

Homelessness Reduction Act

'The duty to refer'

Background information

From 1st October 2018 under section 213B of the Housing Act 1996 certain public authorities in England specified in regulations are required to notify a housing authority of service users they consider may be homeless or threatened with homelessness (this means likely to become homeless within 56 days).

This includes situations where the person to be referred has no legal right to occupy an address, has no accommodation available to them, cannot gain entry to an address, or where it is not reasonable for them to continue to occupy a property.

The following public authorities are subject to the 'duty to refer':

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

The public authority is not expected to conduct a housing needs assessment as part of this duty.

Before making a referral a public authority must:

- a) have consent to do so from the individual;
- b) allow the individual to identify the housing authority in England which they would like the notification to be made to; and,
- c) have consent from the individual that their contact details can be supplied so the housing authority can contact them regarding the referral

How to refer a case to Reigate & Banstead

- Identify those at risk of homelessness as early as possible and refer without delay
- Consider whether the individual has a 'local connection' to Reigate & Banstead. If they do not have this the assistance available to them may be limited and they should consider approaching a council to whom they do have this connection for more support. To have a local connection they must have:
 - Lived in the borough for 3 out of the last 5 years or 6 out of the last 12 months, or
 - Work in the borough, or
 - Have a close relative (mother, father, sister, brother, adult son or adult daughter) that currently lives in the borough and they have lived here for a minimum of 5 years, or
 - Other special circumstances
- Together with the person being referred where possible, complete the online referral form at <https://hpa2.org/refer/REIBAN>.
- Advise the individual that the housing team will attempt direct contact with them as soon as possible to discuss their circumstances and what, if any, assistance may be available.

For further information contact housing on 01737 276790 or email dutytorefer@reigate-banstead.gov.uk

Thank you.

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