



REVIEW OF CITY OF LONDON ROUGH SLEEPING: CREDIBLE OFFERS POLICY

1.0 Overview

The City of London's Credible Offers policy for rough sleepers aims to provide an immediate post COVID-19 response and a longer-term framework for outreach and resettlement staff working in the City, including management and recording arrangements for credible service offers.

Homeless Link is a recognised expert on sector good practice – working with homelessness organisations across England to develop new approaches and improve current practice to supporting people out of homelessness.

Homeless Link has been asked to review the City's draft Credible Offers policy, to provide an independent perspective and ensure it offers a fair and equitable approach for people sleeping rough in the City. The work has involved two elements:

- Review of the draft policy
- Discussions with commissioners in comparator London boroughs and GLA, to understand their current approach to credible accommodation offers for rough sleepers and to highlight good practice which might be applicable to the City's policy.

2.0 Policy review

The Credible Offers policy has been reviewed using the following agreed criteria:

- Does the policy support relevant national and local legal requirements and strategic aims around rough sleeping?
- Does the policy cover credible offers for all cohorts of rough sleepers in the City, ie: people with support needs, UK and non-UK nationals and people with NRPF (No Recourse to Public Funds)?
- Is there is a clear process for making credible offers, including any right of appeal?
- Is the policy feasible in terms of meeting the accommodation and support needs of rough sleepers in the City and providing the resources which are likely to be needed to achieve this?

2.1 Does the Credible Offers policy support relevant national and local legal requirements and strategic aims around rough sleeping?

The following are relevant to the Credible Offers policy:

- The Rough Sleeping Strategy (MHCLG, 2018)
- Mayor of London's Rough Sleeping Commissioning Framework (GLA, 2018)
- City of London Homelessness Strategy, 2019-23
- City of London Temporary Allocation Policy (2019)
- Homelessness Reduction Act (HRA).

The draft Credible Offers policy supports national and local strategy objectives through its promotion of a rapid housing response. This provides a route away from homelessness for people sleeping rough in the City, helps to prevent repeat homelessness and provides a rapid and sustained resolution to this when homelessness takes place.

The draft policy's comprehensive criteria about what constitutes a credible offer – including safety, affordability and with access to support to meet service users' individual needs – makes it more likely that rough sleepers will take up move-on offers and sustain this accommodation in the longer-term. This approach also supports the London Mayor's commissioning priorities around preventing repeat and entrenched homelessness. In addition, the City's draft policy supports the Mayor's Commissioning Framework's cross-cutting priority around tackling rough sleeping amongst non-UK nationals.

The draft policy is consistent with the overall aims of the Homelessness Reduction Act and provides a comparable level and type of support to that given to single homeless people who make a homelessness presentation under this legislation:

- Both the HRA and draft Credible Offers policy ensure all applicants receive a comprehensive assessment of their housing and support needs; this includes people who lack a local connection to the City of London
- Both ensure that accommodation offers are accessible to the individual for at least six months and take account of their individual accommodation and support needs
- Neither the HRA nor the Credible Offers policy undertake to make a further accommodation offer to individuals who are found via assessment to have existing safe, suitable and available accommodation elsewhere.

The offer made to rough sleepers and single homeless people in the City potentially differ in two respects:

- **Local connection requirements.** The draft Credible Offers policy sets out an intention to ensure that all rough sleepers in the City with recourse to public funds are offered accommodation and necessary support to take up that accommodation, regardless of their local connection.

Comment. As it is difficult to ascertain the local authority area of origin for many people sleeping rough in the City, this can be viewed as a pragmatic solution and also one which is likely to reduce levels of rough sleeping, especially entrenched rough sleeping, in the City.

- **Second accommodation offer.** The draft Credible Offers policy allows for rough sleepers to receive a second accommodation offer in certain circumstances.

Comment. In practice the approaches taken by the HRA and the Credible Offers policy are similar, as both seek to ensure that final accommodation offers fulfil suitability criteria. Both the Credible Offers and HRA involve a single 'live' offer being available at any point in time.

The draft Credible Offers policy is consistent with the approach set out in the City of London Temporary Accommodation Allocation Policy:

- Both apply a similar range of criteria for suitable accommodation offers, ie: availability, affordability, including space standards and Health & Safety considerations
- Both allow the City to search for and make accommodation offers outside the City boundaries, where suitable accommodation is not available locally and/or there is a need to widen the pool of affordable housing
- Both for accommodation offers within the private rented sector
- Both contain similar commitments to housing individuals close to public transport, shops and other facilities.

