

EXECUTIVE MEMBER: Councillor Clements
LEAD OFFICER: Fergus Mc Morrow
REPORT AUTHOR: Alan Davis

Summary and Recommendation:

This report informs the Panel about an early warning protocol to alert the Local Authority to potential evictions by Registered Social Landlord's (RSL's)

The Panel are asked to note the contents.

1. INTRODUCTION

- 1.1 In the Homeless Strategy 2008 – 2013 it was highlighted that there was a lack of information being given by the RSL's to Copeland Borough Council about cases where they were going to evict.
- 1.2 This lack of advance information meant that we were unable to take early and prompt action in order to assess cases to see what help we need to give them and to potentially prevent homelessness.
- 1.3 The resulting Homeless Strategy Delivery Plan listed this as something that we should adopt in conjunction with the RSL's as a part of the Forum meetings that we hold, with a deadline for delivery of 31/10/09.

2. ACTION BEING TAKEN

- 2.1 The RSL Forum group jointly devised the attached protocol which allows them on permission from the customer to send us details of the person being evicted by the relevant RSL.
- 2.2 Once the Housing Options Team receives this information it will allow it to promptly talk to the person and therefore to assess whether it needs to accept a statutory duty to rehouse them or whether it just has a requirement to offer them advice and assistance in finding new housing. It may be possible, even at the latest stage, for some action to render the eviction unnecessary.

2.3 This protocol has been approved by Home Group, Impact Housing and Two Castles Housing Association and started being used from 1st September 2009.

3. FINANCIAL AND HUMAN RESOURCES IMPLICATIONS (INCLUDING SOURCES OF FINANCE)

The ability to take early action and possibly to prevent people from having to be evicted can save the Council’s expenditure from its temporary housing budgets. It may also avoid the most severe personal consequences of homelessness.

4. IMPACT ON CORPORATE PLAN AND RECOMMENDATION

The adoption of this protocol gives the Housing Options Team another tool in helping it to act promptly to prevent sudden homelessness.

CHECKLIST FOR DEALING WITH KEY ISSUES

Please confirm against the issue if the key issues below have been addressed. This can be by either a short narrative or quoting the paragraph number in the report in which it has been covered.

Impact on Crime and Disorder	Will help to reduce crime & disorder
Impact on Sustainability	Will promote sustainable neighbourhoods
Impact on Rural Proofing	The scheme would be extended to rural communities
Health and safety Implications	None
Impact on Equality and Diversity Issues	Advertising of the scheme will be accessible to disadvantaged and minority groups
Children and Young Person’s Implications	None
Human Rights Act Implications	None
Monitoring Officer comments	None
s.151 Officer comments	None

Is this a key decision? No

List of appendices – Appendix 1: Early warning of eviction of RSL tenants protocol.

Early warning protocol on advance notification of RSL tenants facing eviction to Copeland Borough Council's Housing Options Team

Introduction

The Communities and Local Government Department and the Tenant Services Authority have both agreed that it is good practice that where ever possible local Housing Associations (RSL's) should notify their local Council as soon as they are able to that they are evicting one of their tenants.

This is so that the Local Authorities Housing Options Team can try to prevent the person from becoming homeless and advise and help them in finding alternative housing.

In the Copeland area Copeland Borough Council, Home Housing, Impact Housing Association and Two Castles Housing Association have all agreed to sign up to a protocol based on this good practice subject to the tenants of the RSL agreeing to sign a data protection waiver in order to allow their landlord to pass on their details to the Council. This is so that Copeland Borough Council do all it can to prevent the individual from becoming homeless as a part of its overall strategy to prevent homelessness in its area.

Procedure for notifying Copeland Borough Council of an imminent eviction

- As soon as the relevant RSL has decided to evict one of its tenants (either due to rent arrears or anti social behaviour) it will refer to either the Housing Needs Strategy Manager or a member of the Housing Options Team the person's details.
- This is subject to the tenant of the relevant organisation agreeing to sign a form of authorisation for the RSL to waive the data protection legislation to do this (see draft form attached).
- Copeland Borough Council will then contact the person within 3 working days to arrange a meeting with them to assess their situation and to talk through their future housing options.
- CBC will feed back details of the outcome of their meetings with the RSL's client to the relevant organisation.
- CBC will record the outcome of each referral for its performance management information and to be able to assess its performance in homeless prevention.

Informed Consent

You

Joint Tenant

First names(s)

Last name

Current address

Postcode

Date of birth

Contact telephone no. _____

Any dependent children under the age of 18

Yes

No

By signing this form you are confirming that:

1. You authorise and agree for **(organisation)** to pass on your details to Copeland Borough Council to assist you in looking at your future housing options.
2. You understand that any information given to Copeland Borough Council will be solely for this reason and will not be disclosed to another party.
3. Any information given to Copeland Borough Council will be processed in accordance with the requirements of the Data Protection Act 1998.

Your signature:

Print name:

Date:

Joint tenant's signature:

Print name:

Date:

Partnership agreement for this procedure.

This agreement will be reviewed in liaison meetings between the Landlords and Copeland Borough Council and may be shared with other bodies as agreed.

Signed:

(For and on behalf of Copeland Borough Council)

Date:

Signed:

(For and on behalf of

Date: