

# **Dorset ‘Duty to Refer’ Protocol**

for

## **Public Authorities**

**1<sup>st</sup> October 2018**

**(applicable to England only)**

### **Participating Dorset Housing Authorities**

**Borough of Poole**

**Bournemouth Borough Council**

**Christchurch Borough Council**

**East Dorset District Council**

**North Dorset District Council**

**Purbeck District Council**

**West Dorset District Council**

**Weymouth and Portland Borough Council**

## **Foreword**

Firstly, a big thank you for the all support from the public services who've helped frame this protocol with their valuable input.

It has been a tremendous privilege to get out and meet so many professionals who are working tirelessly to help their service users who have found themselves facing homelessness. The Duty to Refer has created new networks and dialogues - it is imperative that we make the most of these developments in order to reduce homelessness and stop the revolving door between services across Dorset.

By supporting this protocol, you and your service will play a big part in making that happen.

**Jo Booth**

**Project Manager: Rough Sleepers Initiative**

*"This is a fantastic opportunity to make a real difference for those in our society who are struggling with their health as well as homelessness. We all need to get behind this project and work together as one community"*

**Maggie Kirk**

**GP Specialist Interest: Addictions and Homeless Medicine**

*"It's really positive to see the housing authorities working together with local public services to improve access to services for people facing homelessness"*

**Nicola Forsdyke**

**Housing Advice and Support Team, MHCLG**

*"We are excited to be able to be a part of this change in legislation which will improve the way we all work together to tackle homelessness. Homelessness can sometimes be a consequence of health problems and some individuals that face homelessness are also facing complex and multiple health needs. This is an opportunity to contribute new ideas and thinking on how to support these vulnerable individuals"*

**Melissa Scott**

**Service Lead: Dorset Healthcare University (Homeless Health)**

## 1. Introduction

Dorset is continuing to create new and dynamic ways of working within the public sector brought about by changes to the homelessness legislation.

The aim of the Homelessness Reduction Act (HRA) is to reduce homelessness by offering personalised prevention and relief assistance to *all* eligible applicants regardless of priority status.

The *Duty to Refer* is a key part of the new act and is designed to ensure that public authorities work together with housing authorities to identify and refer anyone using their services who is either homeless or *at risk* of homelessness.

Note: Under the new legislation, referrals can only be made to local housing authorities in England.

From 1<sup>st</sup> October 2018, public authorities specified by the government must comply with the new legislation by making a referral to a Local Housing Authority if they have reason to believe that a person using their services will be, or is at risk of being, homeless in the following 56 days.

Changes are required to the way in which services work together so that referrals are treated with more focus by all the agencies. This will not only ensure that the process is transparent for the referrer but will also become a key driver for long-term coordination between agencies.

The broad homelessness issues faced in Dorset are no different from those faced in other parts of the country but they are more acute in some areas such as Bournemouth and Weymouth. By working together under the same protocol, partners can form a common network and reach a common understanding of those issues and how to tackle them.

This document sets out the objectives and processes which will enable the participating partners to take a more pragmatic and coordinated approach to tackling and reducing homelessness and repeat homelessness.

In order to assist the specified public authorities to comply with the new legislation, the protocol sets out the referral process for all the Dorset housing authorities. In addition, it should be treated as the starting point for each participating public authority to build on existing relationships with other agencies in order to provide the maximum assistance to those people who have found themselves either homeless or threatened with homelessness.

This protocol provides a framework by which a range of agencies can now work together to prevent and reduce homelessness which not only improves the wellbeing of the individuals and families directly affected, but it will also have a positive impact on the wider community.

## 2. Objectives

It is recognised that partners using this protocol will be responsible for different types and varying numbers of services that may work with people who are homeless or at risk of becoming homeless. Within each specified public body - there will likely be a range of complementary services that will also need to comply with the Duty to Refer.

It is recognised that this protocol is to be used by a broad range of partners with different levels of knowledge of homelessness issues and work.

