# The Homelessness Reduction Act of 2017

Author:

Tess Hudak

Advisors:

Patricia Stapleton Jennifer DeWinter Dominic Golding



## **Abstract**

The Homelessness Reduction Act of 2017 is a groundbreaking piece of legislation, establishing new guidelines for how the United Kingdom interacts with its homeless populations. The goal of this project was to examine those new guidelines and evaluate their implications. This was done by reviewing background information and similar legislation, thoroughly explaining the changes the 2017 Act will make, reviewing the opinions of several stakeholders about the Act, including its criticisms, and drawing conclusions about the 2017 Act and what aspects will need to be monitored for evaluation of its success.

A Major Qualifying Project submitted to the Faculty of WORCESTER POLYTECHNIC INSTITUTE in partial fulfilment of the requirements for the degree of Bachelor of Science.

This report represents the work of WPI undergraduate students submitted to the faculty as evidence of completion of a degree requirement. WPI routinely publishes these reports on its website without editorial or peer review. For more information about the projects program at WPI, please see http://www.wpi.edu/academics/ugradstudies/project-learning.html.

# **Acknowledgements**

The writing of this paper would not have been possible without the assistance of several people and organizations:

This project exists as an extension of "Educating About Homelessness", an Interactive Qualifying Project completed by Geraldine Benn, myself, Marissa Pereira, and Yanxi Xie in the summer of 2017 at the London Project Center, advised by Dominic Golding and Jennifer deWinter. The collective hard work of the group was essential to writing sections of this report, and establishing a context for this paper to exist in.

The Museum of Homelessness (MoH) based in London, England, and its founder Matt and Jess Turtle, were the inspiration for this project. The MoH was an amazing sponsor for the IQP report, sparking my interest in the topic of homelessness and what can be done to assist those who need it. My experience with the MoH contributed to my passion for Social Science, and getting real world experience working with them for seven weeks helped me realize that I wanted to pursue a major in Society, Technology, and Policy.

Lastly, I would like to acknowledge my advisor Patricia Stapleton for her continuous feedback and guidance for this project from conception through completion.

# **Table of Contents**

Abstract	2
Acknowledgements	3
Table of Contents	4
Introduction	5
Background	6
Homelessness in the United Kingdom	6
Overview	6
Figure 1: Number of Accepted Homeless Assistance Applicants	7
Definition of Homelessness	
Table 1: Definition of Homelessness	8
Previous Legislation	8
Figure 2: Milestones in Homeless Legislation	9
The Housing Act 1996	10
A Need for Change	12
Homelessness Reduction Act of 2017	
Introduction	14
Focus on Prevention Measures	
Doubling "Danger of Becoming Homeless" Time Period	
Free Advisory Services	
Assessments and Personalized Plans	
Duty to Refer	
Increase in Power of Homeless Applicants	
Right to Request a Review	
"Secure Stability" Becomes "Help to Secure Stability"	
Non-Cooperation Clause	
•	
Common Reactions to Act	
"A Crucial Step Forward"	
Criticisms	
Lack of Funding	23
Not Doing Enough	25
Analysis	27
Framing	27
Beneficiaries	29
Short Term	29
Long Term	
Conclusion and Larger Context	31
Bibliography	34

# Introduction

This paper contains an in-depth analysis of the Homelessness Reduction Act of 2017 (the 2017 Act), the most recent legislation in the United Kingdom regarding the increasing homeless population and those in danger of becoming homeless in the near future. This will serve as a supplementary document to the Interactive Qualifying Project, "Educating About Homelessness", completed by Geraldine Benn, Tess Hudak, Marissa Pereira, and Yanxi Xie, and sponsored by the Museum of Homelessness in London, England. The completed IQP can be found here: <a href="http://wp.wpi.edu/london/projects/2017-projects-summer/museum-of-homelessness/">http://wp.wpi.edu/london/projects/2017-projects-summer/museum-of-homelessness/</a>. This paper was completed solely by Tess Hudak as the Major Qualifying Project for her Society, Technology, and Policy major, however it would not have been possible without the previous work her IQP team and sponsor had completed.

# **Background**

## Homelessness in the United Kingdom

#### Overview<sup>1</sup>

Homelessness in the United Kingdom has become more and more prevalent since 2010. The number of rough sleepers increased by 102% over five years, with 63.5 million people considered displaced at the end of 2015. The number of homeless households increased from 40,000 in 2010 to nearly 60,000 in 2016. This dramatic increase can be seen in Figure 1, when the trend turned from a decrease in homelessness to a rapid increase, reaching numbers higher than had been seen in recent history. There is no singular cause for this increase; those applying for homeless assistance, referred to as "applicants", reported at relatively even frequencies that an end of assured short hold tenancy, lost accommodation with relatives, a relationship breakdown with a partner, or an unlisted reason caused their homelessness. This range of factors leading to homelessness illustrates the complexity of the topic, and how difficult it can be for local governments to address homelessness effectively.

-

<sup>&</sup>lt;sup>1</sup> This section is pulled from "<u>Educating About Homelessness</u>" (Benn, Hudak, Pereira, Xie). For more information, see pages 2-4 of the IQP Report.

