



# Cambridgeshire and Peterborough

## Accommodation Protocol - Pathways home for people with experience of the Criminal Justice System



## Purpose

- The availability of appropriate accommodation and related support services for offenders is vital.
- Service users in the Criminal Justice System who are unable to access appropriate accommodation and support and rehabilitation are more likely to reoffend.
- A failure to provide the appropriate accommodation and support for high risk of harm offenders can also present significant public safety risks. In recognition of this a **protocol for the housing of high risk of serious harm offenders** was updated in May 2017.
- The purpose of the protocol is to improve awareness, understanding, communication and collaboration between the relevant partner agencies.
- The main objective is to enable a greater chance of reducing reoffending within our communities and enhancing public safety by adopting a more co-ordinated approach to access to settled accommodation and appropriate support for this client group.
- To ensure maximum effectiveness the pathway is designed to ensure appropriate action is taken at each stage of the sentencing process. The focus is on referral to relevant partner agencies at the earliest opportunity.

## The Homelessness Reduction Act 2017

The Homelessness Reduction Act 2017 (“the Act”) came into force in April 2018. The Act modifies and extends existing homelessness protection in a number of key ways such as:

- The period during which a local housing authority should treat **someone as threatened with homelessness is extended from 28 to 56 days**, This increases the chances of early help to prevent homelessness being successful. If someone is homeless or threatened with homelessness there is a duty to provide real help (‘reasonable steps’), that is ‘blind’ to whether they are or may be owed a main duty.
- The right to real help must be set out in a **personal housing plan** that has been developed to reflect that applicant’s needs and circumstances. A family or individual can only be intentionally homeless if the duty to help them find somewhere to live fails.
- There is also the provision for the local housing authority to serve a notice on the applicant where it is considered they have deliberately and unreasonably refused to co-operate.

## Duty to refer

The Homelessness Reduction Act 2017 introduces a new duty to refer requiring specified public authorities in England to notify local housing authorities of service users they think may be homeless or threatened with becoming homeless in 56 days. The public authority must have consent from the individual before referring them and the individual should identify which local housing authority they would like to be referred to, as they would if approaching a housing authority directly. The duty to refer came into force in October 2018.

The following services will be required to refer service users they consider may be homeless or at risk:

- Prisons (public and private)
- Youth offender institutions
- Secure training centres
- Secure colleges
- Youth offending teams
- Probation services (community rehabilitation companies and national probation service)
- Jobcentre Plus
- Accident and emergency services provided in a hospital
- Urgent treatment centres<sup>1</sup>
- Hospitals in their capacity of providing in-patient treatment<sup>2</sup>
- Social service authorities.
- The Secretary of State for Defence is also subject to the duty to refer in relation to members of the regular forces. The regular forces are the Royal Navy, the Royal Marines, the regular army and the Royal Air Force.

## Role of key agencies (1)

### Prison

- Initial assessment of needs
- Rehabilitative work
- Resettlement prison/wing 12 weeks before release

### Probation

- National Probation Service (“NPS”) responsible for the management of offenders assessed as high or very high risk of harm
- BeNCH Community Rehabilitation Company (“CRC”) responsible for management of offenders assessed as low and medium risk. ‘Through the Gate’ services in HMP Peterborough, including accommodation support, contracted to St Giles Trust
- Protect public, including children & vulnerable adults, from serious harm
- Advice to courts on sentencing (NPS)
- Advice to the Parole Board on the release of prisoners serving sentences of 4 years or more (NPS)
- Ensure community sentences completed
- Work with those under probation supervision to reduce reoffending
- Monitor compliance & enforcement/recall

## Role of key agencies (2)

### Local housing authorities

#### Commissioning

- Review housing needs in relation to conditions and needs of the district
- Publish a homelessness strategy at least every 5 years and take into account in discharging its functions

#### For those who need assistance

- Access to social and affordable rent homes
  - Advice & information about right to make application for accommodation
  - Allocations scheme & allocate homes in accordance
  - Sets out matters which Registered Providers must take into account when deciding on tenancy type & length

#### Suitability of homes

- Must give grants to disabled persons to allow adaptation

## **Role of key agencies (3)**

### **Adult Social Care (Cambridgeshire County Council & Peterborough City Council)**

- Care Act 2014 - local authorities who have a prison or approved premises (“AP”) in their area responsible for assessing and meeting eligible social care and support needs of adult prisoners detained in prisons, residents of AP and people who move from their usual home as a condition of bail

### **Jobcentre Plus**

- Local vulnerable work coaches case manage and support vulnerable claimants until first full payment is received by them and then supporting transition to another work coach to continue the customer journey.

