

Essex Prisoner Housing Protocol

Reducing the number of those leaving custody without suitable accommodation



Essex Prisoner Housing Protocol

Introduction

This protocol is an agreement between all Essex Local Housing Authorities, Essex CRC, National Probation Service, NACRO, Essex County Council, Chelmsford Prison [more prisons may be included in due course, subject to their agreement]

The intention of the protocol is to reduce the number of Essex adult offenders who leave custody without suitable accommodation to move into, and especially to reduce the number of offenders obliged to sleep rough or to move into accommodation which is unsafe for themselves or others.

In order to achieve these aims, it is important that:

1. An assessment is made of every offender, who has been taken into custody, as early as possible in the criminal justice process, to establish if they are at risk of homelessness on release.
2. If such a risk is identified, a named person takes responsibility for coordinating action to prevent homelessness.
3. Wherever practical, if an offender is living in suitable accommodation prior to coming into custody, steps are taken to avoid the loss of that accommodation, and to avoid the building up of rent arrears and/or other debt relating to that accommodation.
4. If it is not practical to retain accommodation held prior to custody e.g. because of a long sentence, then such accommodation should be released in such a way as not to build up debt, and where possible to safeguard the offender's possessions which may have been left in that accommodation.
5. If an offender was not living in suitable accommodation prior to coming into custody, or it is not possible to retain such accommodation to return to on release, efforts should begin no less than 56 days before the expected release date, to secure suitable accommodation to coincide with release.
6. If this is not possible e.g. for offenders with a very short sentence with no accommodation to return to, efforts to secure accommodation should begin in earnest as soon as the release date is known.
7. Efforts to prevent homelessness should be coordinated between the relevant parties to this agreement and carried out in a spirit of partnership and cooperation, in order to maximize and make best use of the resources which are available.

8. Detailed and accurate information necessary to support prisoners safely and effectively will be shared between the relevant organizations involved, and any additional consents required to enable this will be sought.
9. All offenders at risk of homelessness within 56 days should be referred to the appropriate local housing authority (LHA) as early as possible in line with the Duty to Refer legislation in the Homelessness Reduction Act
10. Local housing authorities should respond to all such referrals in a timely fashion and agree a Personal Housing Plan between the offender, the relevant agencies (those within in the criminal justice system e.g. CRC, NPS, NACRO, and others including DWP) and the local authority as soon as possible.
11. If it is not possible to secure suitable accommodation in time for release, urgent steps should be taken on release to prevent rough sleeping, where this has been identified as a risk.
12. Agencies will work together to ensure that appropriate support is offered to prisoners subsequent to release.

The remainder of the protocol sets out in more detail how the above aims are to be achieved.

The protocol intends to support Multi Agency Public Protection Arrangements (MAPPA), which should always take precedence over this protocol.

The protocol is not intended to apply to young offenders under 18, where different arrangements will apply.

Partnership and Organizational Responsibilities

The key to effectiveness of the protocol lies in clear communication, a commitment from all partner agencies to joint working and open, transparent information sharing policies and decision making processes.

Each partner needs to agree the protocol and take responsibility for compliance issues within their own organization.

Annex A details the main contact details for each partner agency.

Annex B details the information sharing protocol.

Annex C details the dispute resolution procedure.

Annex D summarises the relevant roles and responsibilities of the NPS, Essex CRC and NACRO

Review of the Protocol

The protocol will be reviewed after six months and annually thereafter by the Essex Reducing Reoffending Board in partnership with the EHO Chief Officers Group.

Cooperation to Prevent the Loss of a Prisoner's Existing Home

The best opportunity to prevent future homelessness is often at the beginning of custody by working to prevent the loss of a prisoner's existing home.

This may for example be by ensuring that rent continues to be paid at the property through a continued Housing Benefit or Universal Credit 'Housing Costs Element' claim, by ensuring that rent payments continue to reach the landlord or managing agent of the property in the prisoner's absence, and/or by ensuring that relevant people and organizations are given the necessary information to maximize the chance of the tenancy being retained.