It is also recognised that some partners will not be familiar with the detail or legal terms of the Homelessness Reduction Act or with housing legislation more generally. The Protocol is written with this in mind and further training and information around homelessness can be available through the Dorset housing authorities participating in this protocol.

### Primary objective

The primary objective of this protocol is to ensure compliance with the minimum requirements placed on the specified public authorities by the new 'Duty to Refer' legislation, as set out in the Homelessness Reduction Act. The Duty to Refer element of the Act becomes effective from 1<sup>st</sup> October 2018.

The legislation requires that

- The public authority (appendix 1) must make a referral to a local housing authority if they have reason to believe that a person using their service will be homeless, or at risk of becoming homeless, in 56 days or less; and
- The homeless person has given their consent

### Secondary objectives

The secondary objectives are *collectively* critical in order to meet the spirit of the new legislation by evolving new networks that will have a lasting and positive effect on reducing homelessness and rough-sleeping; it is anticipated that new networks will lead to new thinking and collaborative working.

- Create new networks of cooperation in the public sector
- Identify and record the issues and obstacles faced by Dorset public services
- Establish joint working arrangements with partners
- Develop new approaches for entrenched and complex cases
- Develop innovative approaches to continually improve joint working
- Record, capture and analyse referral data in order to identify good practice as well as areas of service that could be improved
- Ensure transparent access to outcomes as well as areas for development
- Share findings, ideas and thinking with partner bodies

### Important note:

This protocol recognises the common obstacles associated with agreeing shared objectives; but equal consideration must be given to the need for transparency, analysis and alignment with the checks and measures used to inform national trends.

The main driver, however, must be to continue improving our coordinated approach in order to relieve homelessness across Dorset.

## **3. Making a referral**

All housing authorities are bound by the same legislation in how to treat a homeless approach but each will have their own individual processes.

For clarity, this protocol only sets out the *common* referral process and the expectation of how that referral should be treated.

Important: A referral to a housing authority does **not** constitute a homeless application

### Step one

As soon as it is identified that a service user is homeless, going to be homeless, or is at risk of becoming homeless in the following 56 days, the service user should be asked for their consent to make a homelessness referral to a local housing authority.

What information is needed?

- Service user name, date of birth, contact details
- Service user expressed consent to make the referral

- Information regarding any children, partner, or any other adults that might be expected to live in the household

What other information is useful?

The information included in the referral could make a difference as to type of service that is offered, for example, whether emergency accommodation is provided. This because the law requires the housing authority to assess customer priority for assistance.

It is therefore useful to ask about

- physical health, mental health and any other impairment that may impact on them or members of their household.
- If they were ever in the care system as a child or young person
- Any Criminal convictions
- Any addiction issues
- Any hospital admissions in the last 12 months, or if any expected in the future
- For each area try to get as much detail as you can. It is also useful to remind the service user to explain the detail of any of these issues to the housing officer

### **Step two – Please read the guidance notes (Appendix 3) before making a referral**

There are **three** different Dorset housing authority websites and every effort should be made to refer to the most appropriate. **NOTE:** For supporting information and/or enquiries, please use the email address that corresponds with housing authority to which you are referring.

[www.DorsetForYou.gov.uk](http://www.DorsetForYou.gov.uk)

Christchurch Borough Council	<a href="mailto:dutytoreferCBC@christchurchandeastdorset.gov.uk">dutytoreferCBC@christchurchandeastdorset.gov.uk</a>
East Dorset District Council	<a href="mailto:dutytoreferEDDC@christchurchandeastdorset.gov.uk">dutytoreferEDDC@christchurchandeastdorset.gov.uk</a>
North Dorset District Council	<a href="mailto:dutytoreferNDDC@dorset.gov.uk">dutytoreferNDDC@dorset.gov.uk</a>
Purbeck District Council	<a href="mailto:dutytorefer@purbeck-dc.gov.uk">dutytorefer@purbeck-dc.gov.uk</a>
West Dorset District Council	<a href="mailto:dutytoreferWDDC@dorset.gov.uk">dutytoreferWDDC@dorset.gov.uk</a>
Weymouth & Portland Borough Council	<a href="mailto:dutytoreferWPBC@dorset.gov.uk">dutytoreferWPBC@dorset.gov.uk</a>

