



Housing and Community Services

Protocol for the prevention of evictions in supported accommodation schemes.

1.0 Purpose of this Protocol

- 1.1 The purpose of this protocol is to reduce the level of evictions which can occur in supported accommodation Schemes. The aim of this protocol is for Providers of supported accommodation to work in partnership with Council Services and other stakeholders, to help to prevent homelessness by working consistently and utilising local resources to ensure service users have an opportunity to address issues which put their licences at risk.
- 1.2 The key outcomes expected from this protocol are;
- Improved facilitation between support agencies across the Borough of Poole
 - Ensure consistency by supported accommodation Providers in dealing with services users at risk of losing their licences
 - Reduce levels of evictions, unplanned moves and repeat homelessness
 - Promote a flexible and responsive approach to dealing with eviction prevention.

2.0 Referrals

- 2.1 Supported accommodation Providers agree to work cooperatively with Housing Options and to work responsively and flexibly to ensure the best outcome for the service users. This may mean seeing clients at short notice and acting as lead agency in coordinating multi-agency responses to those at risk of eviction.

3.0 Notification of Rights and Responsibilities

- 3.1 Supported accommodation Providers should ensure that all service users have the rights and responsibilities of the license explained to them clearly, considering the needs of the service user. House rules must be emphasised and the consequences of their actions highlighted. Service users should also have explained the processes involved in removing them from the property step by step, for example the process of warnings, serving notices, and evictions.
- 3.2 All staff should be trained in license sign ups to ensure consistency and that the house rules are reiterated. License sign ups are a housing management

function and where possible should be carried out by senior/housing management staff with support staff.

- 3.3 Where high risks of eviction due to any type of behaviour have been identified at the point of initial assessment for supported housing, nomination to a project vacancy (at panel), following an incident at a project or at any other time during support plan review, the Provider will, together with the Councils Housing Options Team, Children Services and / or Adults services to pre-plan for further instances which put their licence at risk. The Provider will coordinate a pre-planning meeting which sets out clearly an enhanced multi-agency support plan, including contingency arrangements should immediate evictions be appropriate.
- 3.4 All service users should be provided with a document package setting out their responsibilities and consequences if those are not met. This information should be displayed in the accommodation.

4.0 Formal Warning Process

- 4.1 It is recognised that it may be necessary for supported accommodations to follow different eviction policies and procedures however each Provider should, as a minimum, include the stages listed below before an eviction takes place. It is recognised that Providers will have slight different processes; however each should follow the following principles.
- 4.2 Supported accommodation Providers should have a formal warning system in place, where possible 3 formal warnings should be given before an eviction takes place. Services should be flexible with issuing warnings and where deemed appropriate, allow warnings for different breaches to be 'live' at any time, i.e. a service user may have a warning for rent arrears, and a warning for too many guests at the same time, but this would be treated as one warning for each issue rather than two warnings.
- 4.3 When any form of warning, notice or eviction is issued or enforced due to aggression and violence Providers must inform the Service Commissioner as soon as possible. When the incident happens during normal working hours Providers must inform the Service Commissioner on the same working day. When the incident happens outside of normal working hours the Provider should inform the Service Commissioner the following working day. It is for the Provider to determine, based on known risks, the need for a multi-agency pre-planning meeting to take place, to set out multi-agency support and eviction contingency arrangements.
- 4.4 Service users should be made aware that warnings are opportunities to support them with their behaviour which is threatening the tenancy. The warning letter should include a section stating this and the letter should be explained to residents personally. All formal warnings should be served in writing and followed up verbally.

- 4.5 **First formal warning** shall be in the form of a letter and the issue should be addressed at key-work and in the support plan, which should be reviewed. Where appropriate the Provider should seek the support of relevant agencies, such as Housing Services or the Pathways Team, to reiterate the warning, including the possible impact of eviction on identifying future suitable accommodation options.
- 4.6 **Second Formal warning** should be issued in writing and the following needs to be implemented;
- Other agencies or specialist support working with the service users should be involved
 - Support plan should be reviewed
 - A multi-agency meeting may be convened involving a Housing Options Advisor and other relevant professionals to explain that consequence of eviction (e.g. intentionally homeless or limited other housing options).
 - Pre-planning and eviction contingency arrangements may also be considered.
- 4.7 **Final (third) formal warning** should be issued in writing and a multi-agency case conference must be arranged by the Provider. The case conference should include (if appropriate)
- Service user
 - Housing support worker (Provider)
 - Housing options and/or specialists involved with the service user
 - Relevant social care representatives
- 4.8 Supported accommodation Providers must be flexible in their approach to postponing implementing the notice and consider any ways to prevent the eviction. Eviction policies and procedures should reflect a flexible approach to not pursuing notices where it is deemed appropriate.
- 4.9 The Provider, working alongside Housing options team and other relevant professionals is expected to ensure that all service users that are required to vacate accommodation in any circumstances are not evicted to B&B accommodation or to a position of rough sleeping. Additional resources may have to be considered by the Provider, in liaison with the commissioner to ensure homelessness is avoided; this may include additional enforcement such as issuing an antisocial behaviour contract which must be included within pre-planning support arrangements.
- 4.10 There may be occasions where, due to violence, aggression or criminal activity the service user has to vacate the accommodation with immediate effect. In these circumstances the Provider must work with the Housing Options Team and Adult or Childrens Social Care or Mental Health Services to ensure alternative accommodation is identified.

5.0 Eviction

- 5.1 Where an eviction cannot be prevented, service users should be supported to approach Housing Options for alternative housing. This would be by the identified advocate or the Housing support worker as part of all support plans.
- 5.2 Support workers should try to establish where the evicted service user is going to reside in the future.
- 5.3 Supported accommodation Providers should try to avoid evicting service users on a Friday or over the weekend. Supported accommodation Providers should avoid banning service users over the weekend before they are formally evicted.
- 5.4 It may, in some circumstances be appropriate for the Provider to evict a service user for a temporary defined period, with conditions attached to a successful return.

6.0 Preventing eviction for rent arrears

- 6.1 At license sign up, all service users should sign a direct payment form to enable their service charge to be paid directly from their benefit, or a standing order mandate for it to be set up from their bank account.
- 6.2 Housing support workers should ensure that service users are enabled and assisted to ensure paperwork is provided to housing benefit.
- 6.3 Service users should be informed of the implications of not signing for benefits and how this affects their housing benefit.
- 6.4 Housing support workers should have formal training on housing benefit including backdating, discretionary claims etc.
- 6.5 Discretionary housing payment (DHP) should be applied for if circumstances are deemed eligible.
- 6.6 Information on rent balances should be regularly communicated to service users in a comprehensible format.
- 6.7 A formal rent arrears agreement should be set up prior to a notice being served. This will be based on income and expenditure of the service user and this should set out clear time limits with which the tenant should comply. Budgeting advice and tools should be provided. Referrals should be made to the CAB and/or debt advice agencies.
- 6.8 Possession proceedings for rent arrears should not be started against a tenant who can demonstrate that they;

- Have provided evidence to the local authority to process housing benefit
- Has a reasonable expectation of eligibility of benefit
- Paid other sums not covered by housing benefit

6.9 After serving a warning notice, if a tenant complies with the rent agreement, including a reasonable amount towards the arrears, the landlord should agree to postpone the eviction so long as the service user keeps to the agreement.

7.0 Preventing eviction for anti social behaviour (ASB)

7.1 Supported accommodation Providers must have an antisocial behaviour policy in place and clear procedures for assessing risk in respect to anti social behaviour.

7.2 Providers should seek to have a named Community Police Officer and a named contact at the Safer Communities Team (Borough of Poole's anti social behaviour team) and be aware of referral routes to these resources.

7.3 Providers issuing a second warning for behaviour must liaise with the councils Safer Community Team to consider together any tools and powers available to the Council which can help prevent any further incidences. Direct operational protocols are encouraged to be adopted where incidences are frequent.

7.3 All Providers must support perpetrators to amend their behaviour where there is a reasonable remedy to addressing the ASB concerned.

8.0 Monitoring and Review

8.1 This protocol will be monitored by the Partnership and Contracts Manager alongside the respective Service Commissioners.

8.2 This protocol will be reviewed initially after the first 6 months and thereafter annually by the Housing Services Manager.