Where applicable, support may be needed to ensure mortgage payments continue to be made and/or that mortgage lenders are given necessary information.

Once a tenancy is lost, it can be much harder, and often impossible, to access new accommodation upon release, so every effort should be made to sustain existing accommodation and avoid the build-up of rent arrears or other debt during custody.

Where it is impossible to sustain existing accommodation e.g. because of a long sentence, efforts should be made to relinquish the tenancy before debt has been allowed to build up, and where possible to remove and retain the prisoner's possessions.

In some cases, prisoners will be home owners, and action may need to be taken to ensure payments can continue to be made or to seek forbearance from the mortgage lender.

In other cases, support may be needed for family members to maintain accommodation during the prisoner's absence.

The lead responsibility for the attempt to retain existing accommodation lies with Prison and Probation services, but Local Housing Authorities (LHAs) can and should help where they can. This might be for example by assisting with a Housing Benefit claim, or by supplying the contact details of a landlord, where consistent with GDPR regulations.

If the potential risk of homelessness is beyond 56 days, such support will be provided outside of the formal Duty to Refer arrangements and without the requirement for the LHA to complete a formal Personal Housing Plan.

Prison and Probation services can request help from LHAs using the relevant Duty to Refer e-mail address shown in **Annex A**.

It is agreed that;

- 1. Prison and Probation services will always check at the earliest opportunity whether any new prisoner has an existing tenancy or mortgage agreement. If so, they will take the necessary steps to save that tenancy/mortgage wherever possible, and as a minimum to avoid the build-up of rent arrears or**

other debt due to the prisoner being in custody.

- 2. When Prison and Probation services request help from an LHA to assist with saving a tenancy in that LHA's area, the LHA will respond within 3 working days and will support Prison and Probation Services in their attempt to maintain the tenancy.**

Application of the Homelessness Reduction Act Duty to Refer

Prisons and Probation Providers in England must refer those who they have identified as being at risk of homelessness within 56 days to a Local Housing Authority (LHA).

The individual must give their consent (either in writing or orally) to the referral being made and they can identify any LHA of their choice. Without consent, a referral cannot be made.

Although an individual is able to choose which LHA to be referred to, the reality is that unless they are referred to an LHA where they have a local connection, they are unlikely to be given priority for access to any accommodation which may be available.

Therefore there is good reason for the offender to be referred to the LHA where they most clearly meet at least one of the local connection criteria. A summary of the local connection criteria from the homelessness legislation is shown at **Annex E**.

It is agreed that:

- 3. Parties to this protocol making a referral to an LHA will seek to identify where the offender most clearly meets at least one of the local connection criteria, and will strongly advise the offender to be referred to that LHA only, unless they are legally excluded from services in that LHA, or returning to that LHA presents a clear risk to themselves or others,**
- 4. If there are such reasons to refer to an LHA where there is no clear local connection, these will be explained clearly in Section 8 of the N-DELIUS referral form.**
- 5. LHAs party to this protocol will look sympathetically at such reasons and will not unfairly exclude an offender from support where it is clear that a referral to the LHA with the clearest local connection was not practicable or was not safe.**

There are a number of possible formats which can be used to make a referral to an LHA under the Duty to Refer. However the most practicable form to use for Offender Services with access to the PNOMIS IT system is the N-DELIUS standard referral form, which is shown at **Annex F**. Recording the referral on N-DELIUS will allow a track to be kept of referrals as part of the offender's record, and should reduce the potential for duplication and misunderstandings.