Other criteria contained in the City's TA Allocation Policy, such as the need for access to childcare and workplaces, are less likely to be applicable to the City's rough sleeping cohort. It is therefore justifiable to exclude them from the Credible Offers policy.

2.2 Does the Credible Offers policy cover all cohorts of rough sleepers in the City?

The draft policy is applicable to all rough sleepers who have been temporarily accommodated by the City and are not owed a duty under homelessness legislation. It is clear that credible offers are not made in the UK to rough sleepers with NRPF (these individuals are offered supported reconnection to their home country).

The draft policy commits to providing accommodation which meets the housing and support needs of individuals and which is 'safe and sustainable' for them. It is assumed this includes access to relevant support services – especially mental health and substance misuse. These are highlighted in the City of London Homelessness Strategy as being common underlying causes of rough sleeping and homelessness.

2.3 Is there is a clear process for making credible offers, including any right of appeal?

The draft policy sets out criteria for what constitutes a credible offer, including: meeting an individual's accommodation and support needs, affordability, safety and proximity to existing social networks and developing a move-on plan, where this is required by the accommodation provider. The draft policy explicitly excludes unsupported ('ticket-only') reconnections from credible offers.

It is clear which staff are involved in developing credible offers (outreach and/or assessment centre staff) and how rough sleepers are involved in the process. The draft policy makes clear that credible offers are a mutually agreed decision between staff and service users (rather than meeting a legal definition of suitability). Discussions/decisions are recorded and service users are given copies.

The draft policy does not specifically state if non-UK rough sleepers have the right to be accommodated temporarily by the City whilst their immigration status is being investigated and what happens to people who are unwilling to engage with the reconnection process.

The draft policy sets out the right for service users to review their credible offers, how this process works and that this review may lead to an alternative credible offer.

It is clear what happens if service users subsequently refuse this final offer.

Comment. The draft policy states outreach workers should 'keep looking for other opportunities' for rough sleepers. It is assumed that this involves re-stating the previous/existing offer to service users, rather than making a further credible offer and that this has not been stated in the policy because this might discourage take-up of the existing credible offer.

2.4 Is the draft policy feasible in terms of meeting the accommodation and support needs of City rough sleepers and the resources which are likely to be available to achieve this?

Policy implementation is supported by the provision of a 24/7 assessment centre (which acts as a base for carrying out needs assessments). There is a stated commitment to increase the availability and affordability of accommodation, including: supported accommodation, PRS, Clearing House and Housing First. Policy implementation is also supported by commitments around providing adequate funding for support, travel costs, home items and rent deposits. Access to floating support services are not explicitly mentioned, but are assumed to be part of this package.

The recognition that it is not possible to meet all City of London rough sleepers' preferences in relation to accommodation type and area is realistic given housing market pressures across London.

Comments:

- The draft policy does not specifically mention ensuring sufficient outreach capacity for rapid initial engagement and assessment and maintaining an assertive and consistent approach to reinforcing credible offers.
- The draft policy does not mention the possibility of enforcement action at any point. This might be especially relevant if individual rough sleepers are involved in begging and other behaviours that cause nuisance and/or which may sustain them on the streets. This could be argued to have a wider impact on rough sleepers' mental and physical health and wider community needs.

3.0 Discussions with comparator boroughs

Short discussions were held with commissioners in: Hackney, Lambeth and Westminster and also the GLA's Rough Sleeping, Housing and Land team. Discussions focused on the following key areas:

- The extent and scope of the approaches used
- The process for making credible offers
- Practice around reconnections
- Steps taken when service users refuse credible offers.

3.1 Scope of policy and approaches used

All comparators utilise a system of credible offers for rough sleepers in their area. However, the City is currently alone in having written a comprehensive policy setting out its approach. It has therefore not been possible to provide copies for this review.

GLA is currently developing a move-on policy for rough sleepers accommodated in hotels procured during the COVID-19 outbreak. This applies to the five service providers involved in supporting residents (St Mungo's, Look Ahead Care and Support, DePaul, SHP and Thames Reach), but not other service providers or boroughs. It is understood the final policy will cover all rough sleeper cohorts. However, work to date has focused on the approach for 'complex' groups: non-UK nationals and residents in 'shielding' groups.