[www.Bournemouth.gov.uk](http://www.Bournemouth.gov.uk)

Bournemouth Borough Council	<a href="mailto:dutytorefer@bournemouth.gov.uk">dutytorefer@bournemouth.gov.uk</a>
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[www.Poole.gov.uk](http://www.Poole.gov.uk)

Borough of Poole	<a href="mailto:dutytorefer@poole.gov.uk">dutytorefer@poole.gov.uk</a>
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### **The three different web sites for making a referral in Dorset**

Choose from either A, B or C depending on the area you wish to refer to

#### **A. Dorset For You**

From the Homepage: [www.DorsetForYou.gov.uk](http://www.DorsetForYou.gov.uk)

Click on: All Services

Click on: Housing

Click on: [Homelessness](#)  
Click on: [At risk of becoming homeless](#)  
Click on: [The council of your choice](#)

Fill out the online form that will appear

**Note:** please add any additional supporting information using the corresponding email addresses (above)

## **B. Bournemouth Borough Council**

Use the direct link: [www.bournemouth.gov.uk/dutytorefer](http://www.bournemouth.gov.uk/dutytorefer) or;

From the Homepage: [www.bournemouth.gov.uk](http://www.bournemouth.gov.uk)

Scroll down to the list of links under 'Housing'...

Click on: [Duty to Refer](#)

**Additional and/or supporting evidence:** On the right of the 'Duty to Refer' page is a box containing two downloadable forms. One form is labelled **Duty to Refer: Supporting Evidence** (prisons, probation, armed forces) and the other is labelled **Duty to Refer: NHS Clinical Evidence** (hospitals, emergency depts. etc).

**NOTE:** The NHS form is for those services such as Emergency Departments who may not have the time or access to more detailed information on the referee. You should try to provide as much information as possible and you may choose either (or both) supporting forms if you think it is appropriate.

Email completed forms to: [dutytorefer@bournemouth.gov.uk](mailto:dutytorefer@bournemouth.gov.uk)

## **C. Borough of Poole**

Use the direct link: [www.poole.gov.uk/dutytorefer](http://www.poole.gov.uk/dutytorefer) or;

From the Homepage: [www.poole.gov.uk/housingadvice](http://www.poole.gov.uk/housingadvice)

Scroll down to the list of links under 'Housing'...

Click on: [Duty to Refer](#)

**Additional and/or supporting evidence:** On the right of the Duty to Refer page is a box containing two downloadable forms. One form is labelled **Duty to Refer: Supporting Evidence** (prisons, probation, armed forces) and the other is labelled **Duty to Refer: NHS Clinical Evidence** (hospitals, emergency depts. etc).

**NOTE:** The NHS form is for those services such as Emergency Departments who may not have the time or access to more detailed information on the referee. You should try to provide as much information as possible and you may choose either (or both) supporting forms if you think it is appropriate.

Email completed forms to: [dutytorefer@poole.gov.uk](mailto:dutytorefer@poole.gov.uk)

## **4. Response to a referral**

The housing authority will

- Contact the homeless person and/or the referrer within 3 working days (phone or interview)

- If the person is homeless on the day of referral, a call will be made the same working day. If the referral is out-of-hours, please use the emergency number that can be found on the housing authority web site
- If there is reason to believe that the person is currently homeless and eligible, a homelessness application will be taken and the Relief Duty engaged
- If there is reason to believe that the person is eligible, not homeless but threatened with homelessness in 56 days, a homelessness application will be taken and the Prevention Duty will be engaged
- If the housing authority does not have reason to believe that the person is either eligible and/or homeless, the person will be given further appropriate advice and information

The housing authority will then (if reason to believe homeless & eligible)

- Explain the Personal Housing Plan and any relevant duties
- Create a system case and document any relevant information
- Identify housing and support needs and co-produce a plan to address these
- Explain implications of any referral/s to other appropriate authorities or services.