Each of the Essex LHAs has set up a designated e-mail address for Duty to Refer referrals. These are listed in **Annex A**

It is agreed that:

- 6. Referrals under the protocol will use the N-DELIUS standard form, which will be sent to the designated Duty to Refer e-mail address for each LHA, and will be recorded and uploaded on N-DELIUS and recorded on PNOMIS.**
- 7. These referrals will provide a named contact person who will lead on the case for Prison and Probation services, and both e-mail and telephone contact details.**
- 8. LHAs receiving referrals from agencies party to this protocol, will send an acknowledgement of receipt within one working day.**
- 9. LHAs receiving referrals under the protocol will provide a substantive response indicating next steps and designating a named contact person to lead on the case for the LHA within three working days of receiving the referral. This response may either be by e-mail or by telephone or both.**
- 10. If either the named lead LHA contact person or lead Prison and Probation service contact person changes, notification of this will be made without delay.**

Identification of a Risk of Homelessness

There are a number of different stages when a risk of homelessness may be identified. The first opportunity to identify a risk of homelessness by officers in the Prison and Probation service is likely to be at the point when the alleged offender is taken to court either for trial or to determine pre-trial conditions e.g. bail, or where a person is remanded in custody.

Where the court-based Probation Officer is invited to assess an individual's circumstances to assess their suitability for sentencing options, this should also include an assessment of whether they are homeless or at risk of homelessness within 56 days.

If this risk is identified, the court based Probation Officer should either complete the duty to refer form or arrange for someone else to complete it and submit to the relevant LHA within 24 hours.

Otherwise, all Prison and Probation service staff beginning to work with a prisoner should assess whether the prisoner is at risk of homelessness and, if so, whether this is likely to be within 56 days. If such a risk is identified, then the relevant officer from Probation, the CRC or the Prison should make a referral if this has not already been done.

This could be the case if a referral has not been made by the court-based Probation Officer or if information indicating a risk of homelessness comes to light later, or if the individual is sentenced to longer than 56 days and a referral is made prior to release rather than at the point of sentence.

From the perspective of individuals supported by Prison or Probation Providers, those at risk of

being homeless and who must be referred include, but are not limited to, those who are:

- Temporarily residing with family or friends ('sofa surfing')
- Rough sleeping
- Residing in a squat
- Of no fixed abode
- Living in transient short-term accommodation
- Where the person is likely to be living in the above-listed situations, or in any event likely to become homeless, within 56 days e.g. because there are moves to evict them from their current accommodation.
- Accommodation available to them is unsuitable due to risk of violence or poor conditions
- Family or friends have asked individual to leave.
- A prisoner to be released within 56 days and likely to be homeless.

Partnership Working

It is important that the offender services and the LHA work together in the most effective way possible, rather than either the Local Housing Authority or the Prison/Probation agency being left to solve the problem on their own, or nobody taking responsibility.

It is agreed that:

- 11. Whoever makes the referral, a person will be identified who will co-ordinate the case for Prison and Probation services and that person's name and contact details will be provided on the form for use by the LHA**
- 12. The Prison and Probation lead and the LHA lead will discuss at the first opportunity what steps are to be taken to try to prevent or relieve homelessness.**

Depending on the circumstances, this could include (but is not limited to):

- a meeting or a teleconference with the offender to create a Personal Housing Plan. This might take place at the LHA office or in prison or elsewhere depending on the offender's circumstances.
- Information sharing in order to determine the offender's likely eligibility for homelessness assistance and their priority need status under the homelessness legislation
- Action to resolve any Housing Benefit or Universal Credit issues.
- Provision of, or referral to, supported housing
- Liaison with the offender's landlord to help retain a tenancy
- Liaison with the offender's friends and family
- Provision of temporary accommodation
- Debt Advice
- Referral to appropriate health and/or social care services
- Provision of floating support

- Access to private rented accommodation
- Access to services for rough sleepers (e.g. No Second Night Out)

It is agreed that:

13. Unless release is imminent, a personal housing plan interview will be set up within the prison at the earliest opportunity if an individual serving a custodial sentence or remanded in custody is identified to be at risk of homelessness within 56 days.

14. This will be attended by the LHA lead either in person or by telephone/video, and by the Prison and Probation lead in person, wherever possible.