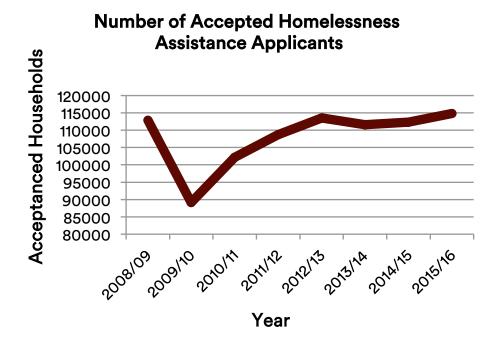


Figure 1: Number of Accepted Homeless Assistance Applicants<sup>2</sup>

#### Definition of Homelessness<sup>3</sup>

The definition of homelessness is not a black or white issue; the term covers a wide range of living situations. English law defines someone as homeless if they "do not have a legal right to occupy accommodation, or if their accommodation is unsuitable to live in" (Shelter 2017). Applicants can be considered homeless even if they currently have a place to live if that residency is not suitable to live in long term. The full definition, established by the Housing Act 1996 (the 1996 Act), is referred to as the broad definition of homelessness, described in detail by Table 1.

<sup>&</sup>lt;sup>2</sup> Made by author for "Educating About Homelessness", located on page 3 of the report.

<sup>&</sup>lt;sup>3</sup> This section is pulled from "<u>Educating About Homelessness</u>". For more information, see pages 4-6 of the IQP Report.

#### Table 1: Definition of Homelessness

#### Homed (legally not considered homeless or eligible for assistance)

- A person with the legal right to occupy their residency.
- A person living with friends or family that have not asked them to leave.
- A person with 'home rights', giving them the right to stay in a home because of a marriage or civil partnership with the owner.

#### Homeless without Accommodation

- A person sleeping in streets and alleyways (often called 'rough sleepers').
- A person with no residency that they have an express or implied license to occupy.
- A person legally evicted by their landlord.

#### Homeless with Accommodation

- A person living in a place where they cannot legally resist removal (such as living in their car, a motel, or on a friend's couch who has asked them to leave).
- A person experiencing violence, abuse, or harassment in their home.
- A person with a home that is in a condition damaging to their health.
- A person who does not have a home they can live in with their immediate family.
- A person illegally evicted by their landlord.
- A person living in temporary accommodation who will lose their otherwise permanent housing within twenty-eight days.

## Previous Legislation<sup>5</sup>

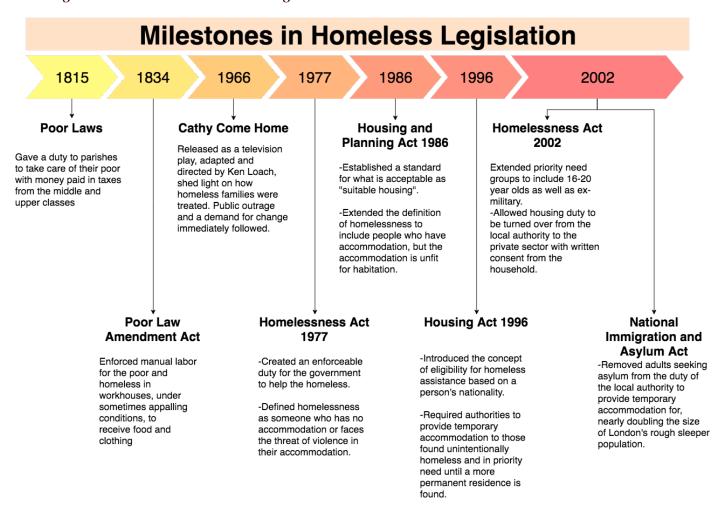
"Over the past 40 years, the U.K. government has passed legislation that helps thousands of homeless households every year. This legislation gives the government a legal duty to assist and house the country's homeless population. These

<sup>&</sup>lt;sup>4</sup> Made by author for "Educating About Homelessness", located on page 5 of the report.

<sup>&</sup>lt;sup>5</sup> This section is pulled from "<u>Educating About Homelessness</u>". For more information, see pages 6-12 of the IQP Report.

movements and pieces of legislature are imperative in understanding the climate that homelessness laws have followed in the last 200 years" (Benn, Hudak, Pereira, Xie, 2017, 6). A brief timeline of major movements in government policies towards the homeless is provided in Figure 2.

Figure 2: Milestones in Homeless Legislation



In 1977, the United Kingdom passed the Housing (Homeless Persons) Act of 1977. At the time, it was one of the most progressive pieces of legislation in the world regarding homelessness. It was the first time that there was an enforceable duty by

C

<sup>&</sup>lt;sup>6</sup> Made by author for "Educating About Homelessness", located on page 7.

the government to house those it deemed homeless... The 1977 Act established the idea of 'priority need' giving certain extra provisions to groups of people deemed especially vulnerable. This ensured households that included pregnant women, families with children, and adults who were sick or elderly were prioritized. Easing access and eligibility to local authority assistance was one of the most important features of the 1977 Act. When someone approached their local authority claiming homelessness, the burden of proof was on the authorities rather than the affected individual (O'Hara, 2007, as cited in Benn et al., 2017). These provisions allowed the homeless to seek and receive the assistance they need and established the framework for how local governments interacted with their homeless populations (Benn et al., 2017, page 8).

Nearly a decade later, the Housing and Planning Act 1986 established a legal standard for what was considered suitable housing. The 1977 Act had used a very literal definition of homeless, and only offered assistance to people who did not have accommodation. The 1986 Act set the precedent that simply having accommodation was not acceptable if the accommodation was unfit for habitation, for reasons ranging from health concerns from the building itself to domestic violence. The 1986 Act created the broad definition of homelessness described in Table 1 in order to assist those who technically had accommodation, but were not safe living in it.