## **5. Coordinated work**

At the core of this protocol is a clear aspiration to make lasting changes to the ways in which services work together in order to tackle homelessness.

While the introduction of the Homelessness Reduction Act has increased the duties on local authorities, the Duty to Refer will enable earlier, coordinated intervention across services and the community.

The initial anticipated increase in referrals to Housing Authorities should pay longer term dividends in terms of homelessness prevention and reductions in overall homelessness. This in turn should reduce the amount of costly crisis-intervention work at a later date for a variety of services, as well as reducing the distress and trauma that homelessness causes for individuals and households.

## **Appendices**

<b>Appendix 1</b>	Specified Public Authorities
<b>Appendix 2</b>	Contact List: <i>Local Housing Authorities</i>
<b>Appendix 3</b>	Guidance Notes: <i>Making a referral</i>

# **Appendix 1**

## **Specified Public Authorities**

The Homelessness Reduction Act introduced a duty on certain public authorities to refer service users who they think may be homeless or at risk of homelessness to a housing authority. The public services included in the duty are as follows:

- Prisons
- Youth offender institutions
- Secure training centres
- Secure colleges
- Youth offending teams
- Probation services (including community rehabilitation companies)
- Jobcentre Plus
- Social service authorities
- Emergency departments
- Urgent treatment centres and;
- Hospitals in their function of providing inpatient care

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.

### **Homelessness Code of Guidance (for Local Housing Authorities)**

#### **Chapter 4: Duty to Refer**

<https://www.gov.uk/guidance/homelessness-code-of-guidance-for-local-authorities/chapter-4-the-duty-to-refer-cases-in-england-to-housing-authorities>

### **Homelessness Code of Guidance (for Local Housing Authorities)**

Priority need, local connection, vulnerability, custody leavers, care leavers

<https://www.gov.uk/guidance/homelessness-code-of-guidance-for-local-authorities>



## Appendix 2

### Local Housing Authorities

#### Duty to Refer: enquiries and supporting information

<b>Borough of Poole</b>	<a href="mailto:dutytorefer@poole.gov.uk">dutytorefer@poole.gov.uk</a>
<b>Bournemouth Borough Council</b>	<a href="mailto:dutytorefer@bournemouth.gov.uk">dutytorefer@bournemouth.gov.uk</a>
<b>Christchurch Borough Council</b>	<a href="mailto:dutytoreferCBC@christchurchandeastdorset.gov.uk">dutytoreferCBC@christchurchandeastdorset.gov.uk</a>
<b>East Dorset District Council</b>	<a href="mailto:dutytoreferEDDC@christchurchandeastdorset.gov.uk">dutytoreferEDDC@christchurchandeastdorset.gov.uk</a>
<b>North Dorset District Council</b>	<a href="mailto:dutytoreferNDDC@dorset.gov.uk">dutytoreferNDDC@dorset.gov.uk</a>
<b>Purbeck District Council</b>	<a href="mailto:dutytorefer@purbeck-dc.gov.uk">dutytorefer@purbeck-dc.gov.uk</a>
<b>West Dorset District Council</b>	<a href="mailto:dutytoreferWDDC@dorset.gov.uk">dutytoreferWDDC@dorset.gov.uk</a>
<b>Weymouth &amp; Portland Borough Council</b>	<a href="mailto:dutytoreferWPBC@dorset.gov.uk">dutytoreferWPBC@dorset.gov.uk</a>

