

# Nottingham City Council Delegated Decision



**Nottingham**  
**City Council**

Reference Number:

3491

Author:

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Department:

Development and Growth

Contact:

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Subject:

Use of New Burdens funding for homelessness provision

Total Value:

£128,615 (Type: Revenue)

Decision Being Taken:

- 1) To accept the Government Homelessness Reduction Act New Burdens funding of £128,615 for use during 2018/19 to meet the costs associated with the additional duties contained within the Act.
- 2) To approve spend of the grant on staffing, IT and training according to the schedule outlined in the Appendix 'Programme for use of Homelessness Reduction Act New Burdens funding'.
- 3) To agree to dispensation from financial regulations for the procurement of IT services, as the most suitable provider was chosen to meet the needs of the service.
- 4) To delegate authority to the Corporate Director of Development and Growth to adjust the remit of spend between the listed measures as demand requires within the 2018/19 financial year.
- 5) For the Corporate Director only to agree to the creation and recruitment to the additional Nottingham City Council posts at points 1(a) and 1(b) in the attached Appendix, under scheme of delegation ref 16.

**Reasons for the Decision(s)** The Homelessness Reduction Act 2017 came into effect from April 2018. The legislation significantly changes the way that local authorities are required to respond to homelessness and it introduces duties for local authorities to try to prevent homelessness and help relieve homelessness from happening prior to assessing a household under a Housing Act Part VII duty (commonly known as a 'homeless application'. This means that all local authorities are required to provide services and support to a wider range of people and for longer periods of time. In acknowledgement of the additional capacity systems would require to transition to the new regime, the Government released a New Burdens budget and allocated a set amount to each local authority area. The allocations were determined by Government according to statistical homelessness returns submitted by each council. The grant is ring-fenced for the use of the local housing authority to help meet the new statutory requirements.

In the quarter year following the introduction of the Homelessness Reduction Act in April 2018, there was a 25% increase in households presenting to Nottingham City Council at risk of homelessness. There are an average of 92 new households presenting for support each week and an average of 23 new applications taken each day that the service is open. Officer caseload increased from around 40 cases to 75. Cases are held for longer (previously a maximum of 33 days has now changed to a minimum of 56 days). Assessments take almost three times as long as previously and there is an additional 90 minute interview with the household to develop the Personalised Housing Plan (a further requirement introduced by the new legislation).

**Briefing notes documents:** Appendix A. Programme for use of Homelessness Reduction Act New Burdens funding.docx

**Other Options Considered:** There are no other feasible options available as the grant is ring-fenced for the use of the local housing authority to deliver the Homelessness Reduction Act and without investment in staffing and IT resource this would not be possible.

**Background Papers:** None

**Published Works:** None

**Affected Wards:** Citywide

**Colleague / Councillor Interests:** None

**Dispensation from Financial Regulations:** Yes

**Consultations:** Those not consulted are not directly affected by the decision.

**Crime and Disorder Implications:**

**None**

**Equality:**

**EIA not required. Reasons: There are no fundamental changes to service delivery**

**Decision Type:**

**Portfolio Holder**

**Subject to Call In:**

**No**  
**The call-in procedure does not apply to the proposed decision because the delay likely to be caused by the call in process would seriously prejudice the Council's or the public's interests. The Chair of the Overview and Scrutiny Committee (or Vice-Chair) in his/her absence has been consulted and agreed both that the decision proposed is reasonable in all circumstances and that it should be treated as a matter of urgency.**

**Person Consulted: N/A**

**Consultation Date: 12/03/2019**

**This decision is retrospective and therefore cannot be called in.**

**Advice Sought:**

**Legal, Finance, Human Resources, IT**

**Legal Advice:**

The Homelessness Reduction Act came in to force on 3 April 2018. The Act made significant amendments to the current homelessness legislation contained in Part 7 Housing Act 1996 ("the 1996 Act"), by imposing additional duties on local housing authorities, over and above those already set out in the 1996 Act. There are two significant new duties. The first is the "prevention duty" which imposes a duty to try to assist in preventing homelessness when a person is facing the possibility of losing their home but has not yet been made homeless. The second is the "relief duty" which requires housing authorities to help people who are homeless to secure accommodation.

Central government recognised that these duties impose additional financial burdens on authorities and as a result it made available the new burdens funding to allow councils to provide adequate resources to implement the Homelessness Reduction Act 2017, and therefore to comply with the statutory duties imposed by the legislation. The resultant increase in staff resources, IT, administration and so on needs to be funded to allow the council to comply with its duties and the funds are made available in accordance with the government's own guidance to government departments on its burdens doctrine.

It is lawful that the new burdens funding be used to assist the Council to adequately deal with and discharge its duties imposed by the Homeless Reduction Act as that is the purpose of the funding.

Any delegation to the Corporate Director of Development and Growth to adjust the remit of spend between the listed measures (as set out in the appendix) as demand requires within the 2018/19 financial year must be made in accordance with the constitution of the Council.

Advice provided by Roseann Kane (Senior Solicitor) on 08/01/2019.

**Finance Advice:**

Appendix A details the breakdown of costs which the grant is to be spent on. The fixed term posts are required to support the additional workload that Housing Aid has been experiencing due to the Homelessness Reduction Act and is in keeping with the purpose of the grant. The spend is being monitored to ensure that the costs are kept within the total grant.

Advice provided by Susan Tytherleigh (Senior Finance Manager) on 07/01/2019.

**HR Advice:**

Of the £128,558, £70,758 has been spent on additional staffing resources for delivery of the Council's responsibilities under the Homelessness Reduction Act (a further £41,000 being spent on additional NCH staffing provision). The DDM request is retrospective as the additional resources have already been procured. The agency workers have now ceased and recruitment is underway to the fixed term posts. There are no staffing implications for the Council as these are new, time-limited posts.

Advice provided by Carol McCrone (HR Consultant) on 15/03/2019.

**IT Advice:**

The IT Service support the proposals included in this delegated decision.  
 The application system service provided is cloud based in MS-Azure and so will not have a direct impact on the Council's servers and data storage. There will be an increase in Internet traffic but this is not considered significant at this point. Provision has been made for additional hardware, laptops, to support the project. If not completed then it is recommended that a Data Protection Impact Assessment is undertaken before the service is established.

Advice provided by Paul J. Burrows (IT Change, Projects & Strategy Manager) on 14/03/2019.

**Signatures**

Linda Woodings as Portfolio Holder (Portfolio Holder Planning, Housing and Heritage)
SIGNED and Dated: 04/04/2019
Chris Henning (Corporate Director for Development and Growth)
SIGNED and Dated: 04/04/2019
Laura Pattman (Strategic Director of Finance) - Dispensation from Financial Regulations
SIGNED and Dated: 04/04/2019
Chief Finance Officer's Comments: