

Policy Fact Sheet: Duty to assess all eligible applicants' cases and agree a plan

What is the duty to assess all eligible applicants' cases and agree a plan?

This measure (in Clause 3) will require local housing authorities (LHAs) to carry out an assessment in all cases where an eligible applicant is homeless, or at risk of becoming homeless. Following this assessment the LHA must work with the person who has applied for help, to agree the actions to be taken by both parties to ensure the person has and is able to retain suitable accommodation. Of these actions, there will be a small number of key steps the individual would be required to take. These steps would be tailored to their needs and be those most relevant to securing and keeping accommodation. These actions must be reasonable and achievable.

What is the measure hoping to achieve and why is the Government supporting this?

This measure is designed to determine the needs of the applicant and those actions required to address an applicant's housing problems. The LHA and applicant will work together to understand what needs to happen to prevent and alleviate their homelessness.

Through this more individualised approach, the hope is LHAs will be more effective in preventing and alleviating an applicant's homelessness.

The Government wants to ensure that the needs of vulnerable individuals who may have difficulty in participating in the homeless prevention activities of their LHA are taken into account. By assessing the applicant's needs, and creating an individualised plan, the LHA would need to understand the individual's requirements, in particular whether they have any specific vulnerability that would need to be considered and reflected in the personalised plan.

This is similar to a measure introduced in Wales, where the early signs are that personalised plans are working well.

Why is legislation needed?

Under the existing law, if the LHA has reason to believe that an applicant may be homeless or threatened with homelessness, then they are required to make inquiries. These inquiries are centred around whether they think the applicant is eligible for assistance and what type of assistance they are eligible for under the law.

Currently, while some LHAs do go further, LHAs are not required to assess the circumstances that caused the applicant to be homeless or threatened with homelessness. This means a missed opportunity to find out what led to the person's risk of homelessness. Nor are they required to complete a personalised plan.

The new approach, which requires an assessment of the applicant's circumstances, and the housing needs of and support required for the applicant and any other relevant persons, will help LHAs to respond more effectively to individual circumstances through providing more tailored support.

How do we see this working in practice?

Personalised plans are working in Wales, and some LHAs in England, such as Trafford Council, are taking a similar approach. We will apply the learning from these examples in developing the detailed guidance¹ on how this measure should be implemented.

Key questions and answers

Won't this place a huge administrative burden on local authorities?

We have been considering the financial impact of all measures on local authorities, and the Government is committed to funding the cost of new burdens. The LHA and applicant working together to understand what needs to happen to prevent or alleviate the applicant's homelessness is critical to addressing homelessness and preventing a more expensive homelessness crisis.

What happens if people do not agree with the actions recorded in their personalised plan?

If the applicant and the LHA cannot agree the actions then the LHA must put in writing why they could not agree, what steps they think it would be reasonable for the applicant to take and what steps the LHA will take.

What happens if applicants who are not in priority need do not meet the actions set out in their personalised plan?

If the LHA considers that the applicant is deliberately and unreasonably refusing to co-operate then it must give them a warning. The warning must explain that a notice will be served which has consequences for how the LHA will work with the applicant if the applicant does not begin to co-operate.

There are different outcomes for households depending on their level of housing need if they are not co-operating with the LHA and the applicant continues to refuse to co-operate.

¹ The Bill will also give the Secretary of State a power to issue a statutory code of practice if it becomes apparent that standards are not being met.

The Government will make regulations setting out the procedure to be followed by LHAs².

How will you make sure that the key steps set out in the personal housing plan are things a specific applicant can achieve?

As part of the applicant's assessment, the LHA will have to look at the particular circumstances and needs of the applicant including the reasons for their homelessness or threatened homelessness and the support they need to be able to have and retain suitable accommodation.

Following this assessment the LHA must work with the applicant to agree the actions to be taken by both parties to ensure the applicant has and is able to retain suitable accommodation.

² See separate factsheet "Policy Fact Sheet: Non-Cooperation" for further detail of this measure.