

Homelessness and at risk of homelessness

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Introduction

There is no single reason why a person may experience homelessness or be at risk of homelessness. Often it is a combination of factors.

The support we provide can play a key role in preventing or reducing the likelihood of someone becoming homeless as well as supporting people out of homelessness.

Types of homelessness

The term 'homelessness' and being at risk of homelessness covers a broad range of situations.

Someone is considered to be homeless if they are:

- rough sleeping
- living in a hostel, bed and breakfast or other temporary accommodation
- bedding down on the floors or sofas of family and friends
- inadequate or inappropriate dwelling conditions
- unsafe, unsuitable or overcrowded living conditions

Someone might be considered at risk of homelessness if they:

- have rent or mortgage arrears
- are at risk of eviction or eviction notice

- have a history of homelessness
- have debt problems
- experience a family or relationship breakdown
- cannot live at home due to abuse
- have mental health issues and other health problems
- have alcohol or drug dependency
- have spent time in prison
- have problems with benefits or a sanction
- have employment difficulties or are unemployed
- lack literacy or language skills

These are not complete lists.

Temporary accommodation

The length of time people can stay in temporary accommodation can range from a single night to sometimes years. Temporary accommodation includes:

- night shelters
- winter shelters
- hostels
- bed and breakfast accommodation
- women's refuges

Hidden homelessness

Some people deal with their housing situation informally and are hidden from homelessness statistics and services. This includes people in accommodation which is unsafe, unsuitable or overcrowded, for example:

- staying with family members
- sleeping on family or friend's sofas (sofa surfing)
- tents
- squats
- cars

We must recognise that people who are homeless, or at risk of homelessness, may be experiencing an overwhelming amount of stress and are struggling to cope.

Universal Credit must provide a tailored individual approach to the claimant taking account of their current circumstances.

The skills used by work coaches during their interactions with claimants should be solution-based, rather than focusing on the problems. This approach encourages the claimant to look for solutions and focuses attention on what they themselves want to happen.

Legal definitions of homelessness (including rough sleeping and being at risk of homelessness)

Definition of homelessness

Legal definition of homelessness in England and Wales

Legal definition of homelessness in Scotland

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 or repossession
- rent/mortgage arrears
- debt problems
- mental health issues or other health problems
- drug or alcohol dependency

For a full list see the legal definitions above.

Legal definition of rough sleeping

Rough sleeping is usually defined as:

- 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.

Universal Credit doesn't differentiate between rough sleeping and homelessness. The same support is provided for people experiencing all types of homelessness, including those being at risk of homelessness.

Claiming Universal Credit

A claimant who is homeless, or at risk of homelessness, may need support to make a claim for Universal Credit. Help may also be required to:

- find suitable accommodation
- set up a bank account
- verify their identity
- overcome barriers to employment

When interacting with a claimant, work coaches should adopt a holistic approach, for example:

- offer to interview the claimant in a private room
- show empathy and active listening to build mutual trust
- determine what additional support is needed
- consider the Universal Credit health journey
- use the District Provision Tool for signposting
- use the Complex Needs Toolkit
- tailor the Claimant Commitment

Claiming online

A claimant may not have access to the internet or phone to make a claim online or access their journal. Always consider if Help to claim is appropriate for the claimant. See Complex needs.

Identity

A claimant may not have any documents to verify their identity. If this is the case they can take the biographical test. If they cannot answer the questions then biographical checks or a third party can be used to verify identity.

Address

If the claimant doesn't have a permanent address, there are a number of options available to them. They can use a care of address, like the address of a family member or trusted friend.

If they are staying at a hostel, they can use the hostel address or, in exceptional circumstances, they can use their local jobcentre address.

Representation

A claimant may want someone to make enquiries on their behalf. For more information on explicit consent, see guidance on consent and disclosure.

Payment of Universal Credit

People who are experiencing homelessness may struggle to access a traditional bank, building society or credit union account due to lack of ID or proof of address.

Where a person cannot open or access a traditional account, consider payment methods by exception, including payments into third party accounts or the Payment Exception Service.

Note: If a claimant is paid using one of the above methods, they must be offered access to money advice. See Money guidance and Alternative Payment Arrangements.

