

# **Preventing Evictions Protocol**

## **A partnership agreement**

**April 2009**

# **Preventing Evictions Protocol**

**A partnership agreement between Newcastle City Council,  
Your Homes Newcastle, housing associations, and  
Supporting People**

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## Introduction and aims of this Protocol

Agencies in Newcastle have been working hard to prevent and tackle homelessness, with particular emphasis on preventing people who are known to be vulnerable from becoming homeless. This Protocol was originally agreed between the City Council (Strategic Housing, Supporting People, and Social Services) and Your Homes Newcastle (YHN) in 2006. It was reviewed during 2008, and this 2<sup>nd</sup> edition is the result of that review. This edition aims to improve the working of the Protocol, as well as widening its application to include housing associations and a broader range of social care agencies.

The simple principle behind the establishment of the Protocol is that where somebody is receiving support, social landlords will meet with those support agencies to work together to support the person to remain in their home.

The Protocol has already been seen to have led to a number of vulnerable people being able to keep their homes: the last 6 months of 2008 saw a reduction by 50% in the number of evictions from YHN homes compared to the same period in 2007. The fact that the Protocol has been cited as good practice in a number of national organisations' documents and websites is evidence of YHN's good work in making real the City Council's commitment to sustaining vulnerable people in the community<sup>1</sup>.

Sustaining vulnerable people in the community is now a key target of the Council, Local Strategic Partnership and Government as reflected in the Local Area Agreement<sup>2</sup>. The implementation of this Protocol is key to meeting these priorities and the evaluation of this work will be used to inform the commissioning of services.

Homelessness prevention is a key part of this, and it is an expectation of the City Council and its partners to achieve a reduction in the incidence of homelessness in the City, for the better protection of all residents.

The aim of the Protocol is to prevent homelessness. It seeks to do this by bringing landlords and support agencies together to ensure that vulnerable people:

- **are not set up to fail by being given a tenancy they cannot cope with -** risks have been identified, and support and other arrangements put in place from the start
- **have the support they need to cope with the demands of a tenancy**
- **are helped by the landlord and support agency working together (in a co-ordinated and integrated way) as soon as problems are identified, to minimise and manage any risk of the tenant not being able to manage their tenancy**
- **leave their tenancy in a planned way if they cannot cope**

<sup>1</sup> Homeless Link: <http://www.homeless.org.uk/policyandinfo/issues/prevention>, Housemark: [www.housemark.co.uk](http://www.housemark.co.uk), *Good Practice Guide to Early Identification and Prevention of Homelessness*, [http://england.shelter.org.uk/\\_data/assets/pdf\\_file/0005/39623/31493.pdf](http://england.shelter.org.uk/_data/assets/pdf_file/0005/39623/31493.pdf) and *No One Left Out - Communities ending rough sleeping*, CLG, <http://www.communities.gov.uk/housing/homelessness/roughsleeping/> (NB this also refers to another protocol about working with drug users)

<sup>2</sup> see priority objectives 19 and 35 in [http://www.newcastlepartnership.org.uk/tpl/uploads/SCS\\_LAA\\_Report.pdf](http://www.newcastlepartnership.org.uk/tpl/uploads/SCS_LAA_Report.pdf)

The Protocol sets out what is expected as good practice, from housing management staff, social care workers, and from a range of other agencies (voluntary and statutory sector) involved with applicants and social housing tenants. It provides guidance on what can be realistically expected from each type of agency involved, to protect tenancies which might be at risk.

## Partners to this Protocol

This Protocol has been developed by the Newcastle Homelessness Prevention Project (NHPP), together with:

- Your Homes Newcastle
- Supporting People
- Adult Services
- Children's Services and Children's Social Care
- The 5 major Housing Associations providing general needs housing in Newcastle:
  - Cheviot Housing
  - Home Housing Group
  - NomadE5
  - Places for People
  - Riverside North East

It will be expected that landlords that want to be on the Council's emerging Preferred Partners List for development will work to this protocol.

Other organisations which are committed to working towards the principles set out in this Protocol are the Probation Service, Youth Offending Team, and the Drug Support Unit. This work is supported by other partners in the Homelessness Prevention Network, including health services, advice agencies, and employment agencies.

NHPP is part of the Housing Services team in Adult Services, and was funded by the Neighbourhood Renewal Fund.