#### Duty to Refer: point-of-contact

<b>Borough of Poole</b>	<a href="mailto:C.Chapman@poole.gov.uk">C.Chapman@poole.gov.uk</a>
<b>Bournemouth Borough Council</b>	<a href="mailto:Mark.Fisher@bournemouth.gov.uk">Mark.Fisher@bournemouth.gov.uk</a>
<b>Christchurch Borough Council</b>	<a href="mailto:MByrne@christchurchandeastdorset.gov.uk">MByrne@christchurchandeastdorset.gov.uk</a>
<b>East Dorset District Council</b>	<a href="mailto:MByrne@christchurchandeastdorset.gov.uk">MByrne@christchurchandeastdorset.gov.uk</a>
<b>North Dorset District Council</b>	<a href="mailto:dutytorefer@northdorset.gov.uk">dutytorefer@northdorset.gov.uk</a>
<b>Purbeck District Council</b>	<a href="mailto:FionaBrown@purbeck-dc.gov.uk">FionaBrown@purbeck-dc.gov.uk</a>
<b>West Dorset District Council</b>	<a href="mailto:SHow@dorset.gov.uk">SHow@dorset.gov.uk</a>
<b>Weymouth &amp; Portland Borough Council</b>	<a href="mailto:dutytoreferWPBC@dorset.gov.uk">dutytoreferWPBC@dorset.gov.uk</a>

# Appendix 3

## General guidance for Public Authorities

### Local connection

- The Housing Act 1996 allows for anyone to make an application to *any* housing authority within England, Wales or Scotland (or to the Housing Executive in Northern Ireland)
- The new Duty to Refer legislation, however, is only applicable to England
- You should also be aware that housing authorities may *refer a person to a different housing authority* where there is no established connection with the authority to which they are applying, but where there is a *clear connection* to another area. Note: There may be exceptions to this; a risk of violence, legal restrictions or other special reasons that may be applicable which the housing authority will need to take into consideration
- In the case of a person who is street homeless or insecurely accommodated (e.g. 'sofa surfing') the housing authority will need to carry out a different type of inquiry to be satisfied as to their 'normal residence' than would be required for an applicant who has become homeless from more settled accommodation. If an applicant has no settled accommodation elsewhere, and from inquiries the authority is satisfied that they do in fact reside in the district, then there will be 'normal residence' for the purposes of the 1996 Act
- Public Authorities are bound by the intent expressed by the service user regarding which housing authority to apply to. However, every effort should be made to manage the expectations of the person being referred to a local authority where they do not have a local connection, as it is very unlikely that any referral will be successful in these circumstances

### Data Protection

- The portal link is fully secure and creates a case directly in the housing authorities' management system
- Referrers will be asked to confirm that the service user's consent has been obtained in the online referral form
- The referrer will receive a unique reference number to prove compliance with the duty
- Any email addresses containing the prefix 'dutytorefer' is fully encrypted when communicating with an organisational suffix i.e., @NHS.uk, @HMP.GSI, etc
- Please do not send details of service users from a personal suffix i.e., @hotmail, @gmail etc

### General enquiries

- Use the appropriate 'dutytorefer' email for general enquiries or to request further information from a specific housing authority
- If your enquiry is relevant to an individual, make sure the person's name is in the subject line

### Additional information in support of a referral

- Any other supporting information such as risk assessments, Word documents etc should be sent using the appropriate 'dutytorefer' email addresses linked to the chosen housing authority
- The service user's name should be included in the subject line of the email so that it can be easily matched to the case file. **NOTE:** Failure to do this may result in the referral being delayed

- Different housing authorities may ask you to submit further information using their own forms or in the body of an email. These should be submitted as email attachments using the 'dutytorefer' address for the specific housing authority.

### **Online referral Form**

- The form will ask if you have the service user's consent
- The referral cannot be completed without it
- It is the *referrer's* responsibility to ensure consent is obtained. By making the referral, the referrer is confirming that consent has been given
- If the service user is currently in an institution such as a hospital unit or prison etc, DO NOT click on the box that states that the person has *no current accommodation*. Input the POSTCODE of the relevant institution and then 'continue'. This will pull up address fields for the details of the institution. Please include as much helpful information as possible such as specific units, ward numbers etc
- Once submitted, the referral and any supporting information provided through the 'dutytorefer' email will appear on the relevant housing authority's case list.