Actions in the personal housing plan will typically include actions for all three of:

- The offender
- The LHA
- The Prison and Probation agency/ies

and also:

- Voluntary Sector agencies where applicable
- DWP where applicable e.g. in ensuring welfare benefits are in payment on release

It is agreed that:

15. Upon request from the LHA, and consistent with GDPR requirements, the Prison and Probation lead will work with the prisoner to provide any information requested by the LHA, including ID verification and other evidence, in order to establish their duty under the homelessness legislation.

There may be occasions where the offender refuses to cooperate with the process of agreeing a personal housing plan. In this case the Prison and Probation lead and the LHA lead should nevertheless work together to attempt to prevent homelessness where possible and if necessary to devise a PHP without the involvement of the offender, although the offender's involvement and agreement should be obtained if at all possible.

It is important that communications with offenders about their housing options are realistic, and that expectations are managed. Most offenders will not be in priority need under the homelessness legislation, and are not likely to be offered long term social housing. Even those who are in priority need (those whom the LHA assess to be vulnerable under the terms of the homelessness legislation) may have to wait in temporary accommodation for a significant period before they are housed in settled accommodation in either the private rented sector or social rented sector.

Where individuals are not in priority need, there is no duty under the Homelessness Reduction Act for LHAs to provide any accommodation at all, but merely to take “reasonable steps” to prevent or relieve homelessness. Reasonable steps may well not succeed where there is a shortage of available accommodation and limited financial resources.

It is therefore unhelpful to support any belief among offenders that they are likely to be offered a “council flat”, or quite possibly any accommodation, upon release, and extremely important to take action wherever possible to prevent the loss of suitable accommodation when an individual is taken into custody, as this is likely to be their best chance of having suitable accommodation to move into on release.

If the offender is in receipt of Universal Credit or Housing Benefit, then it may be beneficial to seek a Discretionary Housing Payment to assist in meeting any rent shortfall whilst serving a sentence. However, this is only likely to be considered on a short-term basis.

Once a Personal Housing Plan has been completed both the LHA and the Prison and Probation agencies agree to fulfil their actions under the plan and to work in partnership. Regular updates should be provided by all parties on the actions for which they have taken responsibility.

Although the PHP is clearly “owned” by the LHA and the applicant, in some cases it may be the Prison and Probation agencies who have more responsibility under the plan to take the necessary actions to prevent homelessness. The balance of responsibilities should be determined by the circumstances in each case including the resources available.

In order to work effectively it will be important to build and maintain good relationships between Prison and Probation agencies and LHAs, and it may make sense where practicable for key Prison and Probation referral officers to be designated to lead on referrals to each LHA.

Cooperative working where there is no statutory Duty to Refer

Although the Duty to Refer requires Prison and Probation services to refer to LHAs if a person is at risk of homelessness within 56 days, there are other circumstances where cooperation is likely to be helpful.

As discussed earlier, this may include co-operation to retain existing accommodation at the beginning of custody, but there are also other possible scenarios, including cases where a release date is known more than 56 days in advance, and the Prison and Probation arrangements to support a person on release are already in place.

In such cases it is at the discretion of the Prison and Probation lead whether to make an earlier referral to the LHA. This should depend on whether this makes a successful outcome more likely: a matter which may require discussion with the LHA.

It is agreed that:

- 16. Where a duty to refer type referral is made to an LHA by one of the parties to this protocol more than 56 days before release, the LHA will accept the referral and work with the offender and the Prison and Probation lead to prevent homelessness, where there are actions which can sensibly be taken to prevent homelessness at that stage.**

Data Sharing and Outcomes Monitoring

It is important to track the outcomes achieved through the operation of this protocol in order to understand:

- What outcomes are being achieved in total
- What outcomes are being achieved in each LHA area, and how outcomes differ between different areas
- How outcomes vary according to offender category, length of sentence, time between referral and potential homelessness, prisoner support needs, gender, ethnicity etc.
- Impact on reoffending (if possible)

It is also important for individual referring officers to get feedback on what happened to the offenders they referred. Under the terms of this protocol, in most cases the collaborative working which has been agreed should lead to Prison and Probation leads being in close communication with LHA leads and receiving feedback on outcomes through that process, but more systematic reporting will also be beneficial.

