

Homelessness and at risk of Homelessness

Contents

[Introduction](#)

[Legal definition of homelessness, rough sleeping and at risk of homelessness](#)

[Support for claimants who are homeless or at risk of homelessness](#)

[Work search and availability requirements](#)

[Consider switching off work search and availability requirements](#)

[Switching off \(easement\) is required](#)

[Switching off \(easement\) is not required](#)

[Complex needs](#)

[Duty to refer to local authorities – Jobcentres in England](#)

Introduction

The term homelessness and at risk of homelessness covers a broad range of situations including for example:

Homelessness

- rough sleeping
- living in a hostel, B&B or other temporary accommodation
- bedding down on the floors or sofas of family and friends

At risk of homelessness

- In rent arrears or mortgage arrears
- Debt problems
- Inadequate or inappropriate dwelling conditions, including accommodation which is unsafe, unsuitable or overcrowded.
- Mental health issues and other health problems
- Alcohol and/or drug dependency

Legal definitions of Homelessness rough sleeping and at risk of homelessness

Definition of homelessness

Legal definition of homelessness in England and Wales

Legal definition of homelessness in Scotland

Legal definition of Rough Sleeping

People sleeping, about to bed down (sitting on/in or standing next to their bedding) or actually bedded down in the open air (such as on the streets, in

tents, doorways, parks, bus shelters or encampments). People in buildings or other places not designed for habitation (such as stairwells, barns, sheds, car parks, cars, derelict boats, stations, or “bashes” which are makeshift shelters, often comprised of cardboard boxes). The definition does not include people in hostels or shelters, people in campsites or other sites used for recreational purposes or organised protest, squatters or travellers. See spotlight on rough sleeping

Definition of ‘at risk of homelessness

A person is at risk of homelessness if they are at risk of losing their accommodation. Risk factors include: threat of eviction/repossession; rent/mortgage arrears; debt problems; mental health issues or other health problems; drug and/or alcohol dependency (this list is not exhaustive).

Support for homeless claimants or those at risk of homelessness

There is a range of support to help homeless claimants or those at risk of homelessness. Support includes:

For those who are homeless:

- support to help homeless claimants, particularly rough sleepers make their claim to Universal Credit through the Assisted Services teams
- domestic emergency easements for homelessness
- voluntary early access to the Work and Health Programme
- access to the Jobcentre Plus employment offer with individual tailoring

For those who are at risk of homelessness

- domestic emergency easements for those at risk of homelessness
- alternative payment arrangements - including housing costs paid direct to the landlord or Universal Credit payments paid more frequently than monthly
- personal budgeting support for help with budgeting advice and debt problems
- access to the Jobcentre Plus employment offer with individual tailoring

Work search and availability requirements

The individual circumstance and capability of a claimants who is homeless or at risk of becoming homeless must be taken into account. Work related

requirements to meet their needs must be considered and agreed and set out in their claimant commitment.

The way in which the claimant's current circumstances and lack of stable, permanent accommodation prevents them from having a realistic chance of finding and keeping work must be considered.

When drafting the claimant commitment think about:

- whether the risk of homelessness affects the claimant's ability to meet their work search or availability requirements
- how the type of homelessness for example rough sleeping, sofa surfing, hostel, bed and breakfast, affects the steps that are reasonable for the claimant to take in any week to find work
- whether it is unreasonable for a claimant to comply with work search or work availability requirements when dealing with temporary circumstances

When a claimant is homeless or is at risk of being homeless, it may be appropriate to temporarily switch off work search and availability requirements while a claimant finds a place to stay or stabilises their housing situation.

Switching off requirements (easement) can be extended where needed to allow the claimant more time to resolve their housing situation. Where a claimant is not taking the agreed steps to resolve their accommodation issues, the switch off (easement) should be removed and either normal work search requirements resumed or be tailored.

Where a claimant who is homeless or at risk of becoming homeless can still take some steps to find work, the claimant commitment should be **tailored** to reflect these circumstances.

Consider switching off work search and availability requirements

Switching off requirements (easements) has three purposes:

- to stop a claimant who is at risk of homelessness or who has recently become homeless becoming set in in a homeless lifestyle
- to give the claimant time to focus on finding suitable accommodation, and recognising that they can't do all that and meet all normal conditionality requirements at the same time
- to prevent inadvertently applying sanctions

To determine if it is reasonable to impose any work search, work availability or work preparation requirements on the claimant consider:

- is the claimant in a direct-access hostel

- is the claimant a rough sleeper
- is the claimant at risk of being homeless
- the degree to which the claimant's current accommodation circumstances will prevent them from having a realistic chance of undertaking their current work search activity
- has the claimant recently lost their accommodation and been made homeless; if the claimant has accommodation of any kind and whether they have access to essentials such as food, clean clothing, and whether they have a reliable means of contact (to receive notification of job interviews or work offers)
- if it is reasonable to require a claimant to comply with a work search and work availability requirement while they are dealing with their temporary circumstances
- if the claimant has recently become homeless and has challenging circumstances due to the type of homelessness for example:
 - bed and breakfast accommodation
 - sleeping on family and friend's sofas (sofa surfing) and/or floors
 - living in squats
 - rough sleeping
 - other temporary accommodation

Do not use the term switching off when talking to claimants, use easement.

Switching off (easement) is required

If a period of switching off requirements (easement) is to be applied to work search and availability requirements, it should be temporary (normally for up to a month) and is intended to allow the claimant the chance to resolve their accommodation issues. This should be reviewed regularly to check the claimant is still taking actions to find accommodation.