Advance

An Advance of Universal Credit must always be offered to the claimant when they make a new claim.

Duty to refer to a local authority (jobcentres in England only)

The Homelessness Reduction Act 2017 places a duty on local authorities in England only to intervene earlier with an aim of preventing homelessness.

Work coaches in jobcentres in England must offer a voluntary referral to claimants who they think may be homeless, or at risk of homelessness, to the local authority of the claimant's choice (in England).

The referral is voluntary for the claimant and there is no impact on their Universal Credit claim if they do not consent to the referral.

Ongoing 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.

For those who are homeless, support includes:

- domestic emergency easements for homelessness or other appropriate easements, such as domestic abuse easement - see 'Switching-off work-related requirements (easement)' below
- Budgeting Advance - for help with rent in advance
- voluntary early access to the Work and Health Programme
- access to the Jobcentre Plus employment offer with individual tailoring
- money guidance and debt advice for help with budgeting and debt problems - see Money guidance and Alternative Payment Arrangements
- Flexible Support Fund - for help with expenses in connection with starting work

For those who are at risk of homelessness, support includes:

- domestic emergency easements for those at risk of homelessness (see 'Switching-off work-related requirements (easement)' below)

- Alternative Payment Arrangements - such as a Managed Payment to a Landlord (rent payable direct to a landlord) or a More Frequent Payment (Universal Credit paid more frequently than monthly)
- Discretionary Housing Payments - for claimants who need to stabilise their existing accommodation
- money guidance and debt advice for help with budgeting and debt problems - see Money guidance and alternative payment arrangements
- access to the Jobcentre Plus employment offer with individual tailoring
- Flexible Support Fund - for help with expenses in connection with starting work

For more information, see Complex Needs

Use the District Provision Tool to signpost to further provision such as Crisis, Shelter or other homelessness organisations.

A guide for supporting organisations can be found on GOV.UK - Universal Credit and homeless people

Work search and availability requirements

The individual circumstances and capabilities of a claimant who is homeless, or at risk of becoming homeless, must be taken into account.

Work coaches must look at the claimant's present circumstances and determine the ways in which the lack of stable permanent accommodation is likely to prevent them from having a realistic chance of finding and keeping employment.

The work coach then uses their discretion to consider which work-related requirements best meet the personal needs of the claimant in helping them to find or stabilise permanent accommodation. These tailored needs are then agreed and set out in the Claimant Commitment.

When drafting or reviewing the commitment think about:

- whether homelessness, or 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 or bed and breakfast accommodation) 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

Note: it is important to review the commitment at each intervention for claimants who are homeless or at risk of homelessness.

When a claimant is experiencing 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 reasonable actions 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.

Switching-off work-related requirements (easement)

When a claimant is homeless, or at risk of homelessness, the discretionary domestic emergency easement must be considered where imposing work search and availability requirements would seem unreasonable.

Work-related requirements may be temporarily switched-off to:

- give the claimant time to focus on looking for, and taking all reasonable steps to find suitable accommodation
- allow a claimant time to take any necessary steps to keep and stabilise existing accommodation
- enable a claimant to settle into new accommodation
- prevent inadvertently applying sanctions

Switching-off work-related requirements recognises that claimants can't focus on their housing situation and meet all normal conditionality requirements at the same time.

You should also consider alternative easements which may be applicable if the claimant:

- is in a direct-access hostel
- is a rough sleeper
- is at risk of being homeless
- has recently lost their accommodation and/or has been made homeless
- has current housing circumstances which will affect their ability to complete their current work search activity
- has no accommodation of any kind
- has no access to essentials such as food and clean clothing

- has no reliable means of contact to receive notification of job interviews or offers of work
- has temporary circumstances which makes it unreasonable to expect them to comply with a work search and work availability requirement

If the claimant has recently become homeless, do they have challenging circumstances due to the type of homelessness, for example:

- bed and breakfast accommodation
- sleeping on family and friend's sofas (sofa surfing) or floors
- living in squats
- rough sleeping
- other temporary accommodation
- supported accommodation

Switching-off work-related requirements (easement) – tailoring the Claimant Commitment

The Claimant Commitment is amended to include the steps that the claimant has agreed to take in order to look for and obtain accommodation whilst the easement is in place.

