

Bury Council

Homeless Rescue Fund

Policy and Procedures



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Approvals (This document requires the following approvals)

Name/Title	Signature	Issue Number	Date of Issue
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1.0 Introduction

- 1.1 The HRF is a discretionary fund held by the Council under the general power of competence by the Localism Act 2011 to promote the social and economic wellbeing of individuals and families the borough at risk of homelessness.
- 1.2 The fund is available for use across all tenure types within social housing, the private rented sector and for homeowners, and is intended to enable households to stay in their homes or secure new accommodation. It operates on the basis that early support will assist applicants to the fund, to resolve their situation before their situation deteriorates further and requires more costly interventions.
- 1.3 Awards of up to £1,000 are available. All cost/expenditure requires the prior express consent of the Council and must be directly related to actions that will prevent homelessness.
- 1.4 Awards will be made via a loan agreement and will be repayable save in exceptional circumstances.

2.0 Administration of the Policy

- 2.1 Applications will only be considered for funding if the proposed actions will stop the household from presenting to the Council and claiming to be statutorily homeless.
- 2.2 All applications must be made through the Housing Assessment Service where investigations will be carried out to determine whether the Homeless Rescue Fund is the appropriate option to prevent homelessness.
- 2.3 The cost/expenditure must not exceed £1000 per application. All expenditure decisions including the amount of the award are at the discretion of the Council.
- 2.4 The Council may refer applicants to other sources of financial support or other assistance where this is considered appropriate in the circumstances.
- 2.5 The procedure for application is outlined further in Appendix 1.

3.0 Eligibility Criteria and Application of the Fund

- 3.1 To qualify for funding, the household must meet the statutory homeless criteria as set out in the Housing Act 1996 (as amended by the Homelessness Act 2002) and be in priority need (see Appendix 2).
- 3.2 Such instance of homelessness must not be intentional.
- 3.3 The applicant for funding must be part of the household facing homelessness. Joint applications will be accepted but applications made by a third party (eg by a landlord) will be rejected.

- 3.4 The applicant to the fund must be over the age of 18 and must have a local connection as defined in the Bury's Housing Allocations Policy.
- 3.5 Payments will only be made where:
- All viable options to avoid statutory homelessness have been explored. To assist in this process, it is expected that the applicant to the fund will co-operate with the Council (and other external bodies as appropriate) during the application process. Failure to do so could result in the application being delayed or rejected for lack of evidence.
 - There is confirmation to the reasonable satisfaction of the Council that the household is in genuine financial difficulty. Documentary evidence would generally be required to provide verification of income and expenditure, including proof of state benefit entitlements, production of bank statements and information from the Council's rent account if applicable.
 - Households can demonstrate to the reasonable satisfaction of the Council that they can afford to remain in the property following payment from the fund for a period of up to 12 months.
 - It results in the threat of homelessness being removed.
 - The action needed to eliminate homelessness or the threat of becoming statutorily homeless costs under £1,000.
- 3.6 Payments will not be made:
- Simply to clear outstanding debts whether or not these are accommodation related, including rent arrears. Financial assistance is there to help the applicant resolve issues and remove the risk of homelessness.
 - If investigations indicate that the applicant to the fund could be entitled to additional benefits but chooses either not to claim them or explore this as an option.
 - If the cost of assistance exceeds £1,000.
- 3.7 In exceptional circumstances whilst determining the application, consideration will be given as to specify whether the applicant to the fund is required to repay the amount awarded. In coming to this conclusion, the Council will take into consideration the type of the support being funded, timescales and the applicant's financial circumstances and ability to pay. Where the applicant is unable to afford repayment, a grant arrangement will be considered on a case-by-case basis. In relation to grants up to £500 this will be agreed with the Service Manager – Housing Assessment and for grants above this sum, the Strategic Lead Inclusion
- 3.8 In cases where an applicant to the fund is not eligible for financial assistance from the fund, the Council will continue to provide appropriate advice and guidance.

4.0 Monitoring

- 4.1 Payments from the fund will be recorded and monitored by the Service Manager – Housing Assessment.
- 4.2 The particulars of each case will be recorded on the Homeless Prevention Database. This will include details of the payment, full contact details and the household's background information for equality and diversity monitoring purposes.
- 4.3 The policy and procedures will be reviewed annually to take account of any changes in the current legislation.
- 4.4 The impact of the fund will be evaluated annually by looking at the effect of decisions on homelessness and cases of repeat homelessness.