## What agencies are signing up to do

Agencies signed up will meet the aims of the Protocol by doing the following:

- Ensuring that all staff who need to know about it have access to the Protocol, and have been trained. Staff may also be provided with procedural guidance geared to their organisation
- Acting proactively to identify the risk of homelessness as early as possible.
- Taking part in reviews of cases where the Protocol has not worked effectively, and taking remedial action as appropriate
- Recognising the importance of sharing appropriate information about vulnerable people
- Housing management staff will take responsibility for engaging with other agencies where tenants are identified as vulnerable, with the aim of working together to help to sustain tenancies and prevent evictions
- Other agencies involved with social housing tenants will take responsibility for engaging with housing staff where tenants are identified as at risk of losing their tenancies, with the aim of working together to intervene early enough to help sustain tenancies and prevent evictions
- Expectations of social housing tenants will be set out clearly at the start of their tenancies by the housing provider. This means that tenants are expected to pay their rent and to behave in accordance with their tenancy agreement. It is important that all agencies understand that, as a last resort, tenants who are vulnerable may still lose their homes if they do not comply with their tenancy obligations
- Other agencies involved with social housing tenants will take responsibility for working with their clients to help them to understand what it means to be a tenant, and will support them to meet their tenancy conditions
- Where there appears to be no alternative but for a tenant to lose their tenancy, agencies will continue to work together to attempt to secure other solutions as appropriate, such as supported housing
- Agencies will provide Newcastle City Council with information which will help them to monitor the outcomes of the Protocol. They will also identify any problems in implementing the Protocol as early as possible

## Sharing information

Good information sharing is essential for agencies to work together to help vulnerable people to sustain their tenancies. It is in the interests of the applicant/tenant, and all organisations, to share information. Housing agencies may be unwilling to offer accommodation to someone who appears to pose a risk to neighbours, until that risk has been assessed.

### Some principles about information sharing

- Agencies will ensure that the applicant/tenant has signed a consent form, so that information can be shared with any other agency working to help them prevent homelessness or repeat homelessness, or to protect the public
- Agencies will share relevant information, including risk assessments, so that any possible risk to the tenancy or to staff, organisations, or neighbours and the community can be identified, managed, and minimised
- Agencies will not hide information in order to enable vulnerable people to access accommodation which is not appropriate to meet their needs, or which would put them or others at risk
- Where a case meeting has been held under the **Multi Agency Public Protection Agreement (MAPPA) process, child protection, or other safeguarding arrangements**, all agencies should agree at the meeting which information can be shared outside the meeting (most information is considered to be restricted unless otherwise stated)

**NB** Information sharing training and guidance is now available to support the use of Common Assessment Framework (CAF), and the information sharing that will result in a more preventative and early intervention approach to improving outcomes for children and young people<sup>3</sup>.

If it is found that some information needs to be shared in order to resolve a housing problem, this should either be stated at the meeting and the agreement of all parties reached about this, or subsequently discussed with the Chair of the meeting before information is passed on. This applies both to written information (including minutes of meetings) and information passed on in other ways. The Chair will decide whether there is a "need to know" and what information is proportionate and necessary.

If a tenant has refused to sign a consent form, or has said that certain information cannot be shared, a discussion or meeting should still be held, so that information can be received from other agencies which do have that consent, any information that is not sensitive or restricted can be shared, and prevention can be planned.

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<sup>3</sup> [http://www.newcastle.gov.uk/core.nsf/a/mcs\\_caf](http://www.newcastle.gov.uk/core.nsf/a/mcs_caf)

## Monitoring, resolving problems, and review

### Monitoring the outcomes of the Protocol - requirements for agencies

It is important that we know what effect our actions have in trying to prevent homelessness. The following actions are designed to provide information to the City Council, Supporting People, and other commissioning bodies, so that we can measure the effect of everyone's interventions, and see how we can better prevent homelessness.

All information is collected on a quarterly basis, and discussed at a monitoring meeting normally attended by Housing Services, Housing Strategy, Supporting People, representatives of YHN and Housing Associations, and YHN Advice and Support Workers, Adult Services, and Children's Services.

Annual reports will be agreed by the monitoring group and sent to the Children and Young People's Executive Partnership, Housing Board, the Communities Overview and Scrutiny Panel, and other groups as appropriate.

Where possible, the information requested below does not need any additional indicators to be set up. All information is to be reported quarterly other than from Housing Associations.