The claimant commitment is amended to reflect the activities that the claimant has agreed to do to find accommodation whilst the easement is in place. A new work preparation commitment must be created and activities set for the claimant to take steps to find accommodation.

The actions agreed will depend on the claimant's circumstances and can include:

- registration with the local authority as homeless
- registration with an agency supporting homeless people
- registration with services offering emergency accommodation
- visit a homeless day centre to request support
- visit a local advice centre to request support
- visit or make an appointment with the local authority housing department to request advice and assistance
- meet with the local street outreach team to request support

- request support offered from a hostel
- contact the local rent in advance scheme
- mediation through 'Troubled Families'
- making contact with local/national homeless organisations for example Crisis

See claimant commitment - Switching off work availability and work related activities.

Switching off (easement) period and future review

An initial period for switching off must be agreed based on when the temporary homelessness maybe resolved.

This must be reviewed appropriately to check that the claimant is taking reasonable steps to resolve their accommodation issues, depending on the individual circumstances the period for the easement may need to be longer than a month.

There is flexibility to extend the easement further dependent upon the claimant's circumstances.

Work coaches must ensure that they are supporting the claimant to resolve their accommodation issues and that the claimant is taking the actions agreed in their claimant commitment.

The claimant must be advised that at the review meeting they are expected to produce evidence of the actions they have taken to find stable living accommodation. This may include:

- registration letters/information issued by support agencies to the claimant
- confirmation of application to a scheme supporting access to private rented accommodation
- confirmation of an application to the 'Rental in Advance' scheme
- a copy of the license or tenancy agreement if the claimant has moved into a hostel
- an appointment letter or card
- a letter describing the support that an agency will give to the claimant

If the claimant fails to provide appropriate evidence or has not taken steps to resolve their housing situation consider removing the easement.

Switching off (easement) review

During the interview identify if the claimant's homelessness continues to impact their work-related requirements. Ensure the steps detailed on their claimant commitment are still reasonable and suit their current circumstances.

As appropriate ask the claimant:

- are you still at risk of homeless?
- are you still homeless
- what actions have you taken find accommodation?
- do you currently have any access to washing and laundry facilities?
- how much longer do you see this lasting for?

If the claimant is no longer homeless or at risk of homelessness, remove the current switch off (easement) and review their availability and work-related requirements. See claimant commitment.

Note: a switching off (easement) may still be necessary due to another Complex need.

Using the evidence provided by the claimant, check if they have completed the steps detailed on their claimant commitment or have taken other reasonable steps to secure accommodation.

If the claimant has completed all the steps in their claimant commitment, decide if it is still unreasonable to impose any work search or work availability requirements on the claimant. Consider:

- is the claimant in a direct-access hostel or a rough sleeper
- the degree to which the claimant's current accommodation circumstances will prevent them from having a realistic chance of undertaking their current work search activity
- has the claimant taken steps to secure accommodation
- if the claimant has accommodation of any kind
- whether the claimant has access to essentials such as food, clean clothing,
- if the claimant has a reliable means of contact to receive notification of job interviews or work offers
- if it is reasonable to require a claimant to comply with a work search and work availability when they are dealing with their temporary circumstances
- if the claimant is recently homeless and has challenging circumstances with regard to the type of homelessness, for example:
 - staying in bed and breakfast accommodation
 - sleeping on friends' sofas (sofa surfing) and/or floors
 - living in squats
 - rough sleeping

If a switch off (easement) is still required, inform the claimant the easement will continue and set another review date.

If after consideration of the claimant's evidence, actions and responses a switch off (easement) is not required, review their availability and work-related requirements
See claimant commitment.

Switching off (easement) is not required

If a temporary switch off (easement) is not appropriate and the claimant can still carry out some work search and work availability requirements, the claimant's existing commitment must be reviewed and tailored/adjusted where appropriate. For example if a claimant stays with various friends or relatives, it is likely they will spend time deciding where they will stay from day to day. They may also spend time trying to secure more permanent accommodation. This may restrict the number of activities on the claimant's commitment. See claimant commitment.

Complex needs

Homelessness or being at risk of homelessness is complex and the circumstances that are likely to have led to the loss of the home, for example debt, family breakdown, addiction, mental health, must be considered.

The claimant may have other barriers together with homelessness that mean that they have complex needs, for example:

- drug and alcohol dependency
- mental health condition
- history of offending

This is not a complete list

If the reasons given for the claimant's homelessness, shows other complex needs issues, these also need to be considered. For further information see the following guidance:

Domestic violence or abuse

Drug and alcohol dependency

Prisoners/Prison leavers

Claimant suicide or self-harm

Care leavers

Examples of support for people with health conditions

Death and bereavement

Spotlight on rough sleeping

Refugees and asylum seekers

This is not a complete list

When considering the claimant's circumstances additional support is available, for example for financial advice or online self-service help. For further information see:

Personal Budgeting Support and Alternative Payment Arrangements

Universal Support overview

Assisted Digital overview

Advances on the Complex needs section

Duty to refer to local authorities – Jobcentres in England

From 1st October 2018, jobcentres in England must refer claimants considered to be homeless or at risk of homelessness to the local authority of the claimant's choice in England as long as they consent to the referral. This referral is voluntary for the claimant and there is no impact on their Universal Credit if they do not consent to the referral.