Appendix 1 - Procedures for Administration of the HRF

Applications to the fund by potential households will be interviewed by a member of the Housing Assessment team to:-

- Determine that they are at risk of homelessness
- Establish they qualify under priority need
- Explore potential options to prevent statutory homelessness
- Where a loan arrangement has been agreed, officers should ensure that the applicant understands that the payment is a loan and not a grant and that they understand the implications of not meeting their loan payments
- Ensure that the applicant can afford the loan re-payment amounts where applicable

As part of the interview, confirmation will be sought that the applicant/household can afford to remain in their existing home if support from the fund was to be provided. Evidence is required to support all applications which should include:

- Written notification from lender/landlord detailing the amount of arrears;
- Confirmation of court action e.g. Eviction Notice or Notice Seeking Possession (NSP); if available.
- Proof of earnings/income – wage slips, bank statements, benefit details, correspondence from employer etc.
- Proof of regular rent/mortgage payment

All applicants will complete a full financial assessment and receive help with budgeting and debt management. A financial statement shall be prepared detailing all income and expenditure to establish affordability in the long term.

Following the interview and investigation, an application will be completed setting out the reasons why they believe that the applicant/ household are eligible and are able to sustain their existing accommodation in the future, once assistance from the fund has been provided.

Payment from the fund will only be made to applicants/households who are willing to act on debt advice in order to resolve the problem that has caused the hardship in the first place. In some circumstances referral to Citizen's Advice Bureau may be appropriate.

All payments (up to £500) must be approved by the Service Manager Housing assessment. Payments above £500 must be approved by the Strategic Lead Inclusion

If the amount awarded is to be repaid, the amount will be recouped from the applicant via set monthly repayments (minimum £10 per month). Once the loan is approved, the investigating officer requests that a Recurring Card Payment (RCP) be set up with the applicant following the RCP procedure. If the applicant does not hold a suitable bank account then a re-payment card will be issued to the customer clearly defining the weekly amount to be repaid.

Applicants defaulting on payments will be invoiced for the outstanding amount. Further action will be taken if necessary to recoup the money.

In the case of a payment to secure a private-rented property, the investigating officer will arrange for payment to be made to the landlord or their agent. Payments will not be made to individual applicants/households.

For goods and services provided through the fund, the investigating officer will arrange for their provision with an approved provider in line with the Council's procurement processes and Financial Regulations.

In exceptional circumstances whilst determining the application, consideration will be given as to specify whether the applicant to the fund is required to repay the amount awarded. In coming to this conclusion, the Council will take into consideration the type of the support being funded, timescales and the applicant's financial circumstances and ability to pay. Where the applicant is unable to afford repayment, a grant arrangement will be considered on a case-by-case basis. In relation to grants up to £500 this will be agreed with the Service Manager - Housing Assessment and for grants above this sum, the Strategic Lead Inclusion.

Applicants who are dissatisfied with the way their application has been handled will have recourse to the Council's Corporate Complaint Procedure.

Appendix 2 – Priority Categories (used as part of the determination to ascertain whether a household could claim to be homeless under The Housing Act 1996 (as amended)).

The following categories are considered to have a priority need for accommodation, according to Part VII of the Housing Act 1996:

A pregnant woman or a person with whom she resides or might reasonably be expected to reside;

A person with whom dependent children reside or might reasonably be expected to reside;

A person who is vulnerable as a result of old age, mental illness, physical disability or other special reason, or is someone with whom such a person resides or might reasonably be expected to reside;

A person who is homeless or threatened with homelessness, as a result of an emergency such as flood, fire or other disaster;

A person (other than a person to whom paragraph (6) below applies) aged sixteen or seventeen who is not a relevant child for the purposes of Section 23A of the Children's Act 1989;

A person to whom a local authority owe a duty to provide accommodation under Section 20 of that Act (provision of accommodation for children in need).

A person (other than a relevant student) who:

(a) Is under twenty-one; and

(b) At any time after reaching the age of sixteen, but while still under eighteen, was, but is no longer, looked after, accommodated or fostered.

A person (other than a relevant student) who has reached the age of twenty-one and who is vulnerable as a result of having been looked after, accommodated or fostered.

A person (other than a relevant student) who has reached the age of twenty-one and who is vulnerable as a result of having been a member of Her Majesty's regular naval, military or air forces

A person who is vulnerable as a result of:

i) having served a custodial sentence (within the meaning of Section 76 of the Powers of Criminal Courts (Sentencing) Act 2000;

ii) Having been committed for contempt of court or other kindred offence, or

ii) Having been remanded in custody (within the meaning of Paragraph (b), (c) or (d) of Section 88 (1) of that Act).

A person who is vulnerable as a result of ceasing to occupy accommodation by reason of violence from another person or threats of violence from another person which are likely to be carried out.