All LHAs are obliged to record Homelessness Reduction Act outcomes in some detail in order to complete their H-CLIC data submissions for MHCLG.

It is therefore important to extract and analyze this data in order to provide meaningful feedback to Prison and Probation agencies about overall outcomes and to be able to feedback to individual Prison and Probation referral leads what happened to each individual referred by them.

It is agreed that:

- 17. Essex County Council will develop a data reporting and analysis tool which collates and reports on the outcomes of referrals made under this protocol, making use of data in each LHA's H-CLIC returns.**

Summary of Commitments

Retaining Existing Accommodation

1. Prison and Probation services will always check at the earliest opportunity whether any new prisoner has an existing tenancy or mortgage agreement. If so, they will take the necessary steps to save that tenancy/mortgage wherever possible, and as a minimum to avoid the build-up of rent arrears or other debt due to the prisoner being in custody.
2. When Prison and Probation services request help from an LHA to assist with saving a tenancy in that LHA's area, the LHA will respond within 3 working days and will support Prison and Probation Services in their attempt to maintain the tenancy.

Duty to Refer

3. Parties to this protocol making a referral to an LHA will seek to identify where the offender most clearly meets at least one of the local connection criteria, and will strongly advise the offender to be referred to that LHA only, unless they are legally excluded from services in that LHA, or returning to that LHA presents a clear risk to themselves or others,
4. If there are such reasons to refer to an LHA where there is no clear local connection, these will be explained clearly in Section 8 of the N-DELIUS referral form.
5. LHAs party to this protocol will look sympathetically at such reasons and will not unfairly exclude an offender from support where it is clear that a referral to the LHA with the clearest local connection was not practicable or was not safe.
6. Referrals under the protocol will use the N-DELIUS standard form, which will be sent to the designated Duty to Refer e-mail address for each LHA and will be recorded and uploaded on N-DELIUS and recorded on PNOMIS.
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9. LHAs receiving referrals under the protocol will provide a substantive response indicating next steps and designating a named contact person to lead on the case for the LHA within three working days of receiving the referral. This response may either be by e-mail or by telephone or both.

10. If either the named lead LHA contact person or lead Prison and Probation service contact person changes, notification of this will be made without delay.

Partnership Working

11. Whoever makes the referral, a person will be identified who will co-ordinate the case for Prison and Probation services and that person's name and contact details will be provided on the form for use by the LHA
12. The Prison and Probation lead and the LHA lead will discuss at the first opportunity what steps are to be taken to try to prevent or relieve homelessness.
13. Unless release is imminent, a personal housing plan interview will be set up within the prison at the earliest opportunity if an individual serving a custodial sentence or remanded in custody is identified to be at risk of homelessness within 56 days.
14. This will be attended by the LHA lead either in person or by telephone/video, and by the Prison and Probation lead in person, wherever possible.
15. Upon request from the LHA, and consistent with GDPR requirements, the Prison and Probation lead will work with the prisoner to provide any information requested by the LHA, including ID verification and other evidence, in order to establish their duty under the homelessness legislation.
16. Where a duty to refer type referral is made to an LHA by one of the parties to this protocol more than 56 days before release, the LHA will accept the referral and work with the offender and the Prison and Probation lead to prevent homelessness, where there are actions which can sensibly be taken to prevent homelessness at that stage.

Data and Outcomes Monitoring

17. Essex County Council will develop a data reporting and analysis tool which collates and reports on the outcomes of referrals made under this protocol, making use of data in each LHA's H-CLIC returns.