### Data required

#### Housing providers:

- Number of new flags indicating a vulnerable applicant entered
- Number of new tenancies for vulnerable people
- Number of evictions, and number resulting in homelessness
- Number of tenancies for vulnerable people sustained for 6 months/ 1 year
- Number of referrals of vulnerable applicants/tenants to floating support

#### Supported housing (accommodation) providers:

- Number of new tenancies in social rented or private rented housing for people moving from supported housing (*data provided by NHLP*)
- Data collected for National Indicators 141, 142, and 143

#### Floating support providers:

- Number of referrals for new tenants requiring support
- Repeat homelessness cases where homelessness prevented (where eviction or abandonment was imminent)
- Data collected for National Indicators 141, 142, and 143

#### Housing Advice Centre

- Number of Impending Eviction Pro-formas received from each housing provider
- Number of evictions suspended
- Number of evictions enforced (*data provided by social housing providers*)
- Number of homeless applications from tenants recently evicted

#### Social care / criminal justice / drug treatment / other agencies (these are our aspirations – this information may not be easily collected at this point)

- Number of Impending Eviction Pro-formas received from each housing provider
- Number of potential evictions where the support/care agency has taken some action following receipt of Impending Eviction Pro-forma
- Number of referrals received by the Initial Response Service (for Children's Care Services)
- Number of Pre-CAF checklists completed where a tenancy is at risk

A Quality Performance Management Framework will be in place from April 09, providing information about the qualitative impact of CAF on children, young people and families. The operation of and outcomes from the Protocol are monitored at a quarterly meeting normally attended by the main agencies which have developed the Protocol.

## Resolving problems

Problems in complying with the Protocol are discussed at the quarterly monitoring meetings, and may be discussed at other liaison meetings between YHN, Housing Associations and the Council.

All agencies are encouraged to raise any problems they come across with the Newcastle Homelessness Prevention Project on **0191 277 1733/1731**.

In addition, the senior staff listed below are happy to receive comments or to bring cases to the Housing Strategy Review Groups, Homelessness Forum, or the YHN and Housing Association liaison meetings, or to contact one of the following people, who will try to resolve any problems raised with them about the Protocol *at any time*:

<b>Neil Munslow</b>	Housing Services	07855 828048 <a href="mailto:neil.munslow@newcastle.gov.uk">neil.munslow@newcastle.gov.uk</a>
<b>Martyn Burn</b>	Your Homes Newcastle	0191 278 8599 or 07970 515907 <a href="mailto:Martyn.Burn@yhn.org.uk">Martyn.Burn@yhn.org.uk</a>
<b>Ian Oliver</b>	Supporting People & Adult Services	0191 211 6392 <a href="mailto:ian.j.oliver@newcastle.gov.uk">ian.j.oliver@newcastle.gov.uk</a>
<b>Grainne Fegan</b> <b>Janette Brown</b>	Children's Services Prevention and Early intervention (CAF/ContactPoint)	0191 246 1867 <a href="mailto:grainne.fegan@newcastle.gov.uk">grainne.fegan@newcastle.gov.uk</a> 0191 277 4497 <a href="mailto:janette.brown@newcastle.gov.uk">janette.brown@newcastle.gov.uk</a>
<b>Sharon Williams</b> or <b>Myra Milne</b>	Children's Social Care Services	0191 295 5535 <a href="mailto:sharon.williams@newcastle.gov.uk">sharon.williams@newcastle.gov.uk</a> 0191 275 2500 <a href="mailto:myra.milne@newcastle.gov.uk">myra.milne@newcastle.gov.uk</a>
<b>Rod Stapley</b> or <b>Paul Brownlee</b>	Youth Offending Team	0191 277 7377 <a href="mailto:rod.stapley@newcastle.gov.uk">rod.stapley@newcastle.gov.uk</a> <a href="mailto:paul.brownlee@newcastle.gov.uk">paul.brownlee@newcastle.gov.uk</a>

You may contact any of these people by phone or in writing, but you will usually be asked to confirm this in writing. Any problems raised in writing will be acknowledged within 3 working days and a response will be sent within 10 working days.

## Implementation and review date

The revised Protocol comes into effect on 1<sup>st</sup> April 2009, and will be reviewed in early 2011.

## Format of the Protocol

The main body of the Protocol is set out in three parts:

- Part One:** action to be taken before a tenancy starts to identify whether an applicant may be vulnerable, and to take steps to minimise any risk to the tenancy
- Part Two:** action to be taken during the tenancy to deal with any problems which arise
- Part Three:** action to be taken where there is a threat of eviction and loss of the home, to prevent homelessness

There is also a Resource Pack which provides more detailed information about roles, how to contact agencies which may be involved with an applicant or tenant, and other information for staff operating the Protocol.

A leaflet about the Protocol is also available to inform staff about the main points of the Protocol and where to find the key documents.

