

Joint working for inclusion in housing – executive summary

Introduction

Exclusion from social housing has been identified as an important factor contributing to homelessness. In order to gain a better understanding of the issues facing social landlords and partners in maximising inclusion in access to social housing, and to identify the barriers to and success factors for effective partnership working in this area, the Assembly Government has undertaken this small-scale research study. It aims to learn from current thinking and examples of good practice in joint working in Wales and elsewhere in the UK. In particular it looks at the arrangements in Cardiff for joint working to plan for housing inclusion, such as the Common Exclusion Policy and Exclusions Panel.

The research aims are to:

- Provide an overview of current thinking in the UK on good practice in joint working to minimise exclusions from social housing;
- Establish a broad picture of current practice in Wales;
- Investigate and assess joint working arrangements in Cardiff; and
- Make recommendations to form the basis of guidance for local authorities and their partners on arrangements for reviewing the needs of excluded individuals, reducing levels of exclusion and providing support to excluded individuals to work towards re-inclusion.

In this study, exclusion refers to applicants' lawful non-admittance to a waiting list or housing register, or being given no priority or preference on the basis of the test of unacceptable behaviour, whether temporarily or permanently. In practice this is often referred to as 'suspension', as most exclusions are time-limited. It can also be referred to as 'non-admittance to' or 'removal from' a housing register or waiting list. The two main reasons for exclusion are anti-social behaviour and non-payment of rent arrears.

The study involved :

- Familiarisation with Welsh legal and policy context;
- Brief literature review covering position in Wales, Scotland and England;
- Survey of local authorities in Wales covering joint-working arrangements, exclusion policies and practices, monitoring arrangements and evidence of impact; and
- Cardiff case study.

Conclusions

Joint working by a social landlords and range of partner agencies is essential in assessing and reaching decisions about people at risk of exclusion. Sound decisions, based on full information, about housing inclusion and arrangements for managing the risks posed by some individuals will result in

better protection for communities, better reintegration of excluded or potentially homeless people, and long-term savings to other public services.

The Cardiff Common Exclusion Partnership is an excellent model of joint working and information sharing. It could be drawn upon in other areas of Wales, with adaptations to suit local circumstances. In particular, smaller authorities may wish to work in regional collaborations.

General practice in Wales

Progress towards common policies and partnership working on applications, allocation and exclusions is steady but slow, with many local authorities and housing associations still working in isolation from each other.

There is much good practice in Wales in application of guidance to consideration of exclusions. In general there is sufficient and satisfactory guidance and awareness of good practice on treatment of rent arrears and anti-social behaviour.

However there are also examples of poor practice. These include nomination agreements not being in place between some housing associations and local authorities; exclusions being made without clear criteria for re-inclusion; exclusion other than on the basis of the test of unacceptable behaviour and exclusion on the basis of rent arrears without a repayment schedule being set out. In particular there appears to be a need for clarification of the position on treatment of refusal of offers of accommodation as a ground for exclusion.

Cardiff Common Exclusion Partnership

The Cardiff model represents an excellent example of good practice in joint working to maximise inclusion in housing, balancing the individual needs and rights of applicants with those of the rest of the community. Its co-ordinated action and active risk management approach appear to have led to more appropriate placements and support and more sustainable tenancies. It provides a sound framework for ensuring consistency with flexibility in decision-making, based on sound evidence and judgement. It provides assurance and support for partners, and a simplified and clear system for applicants and those at risk of exclusion. The keys to success in joint working have been establishing a clear common purpose, open dialogue and genuine equal partnership between independent agencies. The approach is well respected in other areas and already being used as a model by some other authorities in Wales and England.

Possible areas for further improvement of the Cardiff model are:

- Revision of the letter issued to excluded applicants, to use plainer language and ensure that individuals know precisely what steps they need to take to work towards re-inclusion;
- Review of the treatment of rent arrears to ensure that the system of deferment does not amount to exclusion by another name;
- Resolve the question of assessment of applications for transfer within the local authority's or a housing association's own stock;

- Establishment of systems for evaluation of impact of the approach on the sustainability of tenancies, and for monitoring progress of included individuals. Ideally, it would also be useful to track those excluded through the Partnership.