Confirmation of Agreement by the Participant Organisations

This Protocol is agreed by the following organisations:

Basildon Council

Name: Position:

Signature: Date:

Braintree District Council

Name: Position:

Signature: Date:

Brentwood Borough Council

Name: Position:

Signature: Date:

Castle Point Borough Council

Name: Position:

Signature: Date:

Chelmsford City Council

Name: Position:

Signature: Date:

Colchester Borough Council

Name: Position:

Signature: Date:

Epping Forest District Council

Name: Position:

Signature: Date:

Harlow Council

Name: Position:

Signature: Date:

Maldon District Council

Name: Position:

Signature: Date:

Rochford District Council

Name: Position:

Signature: Date:

Southend-on-Sea Borough Council

Name: Position:

Signature: Date:

Tendring District Council

Name: Position:

Signature: Date:

Thurrock Council

Name: Position:

Signature: Date:

Uttlesford District Council

Name: Position:

Signature: Date:

Essex Community Rehabilitation Company

Name: Position:

Signature: Date:

National Probation Service

Name: Position:

Signature: Date:

Chelmsford Prison

Name:

Position:

Signature:

Date:

NACRO

Name:

Position:

Signature:

Date:

Essex County Council

Name:

Position:

Signature:

Date:

Annex A - Contact Details

This should include the duty to refer e-mails for referrals, as below, but should also include the e-mail and direct line telephone, job title and postal address of an operational lead for each participant organization, who can be contacted to discuss any issues, ask questions etc.

We could also list separately the more senior contacts for dispute resolution

Duty to Refer e-mails for each LHA

District	Duty to Refer Email
Basildon	housing.solutions@basildon.gov.uk
Braintree	housingoptions@braintree.gov.uk
Brentwood	housingneeds@brentwood.gov.uk
Castle Point	Housingoptions@castlepoint.gov.uk
Chelmsford	housing.adviceemail@chelmsford.gov.uk
Colchester	housing.solutions@colchester.gov.uk
Epping Forest	homelessness@eppingforestdc.gov.uk
Harlow	housing.options@harlow.gov.uk
Maldon	housingoptions@maldon.gov.uk
Rochford	housingoptions@rochford.gov.uk
Southend	housingsolutionsteam@southend.gov.uk
Tendring	housingoptions@tendringdc.gov.uk
Thurrock	HousingOptions@thurrock.gov.uk
Uttlesford	Housingoptions@uttlesford.gov.uk

Operational lead contact details for each participant organization

Dispute resolution contact details (only to be used where agreement cannot be reached between operational leads)

Annex B Information Sharing Protocol

This protocol relates to the sharing of information between the Essex partners and their staff who are involved in the implementation of the protocol.

The aim of the partners in co-operating under the terms of this protocol is to ensure that information supplied regarding clients will be used solely by staff for the purpose of planning and delivering appropriate services to such clients and to fulfil the associated monitoring requirements.

Information will be shared between partners where consent has been obtained from the client and where the information will be used in a positive manner to enable the effective implementation of the protocol. In accordance with relevant allocation policies etc., partners should seek to consider each case on its own merit.

This protocol also applies to the disclosure of risk information and information relating to MAPPA cases.

Confidentiality

Partners shall ensure that any information supplied to them relating to clients and any disclosures made by clients, remain confidential except where there are overriding issues of public interest.

Any exchanges of information under this protocol shall require all partners to act in accordance with the Data Protection Act 2018 and General Data Protection Regulations 2018, or any superseding or amending statutory requirements and no partners shall act in any other manner or way which is deemed to be unlawful. In addition, due care will be given to any requirement of the Human Rights Act 1998.

Breaches of confidentiality should be investigated and where necessary, dealt with as a disciplinary issue by the employer of the staff member involved. Breaches may result in exclusion from the protocol.

Annex C – Disputes Resolution

All Essex Offender Housing Protocol partners and their staff should use their best endeavours to agree on the most appropriate course of action to meet an offender's housing needs through joint discussions with the individual officers involved.

However, if a solution cannot be agreed and a partner believes that another partner is failing to follow the underlying principles of the protocol, they can refer the matter to the relevant senior officer of the organisation concerned to review the case and determine a solution.