3.2 Approach to making credible offers

The City's draft policy is consistent with comparators in seeking to provide a person-centred, psychologically and trauma-informed approach for assessing rough sleepers' support needs and developing a move-on offer and in seeking multi-agency input into this process, where possible. These elements are commonly understood to improve the quality of move-on offers, rough sleepers' commitment to the process, their preparedness and likelihood of sustaining a tenancy in the longer-term.

Hackney, Lambeth and GLA follow a similar approach to the City in having a credible offer process which relates to all accommodation residents. Westminster's approach differs in that it makes single service offers to people in its assessment centre, but not automatically to hostel residents. The rationale for this is that all hostel residents have significant needs and require a more nuanced approach to achieve move on.

The City follows a similar approach to comparators in that move-on offers are commonly made into shared or self-contained PRS accommodation – with other options, such as supported housing and Clearing House tenancies being reserved for more vulnerable or complex rough sleepers. Similarly, both the City and comparators expect service users to consider out of area moves – most likely in an outer London borough. Hackney goes further by including out of London areas within its move-on offer. In line with the City, all comparators give service users clear messages about the above as early as possible in their stay, to better manage expectations.

The City's policy goes further than comparators in setting out comprehensive criteria for what constitutes a credible offer, including affordability and social capital considerations. This is a useful addition, which is likely to provide greater clarity for both service users and staff involved.

Unlike the City, comparators do not offer a formal right of review of credible offers and the possibility of a second offer. GLA has agreed in principle that service users within complex groups will be allowed a 'reflection period' after receiving their credible offer. This sets up the possibility of a second offer in certain cases.

The GLA policy is also expected to contain a timeframe for service users to consider their credible offer. This includes:

- The 3-day 'reflection period'. The aim is to allow service users time to disclose additional issues which may affect take-up of their offer, such as: sexuality or history of trafficking
- A further 4 days to prepare to move on – making necessary links with friends/family, statutory and/or voluntary services.

The GLA policy is also expected to state the offer of translation services to support rough sleepers whose first language is not English to understand their credible offer.

Following review, Westminster has simplified the language used in move-on letters given to service users and increased pictorial representations. This is considered to have increased vulnerable service users' understanding of the process and take-up of offers

3.3 Local connection and reconnections work

The City's policy is consistent with comparators: all offer reconnection to a home area for rough sleepers who lack a local connection to the presenting borough. Non-UK nationals with additional support needs are commonly offered voluntary reconnection via specialist services, including Routes Home (run by St Mungo's). Where possible, access is provided to supported, rather than 'ticket only' reconnection services, to increase the chances of success and reduce repeat homelessness.

The City's policy goes further than comparators in stating explicitly that non-supported reconnection does not constitute a credible offer and in guaranteeing service users a detailed move-on plan containing details of the support they can expect to receive in the area they are reconnected to.

3.4 Refusing credible offers and appeals

The City's policy takes a similar approach to comparators in in using eviction from accommodation as a last resort for service users who have refused a credible offer.

Discussions indicate that, in practice, eviction is much more likely with residents who have low support needs and that more flexibility is applied in enforcing credible service offers with residents who are considered more vulnerable. However, this is not set out in written policies.

Some comparators do not have a fully-developed approach around responsibilities for outreach and other staff around working with service users who have refused credible service offers and returned to rough sleeping. The City's setting out of such expectations in its policy is a good practice measure which is likely to reduce the length of time people spend on the streets during these periods.

4.0 Summary and recommendations

The City's draft Credible Offers policy provides a comprehensive approach for all rough sleepers which is aligned with relevant national and local legal requirements and strategic aims around rough sleeping and supported with adequate resources. Discussions with comparators indicate the City's approach is in line with practice in these areas.

To further strengthen its approach, the City may wish to consider the following for inclusion in its final Credible Offers policy:

- Clarify if rough sleepers have the right to be accommodated temporarily by the City whilst their immigration status is being investigated
- Clarify if enforcement action will ever be considered to increase take-up of credible offers by service users involved in begging and behaviours that cause nuisance and/or which may sustain them on the streets
- Include an expectation that service users also consider moves to out of London areas

- Following the GLA example, set out a timeframe for service users and staff around considering credible offers and preparing for move on
- Explicitly state that translation services will be offered as necessary to enable non-English speakers to fully understand their credible offer
- Review the language and style of credible offer letters given to service users to increase clarity and accessibility.