Interviewees were clear that the model was not specific to the circumstances of Cardiff and could work in other areas of Wales. The majority felt that promotion of the model across Wales would be beneficial, and that the principles were universal. Some included the caveat that relationships would have to be developed locally, that no model could be taken 'off the shelf', and that different ranges of housing solutions would apply in areas with fewer accommodation and support options. Smaller authorities could gain efficiencies of scale and learn from each other by working regionally.

Recommendations

Local level

There is a strong case for all local authorities working towards a common exclusion policy and partnership with all housing associations operating in their area and with other relevant partners such as the Probation, Prison and Police Services. This work would be most effective if integrated with progress towards joint applications, registers and lettings plans. Many authorities, especially smaller ones, would benefit from working at regional level or adopting a similar approach and establishing communication links across regions or nationally, in order to:

- assist housing associations that work across local authority boundaries;
- avoid placing too great an administrative burden on cross-boundary services such as Probation or Police;
- share responsibilities between authorities and prevent 'off-loading'; and
- facilitate tracking of and information sharing about risky offenders.

In developing such an approach, local authorities and their partners would need to:

- dedicate staff resources to housing and safety issues, and particularly to the treatment of applications for housing by high risk individuals.
- Review the training needs of staff working in this area and of elected members involved in the process
- Establish arrangements for monitoring and evaluating any new approach, including measuring the impact on excluded households
- Ensure that arrangements observe current guidance and best practice, including having a single point of contact for applicants to all social housing, setting out clear criteria for re-inclusion when an individual is excluded, ensuring that exclusion is always on the basis of the test of unacceptable behaviour, and avoiding exclusion on the basis of rent arrears.
- Continue working to minimise evictions, which can lead to future exclusion and homelessness

National level

The Assembly Government will need to consider further how to promote and encourage joint working for inclusion in housing, and common housing registers, exclusions policies and lettings plans at local authority or regional level. It would be helpful to authorities and their partners if the Assembly Government facilitated dissemination of an approach based on that adopted in Cardiff, through workshops, development of guidance or a resource pack or networking. Any new arrangements would need to be developed to suit local circumstances, and it would not be possible to impose a package 'off the shelf'. However, some elements such as a list of potential partners (and parts of the authority), letter templates, information sharing protocols, health and safety checklists might be developed centrally.

Some areas of legislation or guidance appear to be either confusing or frustrating to authorities and/or housing associations. It would be helpful if the Assembly Government addressed the following issues:

- Promptly issue revised regulatory guidance for housing associations on exclusions and suspensions
- Clarify the position on treatment of refusals of reasonable offers of accommodation as grounds for exclusion
- Consider the case for refining or amending the following legislation:
 - the Priority Needs Order in respect of dangerous offenders, sex offenders and perpetrators of domestic violence;
 - the criteria for establishing a local connection;
 - the test of unacceptable behaviour, to allow for exclusion on the basis of current risk assessment;
 - the legal grounds for refusing an exchange of local authority properties between existing tenants, to include behavioural risk factors.
- When next reviewing its guidance, ensure that this acknowledges the challenges posed by the legislation.
- Review its position on the use of licences in general needs accommodation on temporary basis as alternative to exclusion
- Agree and issue guidance on good practice with the National Probation Service the issue of protocols on access to relevant information by local authorities and their partners for purpose of consideration of applications
- Consider the need for a funding framework for high intensity support and supervision of risky offenders, either through the introduction of a high level Supporting People tariff or by other means.
- In taking forward the recommendations of the Law Commission on security of tenure, establish the legal status of 'Bolton model' tenancy conditions and issue guidance to local authorities.
- Support further research, to track outcomes in terms of housing, lifestyle and offending for those considered for exclusion, whether approved for the housing list or excluded
- Support the development and delivery of training in awareness of exclusion issues for statutory and voluntary sector practitioners and elected members, building on the training already developed in Cardiff.