Those partners working within Prison and Probation can refer the matter the appropriate Head of Housing Options for the local housing authority concerned (see contact details in **Annex A**) and the local housing authority can contact the Director of Essex CRC, who will represent the partners within Prison and Probation.

Annex D – Summary of Roles and Responsibilities of NPS, Essex CRC and NACRO.

National Probation Service

The National Probation Service (NPS) is the probation provider that:

- Provides advice to Courts and the Parole Board
- Retains the supervision of offenders who are assessed as high risk of serious harm, or who are registered sex offenders, MAPPA eligible, or lifers.
- Allocates those assessed as low and medium risk of serious harm to the Community Rehabilitation Companies (CRCs)
- Manages the Approved Premises
- Delivers the accredited sex offender treatment programme
- Delivers services to the victims of those sentenced to sex or violent offences where the sentence is more than 12-months custody
- Works with their service users to reduce the risk of harm posed, and address the needs linked to their offending (e.g. homelessness). This may include referrals for services delivered by the CRCs or other agencies.

Community Rehabilitation Company

The Community Rehabilitation Company (CRC) is the probation provider that:

- Supervises those assessed as medium and low risk of serious harm (but this will include those who are high risk of reoffending)
- Delivers accredited programmes to address offending behaviours (domestic abuse, substance misuse, aggression control)
- Provides support to the victims and/or partners of those on the domestic abuse programme
- Delivers shorter programmes or one-to-one work to address a range of specific needs (substance misuse, relationships, attitudes, thinking and behaviour, victim empathy, women's programme, young adults programme, education, training and employment (ETE) programme, housing support and advice, finance, benefit and debt (FBD) support)
- Delivers the Community Payback scheme (unpaid work)
- Works with their service users to reduce the risk of harm posed, and address the needs linked to their offending (e.g. homelessness). This may include referrals to our contracted operational partners, or other agencies.

Nacro

Nacro is a social justice charity that works to change lives by strengthening communities and reducing crime. Nacro is contracted by Essex CRC to deliver the resettlement service in HMP Chelmsford for all, and in HMP Highpoint for those returning to Essex. They deliver this service by:

- Assessing those coming into prison within 7 days to identify immediate resettlement needs (housing, ETE, FBD, health, relationships, substance misuse, support for victims of domestic abuse or sexual exploitation; and other specific groups such as veterans or young adults)
- Deliver interventions and work with other prison departments to address these needs
- Revisit resettlement needs at 12 weeks, and again immediately prior to release (which will also capture some people serving much shorter sentences)
- Liaise with CRC and NPS case holders, and other agencies as required

Annex E – Summary of the Local Connection rules in the Homelessness Legislation

Assessing local connection

When a housing authority makes inquiries to determine whether an applicant is eligible for assistance and owed a duty under the Housing Act 1996, Part 7, it may also make inquiries under section 184(2) to establish an applicant's local connection. Section 199(1) provides the local connection criteria summarised here; it is further clarified by Chapter 10 of the Homelessness Code of Guidance 2018 and the Local Authorities Agreement.

- They are, or have been **normally resident in the area** through choice for at least 6 of the last 12 months or 3 out of the last 5 years or
- They are **employed in the area** (actually working in the district as opposed to having the head office located there) or
- They have **family associations** living in the applicants chosen area (provided there are sufficiently close links in the form of frequent contact, commitment or dependency) who have been resident for at least 5 years or
- Any **special circumstances** which might include the need to be near special medical or support services which are available only in a particular district.

If an applicant is of **no fixed abode** the local authority will need to satisfy itself that they do in fact reside in the district by making further enquiries.

Ex-prisoners and detainees under the Mental Health Act 1983 cannot be considered to have established their residency through choice.

Ex-service personnel establish a local connection in an area through residing there by choice, or being employed there, in the same way as a civilian.

