

KNOWES HOUSING ASSOCIATION LTD	
Policy Name	Homelessness
Policy Category	Housing Management
Policy Number	HM18
Date to Housing Management Sub-Committee	January 2023 (signed)
Previous Review	January 2020
Next Review Date	January 2026
Links to other Policies	Allocations Policy (HM04) & Leasing Policy (HM19)
Consultation	Internal

1. POLICY AIMS

The aims of this policy are to ensure that Knowes Housing Association is committed in assisting in the management of homelessness in the West Dunbartonshire Local Authority area. We also have an agreement with East Dunbartonshire Council to help manage a small number of homeless clients from this local authority area.

This policy will detail how this commitment will be delivered through various means, including sustainability and support of tenancies, and partnership working.

While housing is not the only dimension in dealing with homelessness, the Association recognises the principle that everyone should be entitled to dry, warm, affordable and secure housing, and that good housing is crucial to other factors such as family life, physical and mental health, employability and the creation of sustainable communities.

In the main this policy takes account of Housing Charter outcomes, 7,8 and 9

Social landlords work together to ensure that:

- people looking for housing get information that helps them make informed choices and decisions about the range of housing options available to them

- tenants and people on housing lists can review their housing options.
- Social landlords ensure that: people at risk of losing their homes get advice on preventing homelessness.

These outcomes cover landlords' duties to provide information to people looking for housing and advice for those at risk of becoming homeless. This could include providing housing 'health checks' for tenants and people on housing lists to help them review their options to move within the social housing sector or to another sector.

2. LEGAL FRAMEWORK

There is a raft of legislation which is related to homelessness and homeless-related issues, many of which do not impact directly on the way the Association delivers its service to homeless people. However the key legislation which is directly relevant to the Association is :-

- ✓ ***Housing (Scotland) Act 2001 – Sections 5 & 6***
- ✓ ***Homelessness etc. (Scotland) Act 2003***
- ✓ ***GDPR 2018***
- ✓ ***Housing (Scotland) Act 2014***

The 2001 Act refers to the role the Association has with the local authority, and for the first time introduced statutory obligations on Registered Social Landlords for dealing with homelessness.

The 2003 Homelessness Act is an amendment of the 1987 Housing (S) Act Part 2, which laid down how local authorities would deal with homeless applicants. The full impact of this legislation was to dramatically reduce homelessness throughout Scotland through effective prevention, resolution and sustainability techniques. Initially, the anecdotal evidence locally was that there were a sharp increase in homeless presentations, however this trend has now turned mainly due to the aforementioned working practices and presentation would appear to be at an all time low.

GDPR legislation is applicable as it is imperative that homeless applicants, like any other individuals in the community, are treated with respect and in confidence. It is important therefore to ensure that the requirements of data protection legislation are observed.

The Housing (Scotland) Act 2014 introduced new legislation giving reasonable preference to homeless persons and persons threatened with homelessness and who have unmet housing needs (but not if they only become such persons as a result of a local authority landlord having regard to a 'restricted person'⁵).

3. PREVENTION & SUSTAINABILITY

Knowes has a very open Allocations Policy which promotes **access** to the housing lists of the Association. The Housing Management team of the organisation are always available to provide appropriate advice on how to access West Dunbartonshire Council's (WDCs) Homeless Service.

The **prevention** of homelessness and early intervention to **resolve** potentially homeless situations are seen as paramount within Knowes HA and advocates this through their arrears and ASB recovery procedure and through support and advice from other agencies.

Eviction is always seen as a last resort for the Association and detailed procedures reflect this. During the initial stages to repossess a property, there will be a number of visits, interviews etc by Knowes Housing staff, and in some occasions contact from WDC Homeless Officers. Action will be taken to resolve any tenancy issues that could result in eviction action such as non-payment of rent or ASB. Knowes staff and WDC Officers will continue to try and make contact with the tenant even at the latter stages of legal action to try and resolve the tenancy problems.

The Association will refer the tenant to WDCs Housing Support Team/Homeless Prevention Team who will endeavour to make contact quickly with the tenant to provide **information and advice** and **offer support** as required – this is in a bid to prevent a homeless situation occurring and sustaining the tenant in their home.

4. PARTNERSHIP WORKING

There is no procedure for managing Homelessness as this is covered under the Section 5 Protocol and our Allocations Procedure.

Section 5 Protocol

In accordance with Section 5 of the Housing (S) Act 2001, the Association have a signed protocol with West Dunbartonshire Council which details the liaison arrangements and referral process between the 2 organisations. This is supported by quarterly meetings between representatives of WDC and Knowes Housing Association to discuss any operational matters.

Through the Section 5 Protocol the Association manages the requests from WDC for accommodation for homeless people, unless there are good reasons for not doing so.

In addition to the Section 5 Protocol there is further evidence of **Partnership Working** with the local authority through the Policy on Serious Violent/Sexual Offenders, which sets out the position of both organisations in cases such as this, which usually have a homelessness element to them.

Nominations Agreement

In addition to the Section 5 Protocol the Association also has an agreement with East Dunbartonshire to accept nominations from them for homeless applicants within their local authority area to be nominated for a property with us. This agreement is reviewed every 3 years.

5. PROVISION OF TEMPORARY ACCOMMODATION

In response to the legislative changes imposed by the 2001 and 2003 Acts referred to in Section 2 of this Policy, WDC have a Temporary Accommodation Service.

In order to assist WDC in this regard the Association will endeavour to make available properties for use for the purposes of temporary accommodation. There are currently no properties leased to WDC. Any request submitted by WDC will be discussed and only following approval by the Sub-Committee of the Association and consent from the Scottish Housing Regulator, will temporary property be provided.

6. POLICY REPORTING

The Housing Management Sub-Committee are kept updated on lettings through the lettings report and also receive a quarterly Section 5 report which details that quarters situation with referrals received and rehoused. We also provide the subcommittee with a nominations report. Any policy related issues connected with homelessness will also be passed to the Housing Management Sub-Committee for discussion and approval.

7. EQUALITIES COMMITMENT

Knowes Housing Association Ltd is committed to tackling discrimination on the grounds of sex or marital status, racial grounds, or grounds of disability, age, sexual orientation, language, social origin, or of other personal attributes, including beliefs or opinions, such as religious beliefs or political opinions.

Knowes' seek to embrace diversity, promote equal opportunities for all and eliminate any unlawful discrimination in all areas of our work.