We have used the terms “housing officer” and “support officer” as shorthand for people working for the following agencies:

<b>Housing agencies:</b> providers of settled housing	<ul style="list-style-type: none"> <li>• Your Homes Newcastle</li> <li>• Housing Associations</li> </ul>
<b>Support agencies:</b> agencies providing support, supervision or other targeted interventions	<ul style="list-style-type: none"> <li>• Supported housing organisations: accommodation-based and floating support</li> <li>• Adult Services</li> <li>• Children’s Services and other agencies working with children (e.g. health visitors, education welfare officers, school health advisers)</li> <li>• Drug treatment agencies</li> <li>• Probation</li> <li>• Youth Offending Team</li> <li>• YHN Advice and Support Workers (ASWs)</li> <li>• YHN Young People’s Service (where the applicant/tenant is under 25)</li> <li>• Mental Health Trust &amp; other health agencies</li> <li>• Advice agencies and other agencies</li> <li>• Family Intervention Project</li> <li>• Changing Trax</li> </ul>

**Other agencies** involved include Housing Advice Centre (HAC): (Homelessness Prevention Officers)

## The Protocol

### Part One: action to be taken before the tenancy starts

**These steps should help to identify a vulnerable person who might not be able to manage a tenancy without support, and to set up a plan for agencies to work together to try to prevent homelessness.**

The working definition in use in this Protocol is that a person is vulnerable if it is considered that they either:

**Receive support (housing-related or other support, or social care) from an agency with whom a housing officer can jointly work as described in this Protocol**

*or*

**Need support in order to manage a tenancy and would not be able to manage a tenancy without outside assistance beyond ordinary housing management. If support cannot be secured, this Protocol is not applicable.**

#### **1.1 At the application (registration) stage – identifying support needs or that support is being provided**

**A support agency** working with someone applying for housing should help them to fill in the part of the Your Choice Homes (YCH), registration form which shows that they need or receive support, and should identify who they currently receive support from.

**The housing officer** should check at or before the YCH verification stage whether a support agency is already working with the applicant or anyone in their family, or that support is needed. If there is no indication of this from the applicant or on the application form, and the housing officer has concerns, the **housing officer** should check with the Pathways Advice and Support Workers to see if there is any support agency involved with the applicant. If there is an agency involved, the **housing officer** should put a flag on the applications screen to show that the person is vulnerable and receives support, together with a note of who provides the support and their contact details. (The earlier it is identified that the applicant has or needs support, the better.)

#### **1.2 Before the sign-up stage – identifying who is vulnerable and in need of support to maintain a tenancy**

At the offer stage, **support agencies** should notify the housing office either to let them know that they are intending to continue to offer support which will help the person to sustain independence in their own tenancy, or that there are particular concerns about

whether the person will be able to manage a tenancy, but there is no housing support yet in place.

**Housing officers** preparing for the sign-up of the tenancy should check whether there is any indication that the person (or anyone in their household) is vulnerable or not.

**If the landlord believes that the person is vulnerable and will not be able to manage a tenancy without support, then they should try to secure appropriate support before the tenancy is offered, with the applicant's consent. If the housing officer is very concerned and no support can be found, they should speak to the relevant person in the list on page 8.**

*NB: The support that is needed by a vulnerable person is continuing casework support, rather than one-off benefit check or other advice given at the tenancy sign-up.*

The steps below will help to establish whether a person is vulnerable and may have difficulty maintaining a tenancy:

**The housing officer should look at:**

**a) whether the individual falls into one of the groups listed in the chart below**

Not everyone in these groups will have difficulty sustaining a tenancy, but any indication that the person is already involved with an agency providing support, supervision, or other help provided by or funded through a statutory agency means that they should be considered as potentially vulnerable.

If the applicant has not already told the housing officer that they have a social worker or other statutory or support worker involved with them, the housing officer would not be expected to contact one of the agencies listed unless they had a strong suspicion that any agency might be involved. For example if it is apparent from speaking to an applicant with visual impairment that they would have great difficulty organising a move into independent housing without help, the housing officer might then look to see if the person is known to the Sensory Impairment Team within Adult Services.

and

**b) whether there is any other indication that the person is likely to have any difficulty sustaining a tenancy**

Evidence that they have already had difficulty managing a former tenancy should be taken note of.

Information gathered from the application will be of help here, as will the criteria that would be used to make a referral to a YHN Advice and Support Worker.

It is appreciated that, whilst it is good practice to identify vulnerability at the start of a tenancy, it may not always be easy to spot this at this point. It is important that any information about a tenancy which might be at risk should be noted and followed up, whenever it is received, by the housing officer or support worker.

