

**Written evidence submitted by the Ministry of Housing, Communities and  
Local Government [IOC 308]**

The Covid-19 outbreak has brought unprecedented challenges over the past months, and the Government has responded quickly to protect people's jobs, keep people safe, and to help people stay in their homes. This has included bold action to protect those on the streets and those most at risk of losing their homes.

The Government acted quickly to bring rough sleepers in off the streets. Within just over a month 90% of those identified as rough sleepers have been given offers of accommodation. This is a remarkable achievement and involved a huge effort from local Government and the wider homelessness sector, with an additional £3.2bn funding being made available to local authorities to manage the impacts of Covid-19 including on rough sleeping.

We are now focused on supporting rough sleepers to find sustainable accommodation with a new specialist Taskforce led by Dame Louise Casey which has been created to lead the next phase of essential work. This will help us to deliver the manifesto commitment to end rough sleeping by the end of the Parliament. Spearheaded by Dame Louise Casey, the taskforce will work hand-in-hand with councils across the country on plans to ensure rough sleepers can move into long-term, safe accommodation once the immediate crisis is over – ensuring as few people as possible return to life on the streets.

We are supporting those at risk of homelessness through the injection of nearly £7bn into the welfare system, which will mean more households in temporary accommodation are able to find a settled home in the private rented sector that they can afford. This includes a rise in the Local Housing Allowance rate which will give nearly £1bn additional support for renters.

The Government has delivered certainty and security for renters and landlords in these uncertain times. The Government announced measures on evictions to ensure the 8.6m households across the social and private rented sectors are protected from having to leave their property at a time when public health guidance requires us all to minimise our movement. The courts services suspended housing possession claims to protect tenants and the government introduced three-month mortgage holidays to support landlords.

Taken together these measures have protected the most vulnerable and delivered certainty and security for households up and down the country. This is in addition to the wider Government support package to protect jobs. The Coronavirus Job Retention Scheme covers 80% of the salaries of furloughed employees up to a total of £2,500 a month, as part of a cash injection of more than £30bn for employers, with similar support for those who are self-employed.

We know these measures are working. Over 5,400 rough sleepers have been given offers of help and in many areas around the country, all of the people rough sleeping at the beginning of this crisis have had offers of help. Early intervention to stay possession claims paused the progress of evictions through the courts and the extension of notice periods has gone further to ensure tenants have additional protection to stay in their homes at this time.

The Government will continue to focus on delivering support to those who are most vulnerable from this pandemic, continuing to work in close partnership with local resilience forums and local authorities, the NHS, Public Health England, the police, mayors, business leaders and charities.

### **Support for tenants and landlords in the private rented sector**

On 18 March 2020, the Secretary of State for Housing, Communities and Local Government announced that tenants across the social and private rented sectors would not be placed at risk of eviction during this difficult time.

This announcement was followed by a set of measures delivered through the Coronavirus Act 2020 and a subsequent announcement from the Master of the Rolls and the Lord Chancellor that the courts would suspend all ongoing and any new housing possession claims across the social and private rented sector, as well as for some who occupied their homes under a licence and for those with mortgages.

These measures have delivered certainty and security for renters.

### **Emergency legislation**

Clause 81 and schedule 29 of the Coronavirus Act requires landlords to give three months' notice of their intention to seek possession to regain properties that are let on a tenancy. This means that it would be three months before a landlord can apply to the court to proceed with any possession action. The measure lengthens the notice period required for all grounds for possession that can be used by landlords for both private and social rented sector tenancies.

The measure applies to all tenancies covered by the Act, not just where a tenant has been directly affected by coronavirus. It applies to all new notices in relation to assured, assured shorthold, secure, flexible, introductory and demoted tenancies and those under the Rent Act 1977, but not to any notices issued before the legislation comes into force. This came into force on Thursday 26 March 2020 and will remain in place until 30 September 2020, subject to it not being extended by secondary legislation. This has provided decisive protection for renters.

The Coronavirus Act provides powers that allow the Government to keep this protection under review in two ways: by amending the three-month notice period if required, to a maximum of six months; and, by extending the date on which these measures will end.

This legislation only applies to tenants so will not apply to licenses to occupy (other than a secure licence under the Housing Act 1985). However, the Government has urged the landlords of those on licences to occupy to follow the same guidance and to work with renters who may be facing hardship as a result of the response to Covid-19. Licensees have been offered protection at this time through the Practice Direction issued to the courts.