Housing authorities may also need to make further enquiries to establish a connection for the following groups of people:

- **Former asylum seekers** provided with accommodation there under section 95 of the Immigration and Asylum Act 1999
- **Care leavers** owed care duties under section 23C of the Children Act 1989 (who will have a connection to the every housing authority district falling within the area of the children services authority).

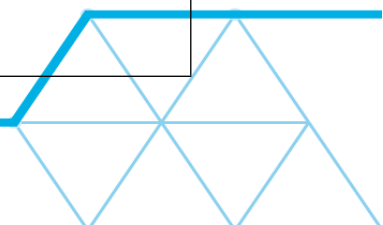
If local connection has been lost or compromised by time spent in prison during the past 12 months or the past 5 years, Essex LHAs will consider where local connection had been established prior to going into custody.

Annex F – N-DELIUS Referral Form

Duty to refer referral form

Please insert the name of the Local Housing Authority that the service user is being referred to.		
<p>NOTE: Service users can choose which Local Housing Authority they wish to be referred to. However, it is advisable for them to choose a Local Authority with which they have a local connection. In general, a service user is likely to have a local connection to an area if they live or have lived there, work there or have a close family connection. However, a service user should not be referred to an area where they would be at risk of violence.</p> <p>A guide to the duty to refer includes advice on the duty to refer and local connection.</p>		
(1A) Written Consent to share information		
<p>I agree to the information on this form being shared with _____ Council. I understand that the Council may use this information to contact me, and to help assess my needs for assistance with housing and that I am not making a homelessness application. I have read _____ privacy notice and understand how my data will be processed.</p> <p>Signed: _____ Date: _____</p> <p>NOTE: The service user must give consent to the referral. Referrers are advised to obtain signed consent to the referral; however, oral consent can be provided. The referrer must therefore complete box 1B.</p>		
(1B) Oral Consent to share information		
<p>Having discussed the accommodation status of _____ (<i>insert service user name</i>) the service user, I can confirm that they provided me with oral consent to refer their case to _____ Council. I explained to the Service User that the Council may use this information to contact them and to help assess their needs for assistance with housing and that this is not a homelessness application.</p>		
Signed:	Public authority	Date
Core information Please note that sections 2 – 4 <u>must</u> be filled in.		
(2) About the referring professional (to be completed by the professional)		
Public authority referring (e.g. prison, hospital, etc.)		
Role of person referring (e.g. social worker)		
Name of referrer		
Address of referrer		
Email address of referrer		

Phone number of referrer	
Name and contact details of any other person who could be contacted for further information, if not the referrer (e.g. a support provider)	
(3) Information and contact details for the service user being referred	
Name	
Household composition (e.g. single person, couple, family with X children/X adults)	
Current address (if applicable)	
Home telephone number	
Mobile number	
Email address	
Gender	
Date of birth	
Language and communication needs (identify any assistance the service user will need for an assessment to be completed)	
(4) Main reason for referral	
What is the main reason you are referring the individual?	I believe they are homeless / I believe they are threatened with homelessness
Please explain your answer (e.g. "they are facing eviction from their home")	
Additional information	
Please provide any additional information you are aware of which may help housing options officers support the individual.	
(5) Current accommodation	
What type of accommodation is the individual currently living in?	
If the service user is threatened with homelessness, on what date are they likely to become homeless?	
If the service user is due to leave prison or hospital, or is leaving the armed forces, with no accommodation available, please state when the release/ discharge will take place.	
(6) Are there any additional needs/risks to be aware of?	
Additional needs/risks might include: -previous history of sleeping rough -lack of support from family/friends	



-history of substance misuse -risk of domestic or other abuse	
(7) Relevant medical information	
Please provide information on any physical or mental health needs that the service user has, and any treatment that they are receiving	
(8) Other information	
Please provide any additional information. In particular, are there any known risks to staff visiting the service user at home or any other issues that we need to be aware of prior to initial contact?	



This protocol is supported by:



Annex G – Flow Chart