# In Court

## Prior to sentence

(Lead: Pre-sentence Report Writer / Probation in court)

- Assess accommodation need
- Provide information
- Support links to family and services to look after interests

## Release straight from court

Lead: Offender Management Unit (Prison staff)

- Urgent referral to local housing authority and support agencies if likely to be homeless

**Assess current accommodation status and extent of accommodation need within Pre-Sentence Report** – via use of Offender Assessment System (OASys).

Provide information with housing advice providing information regarding the protection of any existing accommodation in the event of a custodial sentence or remanded in custody.

**Encourage nomination of an appropriate family member or friend or support service to look after interests**, including any property or possessions in the event of a custodial sentence or being remanded in custody. This may involve giving written permission for a family member or friend or support agency to contact the Department for Work and Pensions (DWP) / Jobcentre Plus (JCP) on their behalf to establish which benefits will continue and to avoid overpayments.

In particular **provide assistance to sort out housing-related support** which can be paid for up to 13 weeks whilst someone is in prison. If the offender loses their accommodation at this point, he/she may receive limited assistance on release and may be found to be intentionally homeless.

**Where an existing tenancy needs to be terminated** this should be done as quickly as possible to avoid the accumulation of rent arrears.

**Make urgent referral** to relevant local authority housing advice service and other support services if former resident is to be released and is homeless or at risk of homelessness (i.e. do they have somewhere that is reasonable to occupy for at least six months?)



# In Custody (Prison) - initial reception (sentence or remand)

## Within 72 hours of reception in custody

Lead: Offender Management Unit (Prison staff)

- Assess accommodation need through Basic Custody Screening (part one)
- Referral to local housing authority or support service if necessary (e.g. if likely to be released within 5 days, before Basic Custody Screening (part two), or urgent steps needed to look after interests)

**Complete Basic Custody Screening tool (part one)** with resident. Encourage resident to engage with this voluntary exercise.

**If urgent issues cannot await part two assessment take forward urgent referrals** to local housing advice service and other support services (e.g. urgent steps needed to maintain existing accommodation and deal with possessions and/or if likely to be in custody for less than two weeks).

## Following completion of BCST 2

Lead: St Giles Trust or Offender Manager

- Assess accommodation need through Basic Custody Screening (part two) and capture in resettlement plan
- Immediate actions to ensure that any previous accommodation and interests in an existing property have been dealt with
- Referral to relevant local authority housing advice service and other support services if resident will be released within 12 weeks and is at risk of homelessness (see page 10)

**Complete Basis Custody Screening tool (part two)** with resident. Encourage resident to engage with this voluntary exercise. Ensure future housing needs are fully assessed and that the offender considers all potential housing options, including those provided by supported accommodation providers. Complete resettlement plan with resident and upload to OASys.

**Confirm that any previous accommodation and interests in an existing property have been satisfactorily dealt with.** Ensure link with Jobcentre Plus to maintain housing support if eligible. Ensure that all necessary ID documentation is available as required for applying for housing and relevant welfare support.

## In Custody (Prison) or Approved Premises - release/ resettlement planning

### Release in more than 12 weeks

Lead: St Giles Trust or Offender Manager

- Referral to relevant local authority housing advice service as soon as possible if resident is at risk of homelessness (they will make onward referral to other support services, or homelessness prevention trailblazer)
- Referral to relevant offender housing panel
- *Even if longer term sentence helpful to make early referral to aid resettlement planning, at least 12 weeks and certainly no later than 56 days before release*
- *Accommodation status should be kept under regular review*
- *If there is a pre-release board six weeks before release can check*

**With individual consent, make referral to relevant local authority housing advice service** if resident will be released and at risk of homelessness (i.e. do they have somewhere that is reasonable to occupy for at least six months?). As a minimum, referral should include the individual's contact details, consent, and the agreed reason for the referral. Ensure, if appropriate, offender completes a housing register application for the relevant local authority and send with appropriate risk assessment and any other relevant supporting documentation and date of release from custody. If released on licence, copy of licence and conditions must be supplied to local housing authority.

**[Referral contact details set out on pages 12-14](#)**

# Local Housing Authority

## Advice

Lead: Local authority housing advice service

- Provide information and advice on options

**Provide information and advice** to any person in the local authority area on preventing and relieving homelessness, the rights of homeless people, or those threatened with homelessness, as well as help that is available from the local authority or others and how to access that help. The service should be tailored to the needs of those leaving custody.