Any steps included in the Claimant Commitment to find accommodation are voluntary. If the claimant does not complete them, a sanction must not be imposed.

The steps agreed will depend on the claimant's circumstances. These can include:

- registration with the local authority as homeless
- registration with an agency supporting homeless people
- registration with services offering emergency accommodation
- visiting a homeless day centre to request support
- visiting a local advice centre to request support
- visiting or making an appointment with the local authority housing department to request advice and assistance
- meeting with the local street outreach team to request support
- requesting support offered from a hostel
- contacting the local rent in advance scheme
- mediation through referral to Family Intervention Projects
- making contact with national or local homeless organisations, for example Crisis

See Claimant Commitment – switching-off work availability and work-related activities and Switching-off requirements (easements) for Labour Market regime interventions).

If it is felt that the claimant should still have some work-related requirements the Claimant Commitment should be **tailored** to reflect this. See Tailoring expectations bitesize learning.

Duration of the switch-off work-related requirements (easement) period

If a period of switching-off work-related requirements (easement) is to be applied to work search and availability, it must be temporary (there is no defined duration but is normally between 1 day and 1 month) to allow the claimant the chance to resolve their accommodation issues.

This must be reviewed regularly to check the claimant is still taking appropriate actions to find accommodation and to provide continual support.

Sanctions must not be imposed if the claimant does not take the agreed actions to resolve their accommodation issues.

If the claimant has not undertaken the agreed actions, the work coach must enquire as to why and offer what support they can to enable them to overcome any barriers they may face.

Depending on the circumstances, the switching-off work-related requirements (easement) can be extended beyond 1 month to allow the claimant more time to resolve their housing situation. Domestic emergency easements are flexible and discretion can be applied according to the claimant's needs.

If a claimant is not considered to be taking reasonable actions to resolve their accommodation issues, the switching-off work-related requirements (easement) should be removed and either normal work search requirements resumed or tailored further.

Switching-off work-related requirements (easement) - review

An initial period for switching-off work-related requirements must be agreed and reviewed at each contact to check that the claimant is still taking reasonable steps to resolve their accommodation issues.

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

- registration letters or 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

A claimant may not be able to provide evidence of all the steps they have taken to find accommodation, but lack of evidence doesn't mean they have not been taking steps.

If the claimant fails to provide evidence they could reasonably be expected to supply, the work coach must have a conversation with the claimant to establish what steps they have taken to find suitable accommodation.

If the claimant hasn't taken any steps, the work coach must discuss this to find out why and consider if the easement still applies. If it does, no sanction action can be taken.

During the interview, identify if the claimant's homelessness or risk of homelessness continues to impact their work-related requirements. Ensure the actions detailed on their Claimant Commitment are still reasonable and suit their current circumstances.

Where appropriate discuss with the claimant:

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

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

Note: consider if another easement is appropriate as the claimant may have other complex needs. See Complex needs.

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 availability requirements on the claimant. Consider if any of the points in Consider switching-off work search and availability requirements are appropriate.

If a switch-off work-related requirements (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 work-related requirements (easement) is not required, review their work search and availability requirements. See claimant Commitment.

Switching-off work-related requirements (easement) is no longer required

If a temporary switch off work-related requirements (easement) is not appropriate and the claimant can still carry out some work search and availability requirements, their existing commitment must be reviewed and tailored and adjusted where appropriate.

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 their Claimant Commitment. See claimant Commitment.

Complex needs

Homelessness, or being at risk of homelessness, is complex and the circumstances which are likely to have led to the claimant's current situation must be considered.

The claimant may also have other barriers which together with homelessness, or being at risk of homelessness, which means that they have complex needs, for example:

- drug and alcohol dependency
- mental health condition
- debt

- family breakdown
- history of offending
- domestic abuse

This is not a complete list.

If there are other complex needs linked to the claimant's homelessness, these must also be considered. For further information, see the following guidance:

Domestic abuse

Drug and alcohol dependency

Prisoners and prison leavers

Claimant suicide or self-harm

Care leavers

Support for claimants with health conditions

Death and bereavement

Refugees and asylum seekers

Work and Health programme

This is not a complete list.

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

Money guidance and alternative payment arrangements

Assisted Digital overview

Advances on the Complex needs section