**Indicators that a prospective tenant may be vulnerable, and who to seek information from about this (after asking the applicant)**

(see the Resource Pack for more detail and for contact details)

<b>Potentially vulnerable groups</b>	<b>Where to look for information to show that the person fits into this group</b>
People known to have been accepted as statutory homeless by the City Council in the last two years	Housing application and homelessness referral form
People known to have a housing support worker  People leaving accommodation funded through Supporting People (NB: All under 18 year olds and pregnant teenagers should have a support worker)	Housing application – look for address in housing history, and/or indication of support already provided, as well as age and note that support is needed.
People known to have a social worker	Housing application, and information from Adult Services Direct Contact Team, or Children’s Services: Initial Response Team
People known to have a Community Psychiatric Nurse or other mental health support	Housing application, and information from Adult Services Direct Contact Team
People known to have a drug or alcohol worker or drug/alcohol problem	Housing application
People known to have a Probation Officer or YOT worker People known or suspected to be subject to MAPPA	Housing application  Check with Northumbria Probation Service District Office
People leaving hospital, prison, care, or the forces	Housing application
People whose learning disability is known to make them vulnerable	Housing application, and information from Adult Services: Direct Contact Team, or Children’s Services: Initial Response Team
People whose physical disability or sensory impairment is known to make them vulnerable	Housing application, and information from Adult Services: Direct Contact Team, or Children’s Services: Initial Response Team
Refugees	Housing application
People known to have a literacy or numeracy problem, or other communication difficulty	Housing application form, or from contact at or before sign-up
People housed through a priority, on the basis of urgent or immediate need	YCH notification that this person has a priority
Families including children or young people about whom there are concerns for their well-being	The CAF** administrator will be able to confirm whether a CAF is in place and who should be contacted. From October 09, ContactPoint will hold information about all children and young people, indicating if there is a CAF and or a Lead Professional.

\* **Homelessness Prevention Officers** send a referral form to housing officers to provide information about all households accepted as homeless.

\*\*Please note: For all children and young people under 19 or 25 where there are learning difficulties and other special needs, ContactPoint will provide online information, to authorised practitioners, about the services and individuals working with those young people and whether a Common Assessment Framework has been completed.

### **1.3 Before the sign-up stage - collecting further information and making contact about vulnerable tenants**

**Housing officers** should put a flag on the tenancy record to show that the tenant is thought to be vulnerable (see list of codes in Section Five of the Resource Pack), and the name and contact details of any support worker involved, if known.

**Supported housing agencies** should send relevant information from the person's support plan to a housing support worker who will be providing floating (housing-related) support, showing current support needs relevant to sustaining a tenancy. A support plan must be completed for every person receiving housing-related support (currently funded through Supporting People).

Where there is no other agency involved, and it is thought by the housing officer that the tenant will require additional support, the **housing officer** should make a referral to the **YHN Advice & Support Workers (ASWs)** or another floating support provider, providing them with all relevant background information available (including any referral details from HAC). The **Advice and Support Worker or other floating support worker** should assess support needs, and prepare a support plan if housing-related support is to be provided. Where there are children or young people in the household, the ASW should contact Children's Services, and where there are children who have additional needs that are not being met either by specialist services or through a CAF, the ASW should complete a CAF Pre-assessment checklist and send it to the CAF administrator. If a CAF is completed as a result, a team around the child/family may be convened and housing staff may be asked to be a part of that team to support with housing issues.

Where there is a support worker, the **housing officer** should note on the house file how best to alert the support agency if a problem arises with the tenancy (i.e. a phone call or an e-mail).

### **1.4 Before the sign-up stage - setting up a case meeting and drawing up a Preventing Eviction Plan where there are serious concerns about the person's ability to maintain a tenancy**

Where steps taken in 1.1, 1.2 or 1.3 lead to serious concerns about whether the person can maintain a tenancy, or where there is more than one support agency involved and it is not clear who has what role, the **housing officer** must consider

calling a case meeting. Each agency which has information about the applicant, or which could provide support, should be invited to the meeting in addition to the applicant.

**Support agencies** may need to call a case meeting for other purposes – for example, MAPPA or Safeguarding meetings – and if housing issues are considered within such a meeting prior to an applicant being offered accommodation, then a separate case meeting about housing issues would not be necessary. Page 5 contains guidance on information sharing in relation to the Protocol.

