless.

Our advice

Our consultancy line provided advice on:

- what Social Services needed to do that night – that HPU should provide interim accommodation
- the options available to Social Services about how they could get an advocate for the couple
- contact details for other organisations that could help (Shelter Helpline & CLA)
- Illegal eviction and the other options the couple have to take action against the landlord

What other ways can we help with Out of Hours?

In view of budgetary cuts, legislative changes and reductions in service teams, local authorities are faced with huge challenges in ensuring their services are fit for purpose. We have developed a webinar that provides local authorities with an opportunity to review their service and ensure it is effective and delivering their authority's housing strategy objectives.

The webinar provides:

- a refresher on the legislation (HA 1996 – Part VII S.188) and case law
- awareness of the impact that problems with the out of hours service can have on service users and local authorities
- different models of out of hours provision
- an opportunity to discuss and share good practice with other participants

Our next Out of Hours webinar is running on 23 February 2015. If you would like to book a place, or have any questions please email nhaswebinars@shelter.org.uk.

Welcome to our newest NHAS advice agency member

[Crisis UK Skylight project](#)

Recent research, reports and consultation updates

- Shelter research report: [Down the line - the future role of digital housing advice and support](#)
- YMCA England: [Delayed until further notice](#) is a new research report looking at barriers individuals face when looking to move on from supported accommodation

- DWP: [Consultation results for Universal Credit data sharing between DWP and local support providers](#) as part of the Universal Support (formerly LSSF) initiative
- MoJ enhanced fees consultation report: [Government Response to Part 2 of the consultation on reform of Court Fees and further proposals](#)
- [Crisis homelessness monitor report 2011-2016: year 4](#) - an independent analysis of the impact on homelessness of recent economic and policy developments in England. You can also download [presentations from the Homelessness Monitor: England 2015 event](#). Note the [Crisis annual conference - Homelessness: the next five years](#) is being held on Wednesday 11th March in London
- [NSPCC - All Babies Count](#): a report on how babies can be affected by homelessness and what can be done to help

Loan Sharks

Central and East Northamptonshire CAB have produced a briefing document about the prevalence of loan sharks. By loan sharks they mean someone who lends money without obtaining a license from the Financial Credit Authority.

[The briefing tells you how to spot the signs and what you should do.](#)

NHAS member Spotlight: NOMAD Sheffield



[NOMAD](#) is a support service in Sheffield dedicated to preventing homelessness and transforming the lives of vulnerable people.

Their SmartSteps programme helps single people aged 18-35 who are homeless or at risk of homelessness to move into shared private rented accommodation.

Their Burngreave Tenancy Support Scheme provides practical help and support to single people or families who need help in moving into their new home and settling into their new community.

The attached Spotlight piece discusses their wider role in Sheffield and why they considered joining the NHAS a crucial step in ensuring they remain relevant and up to speed on housing issues.

Advice Services Alliance

ASA has announced a new research project looking at the health impacts of advice giving. Find out more about the project and how you can provide examples on the [ASA website](#).

NHAS Housing Debt Casework (HDC)

Case study

This was a query from an advice agency concerning HB/LHA entitlement. The adviser wanted to know if the client, following relationship breakdown, would be able to receive Local Housing Allowance for a second bedroom which would be occupied by his children when they stayed.

Our advice

We looked up the current position in the **Guide to Housing Benefit 2014 to 2017**, Ch.4, 4.31, which quotes from the Housing Benefit Guidance Manual (the DWP guidance for local authorities who administer Housing Benefit and Local Housing Allowance):

- Where children spend equal time in different households they are treated as normally living with the person who receives or has claimed child benefit

- If no one has claimed CB or more than one person has claimed, the person responsible will be the person the authority considers has 'primary responsibility'
- Where the claimant is not responsible for a child, the child is excluded from the claimant's applicable amount and excluded from the size of accommodation the claimant needs

Recent HDC feedback

"The service given by all the staff was unbeatable."

"I will continue to use this service as often as I can."

"I cannot thank my caseworker enough for her support and negotiating a solution to our problem."

The HDC team is a specialist housing debt and welfare benefits advice service for local authorities, bureaux and member advice agencies to help clients struggling to pay their housing costs. We can support you to work through your client's housing debt case, or you can refer the case to us and we will work directly with the household (with their agreement).

For initial advice or to make a HDC referral call the consultancy line on **0300 330 0517**.

Legal update

Titina Nzolameso is seeking to overturn a Court of Appeal judgement in October ([Nzolameso v City of Westminster \[2014\] EWCA Civ 1383](#)) which ruled that London councils can house families outside of the capital without having to make closer checks to see if properties are available.

The Supreme Court hearing will be heard on 17 March, and we will bring you any further news via this bulletin.

Youth Access approaches and campaigns

Youth Access have developed a unique approach combining a range of complementary interventions including advice work, counselling and other therapies, youth work, health clinics, advocacy and community education.

Download a copy of [YIACS: an integrated health and wellbeing model](#).

[Make Our Rights Reality](#) is a campaign, including a manifesto and petition, calling on the Government to improve young people's access to information, advice and representation they feel is need to become active members of society.

DWP updates

- [Discretionary Housing Payments allocation per local authority for 2015/16](#) - overall fund reduced by £40m
 - [Plans to double the maximum administrative penalty for benefit fraud from £2k to £5k](#)
 - [Lists of the local authorities and jobcentre areas that will begin to deliver Universal Credit between February and July 2015](#)
 - [Press release](#): Universal Credit will be available to families in more areas across the country, from today (January 26)
 - [HB Circular A9/2014](#): Information for local authority staff about temporary accommodation in Housing Benefit and Universal Credit (reminder, initially released March 2014)
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National Homelessness Advice Service



Free housing consultancy line: providing housing advice and confirmation in writing - available Monday to Friday between 9am to 5pm - 0300 330 0517

Training from housing and homelessness experts: providing face to face courses, webinars and 'bitesize', podcasts & briefings - <http://nhas.org.uk/Training>

Housing Debt Casework (HDC): supporting you to help households with housing related debt. For initial advice or to make a referral call the consultancy line on 0300 330 0517

We'd like to thank all members for completing the DCLG survey about the NHAS service and will share a summary of results in a later edition of this bulletin.

We hope you find our e-bulletins useful, please share the information with your colleagues. If you'd like to be added to or removed from our distribution list, or have problems accessing any of the materials in the bulletin, please email nhas@shelter.org.uk.

Regards,
The NHAS Team

NHAS is a partnership between Citizens Advice and Shelter, funded by the Department for Communities and Local Government. We support the prevention of homelessness by enabling frontline providers to deliver good quality housing and homelessness advice.

Free Telephone Consultancy Line for Local Authorities and Advice Agencies 0300 330 0517
<http://www.nhas.org.uk/>