## Assessment

Lead: Local authority housing advice service

- Carry out an assessment
- Work with the person to agree a personalised housing plan
- Make onward referrals to other support services as appropriate

**Carry out an assessment** where an eligible applicant (not a person from abroad not eligible for housing assistance) is homeless or at risk of becoming homeless within 56 days.

**Work with the person to agree the reasonable and achievable actions** to be taken by the local authority and the individual to have and retain suitable accommodation. These are captured in the personalised housing plan.

Cambridgeshire and Peterborough - Accommodation protocol for CJS Pathways Home v1.0 December 2018

## Prevention

Lead: Homelessness prevention trailblazer (>56 days) or local authority housing advice service (<56 days)

- Help person stay in their current accommodation or find a new place to live

**Help prevent any eligible person who is at risk of becoming homeless from becoming homeless.** Help provided to stay in current accommodation or find a new place to live, regardless of priority need status, intentionality and whether they have a local connection.

Local authority not required to secure accommodation themselves but can do so, or help the person to do so (e.g. providing a rent deposit, family mediation).

## Relief

Lead: Local authority housing advice service

- Help secure accommodation if prevention fails
- *If the relief stage fails - the final main homeless duty owed for those in priority need and not intentionally homeless*

**Help to resolve homelessness if an eligible applicant is already homeless or prevention work has not been successful.** This help could be, for example, the provision of a rent deposit or debt advice. The duty lasts for 56 days, regardless of whether someone has a priority need (e.g. pregnant, have dependent children, vulnerable), and is expected to be available for at least six months.

**Those who have a priority need will be provided with interim accommodation** while these steps are being taken.

# Key contacts (1)

## **Duty to refer: referral form**

[https://www.gov.uk/government/publications/homelessness-duty-to-refer?utm\\_source=01a45e56-d2fc-4c71-b5bc-2a554cb829a4&utm\\_medium=email&utm\\_campaign=govuk-notifications&utm\\_content=daily](https://www.gov.uk/government/publications/homelessness-duty-to-refer?utm_source=01a45e56-d2fc-4c71-b5bc-2a554cb829a4&utm_medium=email&utm_campaign=govuk-notifications&utm_content=daily)

## **National local authority duty to refer email addresses**

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/746379/Local\\_Authority\\_Duty\\_to\\_Refer\\_emails\\_05102018.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/746379/Local_Authority_Duty_to_Refer_emails_05102018.pdf)

## **Local authority locator**

<https://www.gov.uk/homelessness-help-from-council>

# Key contacts (2)

## Local Housing Authorities

Cambridgeshire & Peterborough Homelessness Prevention Trailblazer

[trailblazer@fenland.gov.uk](mailto:trailblazer@fenland.gov.uk)

### Cambridge City Council Housing Advice Service

01223 457918

[Dutytorefer@cambridge.gov.uk](mailto:Dutytorefer@cambridge.gov.uk)

Online referral: <https://www.trownhousingconsultancy.co.uk/camtriage/>

Online referral when sure that person is homeless / threatened with homelessness and is eligible for assistance:

<https://hpa2.org/referral/FormPage.aspx>

### East Cambridgeshire District Council

01353 665555

[Dutytorefer@eastcambs.gov.uk](mailto:Dutytorefer@eastcambs.gov.uk)

### Fenland District Council Housing Options Team

01354 654321

[Dutytorefer@fenland.gov.uk](mailto:Dutytorefer@fenland.gov.uk)

### Huntingdonshire District Council

01480 388218

[dutytorefer@huntingdonshire.gov.uk](mailto:dutytorefer@huntingdonshire.gov.uk)

### Peterborough City Council

01733 864064

[dutytorefer@peterborough.gov.uk](mailto:dutytorefer@peterborough.gov.uk)

Online referral: <https://live.housingjigsaw.co.uk/alert/duty-to-refer>

### South Cambridgeshire District Council

03450 450 051

[dutytorefer@scambs.gov.uk](mailto:dutytorefer@scambs.gov.uk)

## Key contacts (3)

### **Floating Support**

P3 Floating Support Service (Cambs and Peterborough)

0808 169 8099

[cpfss@p3charity.org](mailto:cpfss@p3charity.org)

### **Adult Early Help**

Cambridgeshire County Council

0345 045 5202

[careinfo@Cambridgeshire.gov.uk](mailto:careinfo@Cambridgeshire.gov.uk)

### **Adult Early Help**

Peterborough City Council

[earlyhelp@peterborough.gov.uk](mailto:earlyhelp@peterborough.gov.uk)

*See also individual contact details shared separately*