Section Three in the PEP Resource Pack sets out more guidance on setting up case meetings under this Protocol. Key points are:

- Case meetings at this stage would normally be called by the **housing officer** (unless there is a case conference or other meeting being called by another agency, e.g. a multi-agency case meeting around child protection issues, and such a meeting considers housing issues)
- Case meetings should be held within a maximum of **10 working days** of a property being identified (where possible case meetings should be held before a property is identified, i.e. at the same time as looking at the application)
- **Support agencies** should be asked to send a representative if the main link person is not available. If no-one is available to attend, it is important that there is still a contribution from them, and that information about the applicant is shared; a face-to-face meeting may not be essential, and discussions could be held over the phone or by e-mail, and this may also be appropriate if there are no more than two agencies involved
- A Preventing Eviction Plan will be drawn up at the meeting, and the Plan should be circulated afterwards by the housing officer (see Section Four for notes on what the Preventing Eviction Plan might contain)

**A case meeting should always be *considered* where:**

- the person has previously been accepted as homeless by Newcastle City Council in the last two years
- where the applicant has a homeless priority but they are ineligible for general housing and subject to a Housing Management Let
- there are other indicators that the person may be particularly vulnerable or likely to have difficulty sustaining a tenancy

The **housing officer** (or whoever called the meeting, if this was another agency) should **record what is agreed on the Preventing Eviction Plan**, and circulate this to all agencies involved with the tenant, including those not able to attend the meeting. It is vital that records of meetings/discussions show clearly what has been discussed, and who is responsible for which action, as this may be required for any subsequent legal action. Good note-keeping about all the discussions which have taken place, at meetings or otherwise, is vital for housing organisations, so that they can show what they have done to try to prevent someone from losing their home.

The **housing officer** should ensure that the applicant gets an explanation about which agencies are to provide what type of support, and what will happen if there are difficulties with the tenancy. It should also be made clear at this stage what is expected

of the applicant if they are housed, and any questions they have should be answered, and **all agencies** should ensure they know who to contact if things are not going well. This need not be communicated in writing, but the housing officer should make a note on what was discussed with the applicant.

The applicant should be told this at this point if it is decided that a tenancy cannot be offered at this point as there is insufficient support in place. The **support agency** should explain the options to the vulnerable person and what will happen next. If the applicant is now considered to be ineligible for a tenancy, they should be given advice by the **housing officer** on how to appeal and what steps to take to become eligible. (Note that they may only be considered to be ineligible if their behaviour could lead to an absolute possession order being granted if they were to be a tenant.)

### **1.5 Reviewing the Preventing Eviction Plan for tenants at risk of eviction**

Where a Plan has been put in place, the **person convening the meeting** should check that actions agreed in the Plan have been carried out within a reasonable time. **All agencies involved in the case meeting should contact the person who called the meeting afterwards, either to let them know that they have completed the actions agreed, or to let them know that they are not able to comply with the actions agreed for them.** The person who convened the meeting is advised to keep notes of what progress has been reported to them.

If it does not appear as if the support agreed as needed for the applicant to be able to manage a tenancy can be put in place, or further information or discussion is needed, it may be necessary for the **person who called the meeting** to arrange a follow-up case meeting to resolve issues of support. As above, the meeting should be recorded, noting who is responsible for which actions.

**Where any agency does not confirm that it has completed the actions agreed, or does not confirm that it is able to put in place the support identified at a meeting they were not present at, the housing or support officer (whoever convened the meeting) should contact their senior officer responsible for oversight of the Protocol (see main contact people listed on page 8), who should then contact the senior officer in the agency concerned.**

**If a CAF is in place for a child or children living in the household, the person calling the meeting should ensure that they liaise with the Lead Professional for the child to ensure that actions taken in respect of the housing issues and the child or family's circumstances complement each other, and that one set of actions do not work against the others.**

If no CAF is in place, a pre-CAF Checklist should be completed by the **housing officer** to trigger support for the family from appropriate services. The agency involved can then be asked to be a part of the meeting to manage the Preventing Eviction Plan.

## **1.6 Checking things are going okay - the New Tenant Visit**

The **housing officer** should **visit the new tenant within 6 weeks of the start of the tenancy** to check that Housing Benefit (HB) form has been completed, and check if there are any problems.

Problems to look out for would include:

- non-payment of rent/service charge
- no Housing Benefit in place
- no furniture, or gas/electricity not yet connected
- significant build-up of rubbish in or outside the property (particularly where there are children in the household)
- problems reported by neighbours (such as noise, or constant visitors)
- no sign of the person living there

Where there are signs that the tenancy is not being managed successfully, the **housing officer** should contact any support agencies, as agreed when the tenancy was offered, or as set out in the Preventing Eviction Plan. Similarly, any **support agencies** involved with the tenant should contact the housing officer if they note that the tenant is not coping well with managing their tenancy. Where there are no agencies, the **housing officer** should make a referral to the Advice and Support Team or other floating support service. Contact can be by phone or e-mail, with a note being made afterwards.