## The Housing Act 1996

The Housing Act 1996 was the last significant legislation regarding the U.K.'s

homeless prior to 2017. The 1996 Act established that to be accepted as homeless, an applicant must be both unintentionally homeless and eligible for homeless assistance. For someone to be unintentionally homeless, they must be homeless for circumstances beyond their control. An applicant also must be a U.K. national to be considered eligible for assistance. Migrants and asylum seekers are considered ineligible, even if they have lived in the U.K for many years. Additionally, defined 'priority need groups' were more likely to be accepted as applicants under the 1996 Act. It defined 'priority need groups' as households with dependent children, pregnant women, people with mental and physical disabilities, people aged sixteen to twenty, and people who are considered especially vulnerable, such as people who spent time in the armed forces or prison, along with people fleeing violence and abuse (Benn et al., 2017, page 11).

Despite expanding the definition of who was considered priority need, overall,

the 1996 Act placed more restrictions on who could receive assistance and narrowed the scope of the government's duty to the homeless. The 1996 Act introduced the concept of eligibility into housing policy, using a person's nationality and immigration status to determine if they could apply for housing assistance. Non-resident British and some European Union nationals were excluded from receiving assistance, regardless of their living situation (O'Hara, 2007, as cited in Benn et al., 2017, 9)

The 1996 Act also "favored landlords and further eroded the security of the accommodation people were offered, making 'assured *short hold* tenancy' the default of provided housing rather than 'assured tenancy', unless deliberately stated by the landlord" (Benn et al., 2017, 9). This meant that the local council only had to provide

a place for an accepted homeless applicant to stay for a limited amount of time. The only exceptions were families that were considered priority need, in which the government would have to provide temporary accommodation until a more permanent residency could be found. "For all other applicants, the government's duty to accommodate them was limited to two years" (O'Hara, 2007, as cited in Benn et al., 2017, 9).

#### A Need for Change

As homelessness began to spike again in the 2010s, it became clear that significant legislation was needed to update the twenty-year-old 1996 Act. Homelessness assistance applicants and non-governmental organizations (NGOs) assisting them reported common problems regarding the policy (Brill, 2017). Specifically, applicants and NGOs wanted to see more meaningful advice and assistance for those in danger of becoming homeless. As Chris Brill, Policy Manager at Homeless Link (an NGO dedicated to assisting the homeless in the U.K.) describes, "There's evidence that some local housing associations only provided minimal, or out-of-date information, which wasn't tailored to individual needs" (2017). The information was not always beneficial to those seeking help, creating a need for a legal standard for the information the LHAs were providing.

Furthermore, there was a need for more of an emphasis on prevention work, not just

intervention at a crisis point. A large issue was that applicants could only seek assistance once they were in danger of being homeless in 28 days or less. This timeframe often did not provide enough time to make any meaningful changes, and the applicant would inevitably become homeless. In addition, LHAs were not required to look into the circumstances of why the applicant became homeless, which is critical to understanding an applicant's situation and the best course of action for them to take. The 1996 Act also left very limited options for single homeless people, since they were one of the only demographics that did not fall under the definition of 'priority need', and often received very limited assistance (Brill, 2017). New legislation was needed to fill these gaps. In June 2016, the Homelessness Reduction Act developed from a Private Members Bill<sup>7</sup> proposed by Bob Blackman MP (Homeless Reduction Act Toolkit, 2017). The bill was published after the Communities and Local Government select committee conducted a detailed inquiry into homelessness and provided recommendations. After successfully being passed through the House of Commons and the House of Lords, the Homelessness Reduction Act of 2017 was given Royal Assent, officially

# **Homelessness Reduction Act of 2017**

making it into a law, on April 27, 2017 (Homeless Reduction Act 2017, 2017).

\_

<sup>&</sup>lt;sup>7</sup> A Private Members Bill is a Public Bill introduced by MPs and Lords who are not government ministers. Their purpose is to change a law that applies to the general population. It is not typical for these to actually be enacted into law, but they can serve to raise publicity around an issue (Private Members' Bills).

#### Introduction

The Homeless Reduction Act of 2017 was meant to provide much needed reform to how local authorities were required to assist their homeless and those at high risk of becoming homeless. The 2017 Act allots 61 million British pounds, or approximately 82 million American dollars, to local councils in order to pay for additional resources they may need to implement its policies. Councils are expected to have completed full implementation of the 2017 Act's provisions by April 2018. Key provisions of the 2017 Act focus around two main themes. The government wants to increase prevention measures to lower the number of people who reach a crisis point and give more control and power to homeless assistance applicants. The majority of the Homelessness Reduction Act makes amendments to the Housing Act of 1996, through changes to the language and additions to the 1996 Act. Together, these amendments total thirteen provisions that are intended to develop and support more efficient and impactful assistance for those who need it (for a detailed discussion of the provisions, please see the Homelessness Reduction Bill: policy factsheets at <a href="https://www.gov.uk/government/publications/homelessness-">https://www.gov.uk/government/publications/homelessness-</a> reduction-bill-policy-factsheets). These amendments are intended to focus more on prevention measures for those in danger of becoming homeless and on increasing the power homeless applicants have over their situation and the type of assistance they receive.

#### Focus on Prevention Measures

#### Doubling "Danger of Becoming Homeless" Time Period

In U.K. homelessness legislation, prevention of a person becoming homeless is a separate category from providing relief for someone who is already homeless. Historically, the law in the U.K. has focused on how to assist those who had already lost their accommodation. There were some measures for those threatened with homelessness, but that assistance was only accessible if the person faced homelessness in the next 28 days. The new legislation doubles this time period from 28 to 56 days (Policy Fact Sheet: Threatened with Homelessness, 2017). This ensures that people who need assistance can receive it earlier meaning that intervention is more likely to be able to resolve the issue before the person legally becomes homeless. The purpose of this amendment is to streamline the process of assisting households that are going to lose their private sector housing. It also eliminates the gap that can exist between the current prevention and relief measures. For example:

The current approach can often be an inconsistent one, where in some local authority areas a person is treated as homeless at the point that a [possession of property] notice expires, whereas in other areas a person will not be considered to homeless until a possession notice is executed (Homeless Reduction Act Toolkit, 2017).

Since people should now be able to seek help as soon as they are issued an eviction notice, they have more time to prepare and make plans with the Local Housing

Authorities<sup>8</sup> (LHAs) on what their next steps should be and what assistance is available to them.

#### Free Advisory Services

The 2017 Act also puts a duty on LHAs to provide free advisory services on homelessness prevention and relief to anyone in their district (Policy Fact Sheet: Duty to provide advisory services). This amendment completely rewrites the previous legislation, s. 179 (1) from the 1996 Act, significantly extending and specifying the duty of LHAs to provide information. The 1996 Act s.179 (1) states: "Every local housing authority shall secure that advice and information about homelessness, and the prevention of homelessness, is available free of charge to any person in their district" (Housing Act 1996, 1996). The revised s.179 (1) in the 2017 Act states:

Each local housing authority in England must provide or secure the provision of a service, available free of charge to any person in the authority's district, providing information and advice on—

- (a) Preventing homelessness,
- (b) Securing accommodation when homeless,
- (c) The rights of persons who are homeless or threatened with homelessness, and the duties of the authority, under this Part,
- (d) Any help that is available from the authority or anyone else, whether under this Part or otherwise, for persons in the authority's district who are homeless or may become homeless (whether or not they are threatened with homelessness), and
- (e) How to access that help.

-

<sup>&</sup>lt;sup>8</sup> Local Housing Authorities are non-profit organizations throughout the U.K. established to provide low-cost social housing for those who need it.

This enables anyone to seek support and solutions independently, increasing the likelihood that they will be able to find their own solution. This particularly benefits single homeless people who do not fall under priority need, and would previously have trouble accessing information (Homelessness Reduction Act Toolkit, 2017). Some LHAs already provided this service, and actively provided high quality and useful information to those who inquire about it; however, this was not the norm. Prior to the 2017 Act, the law did not specify the standard expected of the LHAs, making some people unable to get the information they needed to prevent their homelessness. The goal of this provision is thus to raise the standard of the LHAs and ensure that the quality of information is regulated. This will give individuals a greater chance of educating themselves and being able to take measures on their own to prevent homelessness.

#### Assessments and Personalized Plans

Another provision is a new requirement that will require LHAs to carry out an assessment of all the eligible assistance applicants and develop a personalized plan that both the LHA and applicant agree on (Policy Fact Sheet: Duty to assess all eligible applicants' cases and agree a plan, 2017). This assessment must ensure that the LHA has assessed the applicant's specific circumstances leading to their homelessness, the housing needs of the applicant, and what support they need to obtain and retain accommodation suitable for them (Homelessness Reduction Act Toolkit, 2017). The solution must be reasonably attainable and suitable to the

applicant's needs. The LHAs' resources can then be used to ensure the most relevant measures are taken in the action plan to secure and keep the applicant's accommodation.

This individualized approach is expected to be more effective in preventing and alleviating homelessness for the applicant, and give the LHA more flexibility in how they aid applicants. The mandatory assessment of the circumstances will also give the LHAs the opportunity to address any underlying issues that are causing the applicant's homelessness (Homelessness Reduction Act Toolkit, 2017). The plan can be tailored to applicants' specific situation, and any vulnerability they have, such as disabilities, dependent children, and/or old age. If an action plan cannot be agreed upon by the two parties, the reason must be recorded, and a list of reasonable next steps for both the LHA and applicant must be created (Policy Fact Sheet: Duty to assess all eligible applicants' cases and agree a plan, 2017). This new duty will be more work for LHAs to implement, but it will ensure that specific cases are getting the help they need. There is no one way to prevent homelessness, so these plans will ensure that the best course of action is taken, and that the LHA and applicant are on the same page in addressing it.

## **Duty to Refer**

The final significant measure that puts more of an emphasis on prevention measures is the newly established duty to refer, requiring public authorities to notify an LHA if someone with whom they interact is at risk of becoming homeless (Policy Fact

Sheet: Duty of public authority to refer cases to local housing authority, 2017).

Although many local authorities already carry out prevention work for all households who are threatened with homelessness, there is no statutory obligation to do this. The Act extends the help to applicants who are not in priority need by placing a duty to take steps to prevent homelessness for all households (Homelessness Reduction Act Toolkit, 2017).

The individuals at risk must give consent to the referral, and can pick the LHA they wish to go to, which lets the individual retain control over their own situation. These referrals will connect more people at-risk of becoming homeless with the organizations that can give them aid. It also puts a responsibility on public authorities to be aware of who might be in need of assistance, and increases the possibility that the LHAs can assist them before they reach a point where they no longer have accommodation.

## Increase in Power of Homeless Applicants

## Right to Request a Review

Several other clauses of the 2017 Act were created to give more power to the applicants for homelessness assistance, giving them more influence in the actions that are taken to secure their living situation. In the 2017 Act, homeless applicants have the right to request a review of their plan if they are unsatisfied with the results (Policy Fact Sheet: Reviews, 2017). This gives both the applicant and the LHA the opportunity to revise the initial plan in order to make it more effective. The Secretary

of State<sup>9</sup> is given the authority to create statutory codes of practice to ensure everyone to have access to high quality support to prevent or resolve their homelessness. These measures prioritize alleviating conditions for those who are homeless or at risk of becoming homeless, rather than attempting to hide the issue or create a stricter definition of what homelessness is. This amendment also makes homelessness assistance a more "fair and transparent service" (Homelessness Reduction Act Toolkit, 2017), giving applicants more confidence that they will be able to create and implement a solution.

#### "Secure Stability" Becomes "Help to Secure Stability"

With the 2017 Act, councils are now required to *help to* secure stability rather than simply secure stability. This means that LHAs must assist applicants in finding stable, suitable housing, but the LHAs no longer have to actually provide the accommodation in every case. This small change to the wording helps increase the choice and control of applicants establishing their housing (Policy Fact Sheet: Help to secure and suitability, 2017). Before, the requirement on LHAs to secure housing applied a one-size-fits-all approach to aiding applicants, as not all people in need of assistance were unable to secure housing on their own. For example, if a family's only barrier to acquiring housing is that they do not have the money for a deposit, the LHA can now focus on resolving that issue for the family. Under previous

-

<sup>&</sup>lt;sup>9</sup> In the U.K., a Secretary of State is another name for a Cabinet minister, each in charge of a government department. Even though there are multiple Secretaries of State in the U.K. government, legislation generally does not specify which Secretary of the State will be responsible for implementation.

legislation, the LHA would have been required to focus their resources on finding accommodation and making new arrangements for the household, when the household is capable of doing it on their own. As a result,

[t]he intention is that, once applicants are in receipt of the information and support required, informed by an assessment of their needs and agreed in the personal housing plan, they will be able to take action to secure accommodation themselves, allowing local authorities to make more efficient use of their resources (Homelessness Reduction Act Toolkit, 2017).

This new measure gives LHAs the flexibility to meet the needs of the specific needs of a family, rather than using their resources to offer the family help in areas they do not necessarily need.

#### Non-Cooperation Clause

A non-cooperation clause was also created, detailing the appropriate steps to take if an applicant deliberately and unreasonably refuses the prevention and relief measures (Policy Fact Sheet: Non-Cooperation, 2017). The exact language specifies applicants who are "unreasonably refusing to cooperate" in order to ensure there is not discrimination against people who might not be able to control their non-cooperation, such as someone with a mental disability who is not intentionally being uncooperative. If the applicant is found to be purposefully non-cooperative, the duty on the council to provide assistance is voided. This gives the applicant a more active role in their assistance measures, encouraging them to be proactive about their

 $<sup>^{10}</sup>$  "Unreasonably refusing to cooperate" refers to someone who willingly denies assistance, rejecting the government's efforts.

assistance, and gives people who are complacent with their homeless state the opportunity to deny the assistance.

# **Common Reactions to Act**

The 2017 has received generally positive reactions from the U.K.'s leading NGOs dedicated to homelessness. Many see the 2017 Act as a crucial step in the process of reducing homelessness in the U.K. The 2017 Act is not without its problems, however, including the issues of the amount of money allotted to make such sweeping changes and of the limitations of the 2017 Act's potential impacts.

## "A Crucial Step Forward"

The 2017 Act has been widely received as a good thing. Organizations like Shelter (a NGO dedicated to assisting the U.K.'s homeless) applaud it as a long overdue reform to the 1996 legislation, and believe it will bring much needed change (Garvie, 2017). John Sparkes, the chief executive of Crisis (another U.K. NGO that aids the homeless), describes it as such: "The Homelessness Reduction Act is a crucial step forward in fighting homelessness. For forty years we've had a system that fails too many homeless people by turning them away from help when they need it most" (as cited in Garvie, 2017). *Big Issue*, a magazine written by professional journalists but sold by homeless people who earn the profits of what they sell, is in support of the

2017 Act's emphasis on prevention, rather than turning people away and telling them to come back when they are at a crisis point. The 2017 Act is seen as shifting the focus from the existing, limited options that homeless people have to preventing those people from becoming homeless in the first place (Bird, 2017). John Bird, *Big Issue*'s founder, sees the 2017 Act as a chance to turn the social safety net into a social opportunity. As Bird puts it:

No, [the 2017 Act] won't always lead to brilliant solutions in the lives of the people who fall homeless. But it is a start for doing the wise thing, which is going 'upstream' from the 'accident' and preventing, as best as is possible, the accident happening. You don't know how wise that is to hear and see! How simple – rather than the usual jumping in when the failure has happened (2017).

The fact that applicants will leave their LHA with a laid out set of steps to take is also a major improvement on the past, where applicants would often walk away with no written assessment of their situation or plan of action (Garvie, 2017). The new measures should give those in danger of becoming homeless more control over their situation, and reasonable steps to take to stabilize their housing. The overall legislation is welcomed by those working in the homelessness sector, and is indicative of a government that wants to genuinely aid the homeless, rather than hide them from the public eye (Brill, 2017).

#### Criticisms

## Lack of Funding

These new measures will come at a high cost, a cost that may not be entirely covered by the 61 million British pounds dedicated to the Act by the government (Barnes, 2017). The emphasis on prevention is predicted to help more applicants keep their accommodation and limit the number of people forced to turn to rough sleeping. As such, the new duties placed on LHAs will be expensive because the associations will be aiding more people on a more personalized level than ever before. Roger Harding, the director of policy and campaigns at Shelter, says, "Extra money is essential to help local councils adapt to providing new and expanded services for homeless people and it's welcome that the government has gone some way to recognize this" (as cited in Garvie, 2017). However, housing experts warn that these new measures may be pointless if the 2017 Act is not sufficiently funded. Dawn Foster explains, "[A lack of funding would be] roughly akin to legally mandating someone to build you a shed after taking away their toolbox, all the wood they'd stockpiled, and then for good measure, burning down any nearby trees" (2017). It could also be a devastating blow to LHAs that were already struggling to provide the required duties under the 1996 Act. The 2017 Act could thus be setting LHAs up to fail, which would encourage them to adopt "gatekeeping methods" designed to limit the amount of people who will come to them for help, rather than helping every single person as the 2017 Act states (Foster, 2017).

Councils undoubtedly welcome the extra funding, but there is real concern that the allocated money will not be enough. In addition, the funding is planned for two

years, after which it will get cut, with the expectation that the savings from having a lower number of homeless people will offset the costs of the 2017 Act's measures for future years (Elgot, 2017). Yet, there is no evidence that the savings will have offset the cost in this amount of time, and there is concern about where the funding will come from if the government predictions are inaccurate (Barnes, 2017). LHAs and NGOs alike acknowledge that they need funding for a long-term plan rather than a short-term boost, but they remain skeptical that the 2017 Act will be able to fund the new measures it establishes and deliver on its claim of self-sustainability.

#### Not Doing Enough

Others say the 2017 Act is a small step in the right direction, but even with the additional duties, it is not doing enough (Foster, 2017). They believe the continual increase in homeless and rough sleeper populations need to be treated as a national crisis, getting priority now to save time and money in the future. Focusing on homeless applicants immediately will eliminate a number of future police calls, hospital bills, complex social service cases, and save the NHS countless time and resources (Brill, 2017).

Beyond focusing on the applicants, many argue that the government should also focus on the homes themselves. Shelter has found that 94% of London boroughs<sup>11</sup> report that assisting their homeless population in finding a space privately rented is "very difficult" due to the combination of increased rent and restrictions on welfare

4.0

<sup>&</sup>lt;sup>11</sup> Boroughs are local authority districts, each governed by a borough council, very similar to boroughs in major cities in the United States.

benefits (Garvie, 2017). Three quarters of boroughs also describe finding access to available social housing as "very difficult" due to the city's chronic shortage (Garvie, 2017). Similar to the argument that a short term funding boost will not be enough to significantly decrease the homeless population, a long-term solution is needed for the lack of available housing. Shelter argues that there needs to be a commitment to building housing that is affordable and accessible to lower income families so they will be able to find suitable housing before being in danger of becoming homeless (Garvie, 2017). The Housing Studies Association also points out that cuts to support services and restricting welfare reforms need to stop, as they limit the effectiveness of the work LHAs can do to prevent homelessness (Hoolachan, 2017). The social safety net needs to be continually strengthened, not weakened, for the 2017 Act to work as intended.

# **Analysis**

The 2017 Act has significant potential for changing the way the U.K. interacts with those who are homeless or in danger of becoming homeless. Overall, many in the homelessness sector welcome the 2017 Act and the new measures and duties it creates. However, the 2017 Act is not perfect. There are concerns that the allotted funding will not be enough to cover the new measures, and that those measures will not be enough to create the decrease in the homeless population that the U.K. is working towards. The 2017 Act's potential impact can be examined through the framing of the policies, its beneficiaries, and the larger context in which it exists.

## **Framing**

An important step in analyzing policies and their implications is establishing how the subject is framed. The idea of framing not only involves what the subject is, but what context it exists in. It "not only tell[s] the audience what to think about, but also how to think about that issue" (Davie, 2014). News outlets, writers, policy makers, and even people in day-to-day conversations often use framing to ensure not only ideas are being presented, but their implications as well.

This is particularly significant in public policy, because the government's stance on a topic will influence how it is framed. In the 2017 Act, the U.K. government framed the increasing rates of homelessness as a topic it is taking seriously. The 2017 Act

indicates that the government is willing to take significant action to lower the number of homeless and rough sleepers by seeming to be genuinely tailored to help assist the homeless. The focus on more preventative measures and more personalized advisory services represent a government who wants to lower the homeless population by assisting them rather than just getting them out of sight. For example, policies such as anti-homeless spikes placed on park benches or bans on sleeping in public areas, like parks or libraries, frame the homeless as a nuisance and a problem. These types of action imply that the homeless should be kept out of public spaces and punished for their circumstances. By giving the homeless more control over their situation – like the 2017 Act aims to do – they are humanized and empowered rather than marginalized. The government also appears to have listened to the policies for which NGOs and applicants have been lobbying, implying that government officials are valuing the recommendations of the people who work closest with the applicants that this legislation will affect.

As discussed in the criticisms noted above, there are still concerns that the 2017 Act does not do enough to aid applicants, however, it is a positive sign that homeless charities are generally in favor of it. If the government is taking the advice of groups that work with the homeless rather than the groups against them, it is a sign that the government wants to genuinely deal with the growing homeless population rather than hide or ignore it.

#### **Beneficiaries**

Another aspect of policy analysis is examining who the beneficiaries of the legislation are. By looking at who benefits, either deliberately or inadvertently, the effects of the policy can be seen more clearly. The implications of policies can be difficult to determine solely by looking at the policy itself. If the groups that benefit are also studied, a more complete picture of the policy and its effects will be created. The beneficiaries can be broken up into short-term and long-term categories. As the names describe, the short-term beneficiaries will benefit shortly after the policy is implemented, while long-term beneficiaries often benefit from a "ripple effect" of the policy. There is often overlap, but there are groups that clearly fall into each category.

#### Short Term

In the immediate future, the U.K.'s homeless, and those in danger of becoming homeless, will benefit from the 2017 Act. Within that population, single middle-aged homeless people will particularly see a better range and quality of services they can receive. This demographic did not previously fall under the "priority need" category, making it hard for them to receive assistance or improve their situation. The 2017 Act will also immediately benefit applicants who are served an eviction notice, and are now able to take action up to 56 days from the eviction date rather than only 28. The benefits of this extension were available as soon as the legislation

was given royal assent. The families and friends of homelessness applicants will also benefit, because their loved ones will be able to take more steps to prevent their situation from reaching a crisis point.

#### Long Term

The homeless and those at risk of becoming homeless will also benefit from the long-term effects of the 2017 Act. The country may finally see a decrease in homelessness assistance applicants after nearly a decade of increases. LHAs will also benefit from the new regulations. After the initial financial investment, the 2017 Act is expected to pay for itself. Thus, over time the decline in the rates of homelessness will allow the LHAs to save money because they should not have to support as many homeless assistance applicants. If the prevention measures work as intended, the LHAs will have more money to spend on more effective resources for a lowered number of homeless applicants. Both the homeless applicants and the ones assisting them will see benefits over time after the 2017 Act has been implemented.

After a high initial investment, the U.K. government will also see the benefits of the legislation over time. If the 2017 Act is successful in reversing the trend of a growing homeless population, it may give the public a more positive opinion of their government. Several recent events, including the Brexit vote and highly contested reelection of Theresa May, have led to a polarized public opinion of the government, giving many the stance that the government does not care about its people.

Furthermore, the homeless and homelessness applicants that are able to improve

their situation will become more active members of their communities and societies. Once their housing is stabilized, these people will be able to pursue interests beyond worrying about where they will sleep that night or their next meal. They can then work to get hired for better jobs, receive higher education, volunteer to help others (particularly people in situations similar to the ones they had been in), and overall contribute to society and the economy. By benefiting the homeless and those in danger of becoming homeless, the U.K. government will see the benefits of helping to provide resources so that all citizens can achieve their full potential.

# **Larger Context and Conclusion**

The 2017 Act has the potential to benefit many U.K. citizens. It is intended to assist the homeless, and works to ensure that more prevention measures will limit the number of people who are in danger of becoming homeless from actually becoming homeless. The applicants' friends and families will benefit knowing they do not have to worry about their loved ones losing their housing or rough sleeping. In theory, this policy could make a large positive impact on the U.K. and its people. However, the implementation of the 2017 Act will have to be closely monitored to ensure that it is actually doing as it is intended.

The funds spent versus funds saved by the LHAs must be tracked diligently to make sure the government's funds are being spent appropriately and to gauge whether the measures will begin to pay for themselves. If the measures do not pay for themselves and the LHAs cannot afford to maintain the 2017 Act policies, progress will be stopped in its tracks, no matter how effective the other initiatives in the 2017 Act could have potentially been.

The U.K. government will need a contingency plan in place in the event that the LHAs cannot support the measures after the initial investment, or else there will be a period of turmoil and confusion between the government, LHAs, and applicants, which would be detrimental to all involved. There will also need to be evaluation of the human aspect of the 2017 Act. Interviews or surveys should be taken of both the applicants and LHA workers to see how the 2017 Act is working in day-to-day life. Even if the policies make sense on paper, the real test will be if they are effectively assisting the people whom the 2017 Act is intended to benefit. The 2017 Act will need to be closely monitored to ensure it meet the expectations the government, NGOS, and the homeless population have for it.

Despite its potential, the 2017 Act alone cannot fix the U.K.'s housing crisis. It may assist many people, but it is one piece of a much bigger picture. U.K. citizens are caught in the crosshairs between increasing rent costs for private housing, and decreasing availability of social housing. This phenomenon has led to "Generation Rent", a term used to describe the U.K.'s younger generations who will realistically never own their own property and instead rent their accommodation their entire lives. The issue is more than just connecting people with information about

resources; there is a shortage of places for people to live. These underlying issues will continue to exist despite the 2017 Act. With proper implementation, the 2017 Act may fill the gaps in housing assistance the U.K. has been struggling with since 2009, but it will not be able to end homelessness on its own.

# **Bibliography**

Barnes, Sophie. "Homelessness Reduction Act to Commence from April next Year." Inside Housing, Inside Housing, 16 Aug. 2017, 7:30am,

www.insidehousing.co.uk/news/news/homelessness-reduction-act-to-commence-from-april-next-year-51932.

Benn, Geraldine, et al. "Educating About Homelessness." London Project Center, Museum of Homelessness, June 2017, <a href="www.wp.wpi.edu/london/projects/2017-projects-summer/museum-of-homelessness/">www.wp.wpi.edu/london/projects/2017-projects-summer/museum-of-homelessness/</a>.

Bird, John. "John Bird: This could be the law that changes everything." The Big Issue, The Big Issue, 21 Mar. 2017, <a href="www.bigissue.com/opinion/john-bird/john-bird-law-changes-everything/">www.bigissue.com/opinion/john-bird/john-bird-law-changes-everything/</a>.

Brill, Chris. "Homelessness Reduction Act receives Royal Assent." Homeless Link, Homeless Link, 27 Apr. 2017, 12:08pm, <a href="https://www.homeless.org.uk/connect/blogs/2017/apr/27/homelessness-reduction-act-receives-royal-assent">www.homeless.org.uk/connect/blogs/2017/apr/27/homelessness-reduction-act-receives-royal-assent</a>.

Brill, Chris. "The Homelessness Reduction Act Webinar." Homeless Link, Homeless Link, 10 May 2017, <a href="https://www.homeless.org.uk/webinar-homelessness-reduction-act">www.homeless.org.uk/webinar-homelessness-reduction-act</a>.

Burns, Andrew. "Homelessness Reduction Act to come into play from April 2018." The Big Issue, The Big Issue, 16 Aug. 2017, <a href="www.bigissue.com/news/homelessness-reduction-act-come-play-april-2018/">www.bigissue.com/news/homelessness-reduction-act-come-play-april-2018/</a>.

"Council plans for introduction of Homelessness Reduction Act." Cambridge City Council, Cambridge City Council, 18 Sept. 2017, <a href="https://www.cambridge.gov.uk/news/2017/09/18/council-plans-for-introduction-of-homelessness-reduction-act">www.cambridge.gov.uk/news/2017/09/18/council-plans-for-introduction-of-homelessness-reduction-act</a>.

Davie, Gavin. "Framing Theory." Mass Communication Theory, 18 Feb. 2014, www.masscommtheory.com/theory-overviews/framing-theory/.

Elgot, Jessica. "Councils Get £48m to Expand Homelessness Provision." The Guardian, Guardian News and Media, 17 Jan. 2017, 11:27am, <a href="https://www.theguardian.com/society/2017/jan/17/councils-get-48m-to-expand-homelessness-provision">www.theguardian.com/society/2017/jan/17/councils-get-48m-to-expand-homelessness-provision</a>.

Foster, Dawn. "Homelessness Reduction Bill: a Small Step in the Right Direction."

The Guardian, Guardian News and Media, 26 Jan. 2017, 7:01pm, <a href="https://www.theguardian.com/housing-network/2017/jan/27/homelessness-reduction-bill-cash">www.theguardian.com/housing-network/2017/jan/27/homelessness-reduction-bill-cash</a>.

Garvie, Deborah. "Homelessness Reduction Act Becomes Law – Now We Need a Cross-Government Approach to Make It Work." Shelter Blog, Shelter, 2 May 2017, <a href="https://www.blog.shelter.org.uk/2017/05/homelessness-reduction-act-becomes-law-now-we-need-a-cross-government-approach-to-make-it-work/">https://www.blog.shelter.org.uk/2017/05/homelessness-reduction-act-becomes-law-now-we-need-a-cross-government-approach-to-make-it-work/</a>.

"Homelessness Reduction Act: new burdens funding." Homelessness Reduction Act: new burdens funding - GOV.UK, Department for Communities and Local Government, 16 Dec. 2017, <a href="www.gov.uk/government/publications/homelessness-reduction-act-new-burdens-funding">www.gov.uk/government/publications/homelessness-reduction-act-new-burdens-funding</a>.

"Homelessness Reduction Act 2017." Legislation.gov.uk, Queens Printer of Acts of Parliament, 27 Apr. 2017, <a href="https://www.legislation.gov.uk/ukpga/2017/13/contents/enacted">www.legislation.gov.uk/ukpga/2017/13/contents/enacted</a>.

"Homelessness Reduction Act 2017." Parliament, U.K. Parliament, 27 Apr. 2017, www.services.parliament.uk/bills/2016-17/homelessnessreduction.html.

"Housing Act 1996." Legislation.gov.uk, Statute Law Database, 24 July 1996, www.legislation.gov.uk/ukpga/1996/52/part/VII.

Homelessness Reduction Act Toolkit. Homelessness Reduction Act Toolkit, The National Practitioner Support Service, September 2017.

Hoolachan, Jenny. "BLOG Homelessness Reduction Act 2017: Solution to the Housing Crisis in England?" Housing Studies Association, Housing Studies Association, 7 June 2017, housing-studies-association.org/2017/06/blog-homelessness-reduction-act-2017-solution-housing-crisis-england/. Jones, Marcus. "Letter to LAs on HRA." Received by Chief Executive of Local Authorities, Arden Chambers, Department for Communities and Local Government, Aug. 2017, <a href="https://www.ardenchambers.com/content/uploads/2017/08/Letter-to-LAs-on-HRA1.pdf">https://www.ardenchambers.com/content/uploads/2017/08/Letter-to-LAs-on-HRA1.pdf</a>.

"Policy Fact Sheet: Codes of Practice." Department for Communities and Local Government, 20 Feb. 2017.

"Policy Fact Sheet: Duty of public authority to refer cases to local housing authority." Department for Communities and Local Government, 20 Feb. 2017.

"Policy Fact Sheet: Duty to assess all eligible applicants' cases and agree a plan." Department for Communities and Local Government, 20 Feb. 2017.

"Policy Fact Sheet: Duty to provide advisory services." Department for Communities and Local Government, 20 Feb. 2017.

"Policy Fact Sheet: Help to secure and suitability." Department for Communities and Local Government, 20 Feb. 2017.

"Policy Fact Sheet: Homelessness prevention duty." Department for Communities and Local Government, 20 Feb. 2017.

"Policy Fact Sheet: Local Connection for Care Leavers." Department for Communities and Local Government, 20 Feb. 2017.

"Policy Fact Sheet: Non-Cooperation." Department for Communities and Local Government, 20 Feb. 2017.

"Policy Fact Sheet: Relief." Department for Communities and Local Government, 20 Feb. 2017.

"Policy Fact Sheet: Reviews." Department for Communities and Local Government, 20 Feb. 2017.

"Policy Fact Sheet: Secondary Legislation and Codes of Practice." Department for Communities and Local Government, 20 Feb. 2017.

"Policy Fact Sheet: Threatened with Homelessness." Department for Communities and Local Government, 20 Feb. 2017.

"Policy Fact Sheet: Updating the Homelessness Code of Guidance for Local Authorities." Department for Communities and Local Government, 20 Feb. 2017.

"Private Members' Bills." UK Parliament, UK Parliament, www.parliament.uk/about/how/laws/bills/private-members/.