The **housing officer** should alert the support agency working with the tenant where there are concerns about the household, and particularly where the household contains someone who is believed to have:

- dependent children
- children in the 'Looked After' system (i.e. children leaving care)
- mental health problems or a learning disability
- drug or alcohol problems which affect their behaviour or payment of rent, and is in treatment
- an older person who appears to have difficulties because of exploitation by their family or other people

In some households, such as those where an adult has learning difficulties, mental health problems, or substance misuse problems, the children may act as young carers. Support agencies should be informed where there concerns about a family where this appears to be the case, as the whole household could be in need of additional support.

## **Part Two: if there are problems during the tenancy**

**This part should help to identify anyone who is having difficulties with their tenancy, and was not identified as vulnerable at the start of their tenancy.**

### **2.1 Checking whether the tenant is vulnerable or at risk**

If it is thought that the tenant has become vulnerable since moving in, the **housing officer** should check whether the tenant falls into one of the main groups (following the process set out in Part One), or whether there are any other indications that s/he is now vulnerable for any reason. A **flag** should be put on the tenancy record if there is not one in place already, if it is now apparent that the tenant is vulnerable, or has a support agency involved. A pre-CAF checklist should be completed and passed to the CAF Administrator if children with additional needs live in the household.

**Support agencies** should contact the housing officer if they have concerns about a tenant who they are involved with. This is all the more important if there has not so far been any communication between the housing officer and the support worker.

### **2.2 Action where there are serious concerns about whether a vulnerable tenant is at risk – Preventing Eviction Plan in place**

Where the **housing officer** has serious concerns about the tenancy beginning to fail (for example, because there are rent arrears, an untidy property, or complaints about anti-social behaviour), the **housing officer** would in the first place speak to the tenant about these concerns and what support they receive. They would then contact key support agencies involved with the tenant to check whether they have any concerns about the tenant or tenancy, and to discuss what needs to happen next about the support to be offered to the tenant.

Similarly, if **support agencies** begin to have concerns, they should make contact with the housing officer to see if those concerns are shared. An agreement should be made about the next steps to take, and the **housing officer** should make a note of this discussion and copy the note to all relevant agencies. (Check the house file records and flags for details of the support workers.)

If there was a Preventing Eviction Plan set up following a case meeting at the outset, it may be useful to reconvene the case meeting at this point. The **housing officer** should call this meeting, unless it is clear that another agency (such as the Probation Service or a social care agency) needs to convene a similar meeting for other purposes at which the issues about the tenancy could be discussed.

The **housing officer** should invite all support workers known to be working with the applicant to the case meeting. Where there is no agency supporting the tenant, the **housing officer** should make a referral to the Advice and Support Worker, and involve

them in any meeting to be held. If anti-social behaviour is the primary cause for the tenancy beginning to fail, consideration should be given to including a member of staff from the Housing, Anti-Social Behaviour and Enforcement Team (HASBET) in any meeting.

### **2.3 Action where there are serious concerns about whether a vulnerable tenant is at risk of not sustaining their tenancy – no Preventing Eviction Plan in place**

If there is no Preventing Eviction Plan in place and serious concerns about the tenancy remain, **all agencies** should **agree a Plan** in order to help maintain tenancy. The **main support agency** (lead professional) should draw up the Plan. The **Advice and Support Worker** should draw up the Plan within a reasonable time where there is no other support agency. The Plan should record the **respective responsibilities** of the **housing officer**, the **support provider(s)**, and **other agencies**, showing who is to do what, how often, and for how long.

The **housing officer** or whoever has called the meeting should make a record of the actions agreed on the Preventing Eviction Plan, and circulate this to all agencies involved with the tenant, including those not able to attend the meeting.

#### **Advice notes for housing officers**

- Referrals can be made to the Advice & Support Workers at any time. In YHN, Advice and Support Workers are automatically involved after the 2<sup>nd</sup> warning letter to a tenant about rent arrears, and whenever a Notice of Seeking Possession is served, and should consider if a Pre-CAF assessment checklist is appropriate for children in the household.
- If the tenant is particularly vulnerable and is at risk of harassment from people outside the tenancy (for example, drug dealers pressurising a former drug user in the recovery phase), a management let could be considered in exceptional circumstances to prevent the situation getting worse. You will need to discuss this with your manager.
- Direct payment of rent should always be considered where there are rent arrears.
- Tenants who are advised or likely to leave the tenancy voluntarily, before a possession order is obtained, should always be told what the possible implications of this are, and, if they are still likely to be considered to be intentionally homeless because they have left before the possession action is completed, they should be advised to get independent legal advice.
- It is good practice to chase Housing Benefit forms where there is a delay in the receipt of the benefit. The Housing Services Manager in Adult Services will liaise with HB if there continue to be problems.

**Part Three: where there are serious concerns about the tenancy and court action has been started – another attempt to try to prevent eviction and homelessness**

**This stage should pick out anyone who is at risk of losing their tenancy who has not *already* been identified as vulnerable, and alert other agencies to the fact that people they are working with are shortly to lose their home.**

**3.1 Tenant is likely to lose their home – checking if they are vulnerable**

For all tenants at risk of losing their tenancy where an absolute possession action is being sought at court, or a warrant to evict is being considered, **the housing officer** should check if they are flagged as being vulnerable tenants. (Use the criteria listed in Part One, 1.2 to identify anyone who is vulnerable).

NB: Where a family with children is faced with eviction, the **housing officer** should treat the family as vulnerable at this stage and try to make contact with any professional already working with the family or the children, and explain to them the process being followed and what stage the process has reached. If there is no agency identified as already working with the family, it is suggested that a Pre-CAF is completed and sent to the Initial Response Service.

**3.2 Tenant is likely to lose their home - reconvening a meeting with support agencies to consider the Preventing Eviction Plan**

If there was a Preventing Eviction Plan in place because the person had been identified as vulnerable and in need of support to prevent the loss of the home, the **housing officer** may call a case meeting in order to identify whether it is possible that agencies could:

- a) influence the tenant's behaviour further
- b) take any further action to prevent the eviction, or
- c) intervene so that the household has accommodation in the future if the eviction takes place

If at all possible, new actions should be agreed to try to avert the eviction, and put the tenancy back on track. The Plan should be amended, and the **housing officer** should circulate this to all agencies. The Plan should include a short timescale to aim to improve the situation.

**3.3 Tenant is likely to lose their home**

If the tenant was not identified as vulnerable in the past, but is now thought to be in one of the groups listed or vulnerable for another reason, the **housing officer** should

request a **case meeting** with the relevant support agency or agencies before the eviction takes place.

At the case meeting, **all agencies** should consider whether a Preventing Eviction Plan could reduce the risk of eviction. If all agencies agree that a Preventing Eviction Plan would be beneficial, then the Plan should be recorded by the **lead support agency** (or by an Advice and Support Worker if there is no other support agency involved), and the **housing officer** should circulate a copy of the Plan, which should include a reasonable timescale to improve the situation.

In the Plan will be an agreement about who is to contact the tenant, to ensure that they are made aware of the possibility and implications of being deemed intentionally homeless.

**Procedure where eviction action is taken:**

If the tenant has already been identified as vulnerable and every effort has been put in by the housing provider and other agencies to prevent the eviction, but possession action is still to be pursued, the **housing officer** should ensure that other agencies previously involved know that the possession order and eviction are going ahead.

The **housing officer** should contact (by e-mail) the following agencies to inform them about the impending eviction action, attaching the Impending Eviction Pro-forma:

- HAC – the Housing Advice and Assessment Manager, and Homeless Prevention Officer if known
- Principal Housing Manager for YHN, or a nominated senior housing officer for Housing Associations (check with NHPP for an up-to-date list of these officers)
- Adult Services, where they are already known to be working with the family
- Children’s Services, the Initial Response Service, or another lead agency, wherever dependent children are in the household
- Any other agency known to be working with the tenant

**The Impending Eviction Pro-forma should be sent to all agencies when the application has been made to the court for a warrant for possession.** This should provide at least 14 days’ notice, but often up to 8 weeks, for other agencies to attempt to work with the housing officer and the tenant, aiming to avert the eviction, or to identify other accommodation options.

If a move into supported housing would be helpful, this should be discussed at this stage, and agencies should agree how this is to be progressed. In most cases, either **an Advice and Support Worker** or a **Homelessness Prevention Officer** should take this forward.

**HAC** should assign a Homelessness Prevention Officer to look at any homeless application, assess whether the applicant may be considered to be intentionally homeless, and consider housing options for the household.

### **3.4 Warrant issued by the court**

If a warrant for possession is granted by Courts, this will require the tenant to leave the property on the date and time given on the warrant, normally at least 14 days between the warrant being granted and it being implemented. (Note that the tenant could still apply for the warrant to be suspended if their circumstances have changed.)

The **housing officer** should double-check at this point that the Impending Eviction Pro-forma has been sent to HAC and other agencies.