#### Suspension of housing possession claims

To further support tenants, all housing possession cases have been suspended. On 27 March 2020 the Master of the Rolls, with the agreement of the Lord Chancellor, issued a Practice Direction to stop possession claims from progressing in court. This measure applies to cases currently in progress and cases where a landlord has already commenced possession proceedings on expiry of a notice seeking possession.

The suspension applies for 90 days (subject to review and extension) to 24 June and covers all housing possession proceedings including housing, land and buildings, possessions proceedings in the rented, leasehold, home ownership and agricultural tenancy sectors. This action is subject to review and can be extended. All tenants and licensees who benefit from protection from eviction under the Protection from Eviction Act 1977 are protected from possession proceedings by this measure. This means that if a tenant had already been issued with notice of their landlord's intention to seek possession of the property, or if they are issued notice in the 90 day period from 27 March, their landlord will not be able to take action through the courts to make the tenant move.

#### Pre-Action Protocol

The Government has committed to work with the Master of the Rolls to explore whether claims for possession by private landlords could be supported by a Pre-Action Protocol, as is already the case for claims by social landlords.

Work is continuing to understand what role a Pre-Action Protocol could play as we develop our response to the challenges presented by Covid-19.

#### Financial support to tenants, landlords and letting agents

To protect millions of people's jobs and incomes as part of the national effort in response to Covid-19, the Government has introduced an unprecedented package of measures. These significant financial measures will help to support tenants to continue to pay their living costs, including rental payments. The Government is confident that most tenants will be able to continue paying rent – and is clear that where they can, they should do so.

The Local Housing Allowance rate, which determines the maximum financial support available for renters in the private rented sector, has been increased to the 30<sup>th</sup>

percentile of the local market rents from April for Universal Credit and Housing Benefit claimants, giving additional financial support for private renters during this period. This increase will mean an additional £1bn of support for private renters claiming Universal Credit or Housing Benefit through the Local Housing Allowance in 2020/21 and benefits over 1m households including those in work. Claimants will gain on average an additional £600 per year in increased housing support.

We have already provided £180m in Discretionary Housing Payment funding to Local Authorities to support vulnerable claimants with housing costs in the private and social rented sector in England and Wales for 2020/21. This includes an extra £40m as announced last year at the spending round. These payments are very flexible and may be awarded for a short period to give a claimant time to deal with their immediate financial difficulties or for an indefinite period until their circumstances change. Discretionary Housing Payments are awarded entirely at the discretion of the Local Authority.

Taken together, these measures represent an injection of nearly £7bn into the welfare system and, along with the other job and business support programmes announced by the Chancellor, represent one of the most comprehensive packages of support introduced by an advanced economy in response to the coronavirus outbreak.

The Government has taken decisive action to ensure people get their benefit payments and can continue to support those who need it the most. We have seen unprecedented numbers of claims and with the superb work of dedicated civil servants, our system is standing up to the challenge so that it can receive and process this significant number of new claims. For the 6 weeks prior to 12 April 2020, the Department for Work and Pensions received over 1.5 million declarations to Universal Credit and issued 513,000 advances between 16 March to 12 April. This compares to around 55,000 in a typical week. We estimate that 2.5m households on Universal Credit will benefit straight away as well as new claimants who become unemployed or whose earnings decrease because of the outbreak.

To address this increased demand, the Government committed to re-deploying 10,000 Department for Work and Pensions staff to critical frontline services. The Department for Work and Pensions is bringing in extra capacity with hundreds of new colleagues and fast-track recruitment. Claimants applying on 16 March will have received their first Universal Credit payment on 22 April and around 93% of people are forecast to receive their payments in full and on time.

We have also taken action to support letting agents, and landlords where their tenants fall into financial difficulty. Agents and corporate landlords can benefit from unprecedented support for businesses including the Job Retention Scheme, the Coronavirus Business Interruption Loan Scheme, VAT deferrals and (for letting agents) business rates relief in 2020-21.

The Government has worked with mortgage lenders to enable landlords with mortgages – the majority of private landlords – to access a payment deferral for up to three months where their tenants are facing coronavirus-related hardship.

Landlords and letting agents play a vital role in the ecosystem of the private rented sector, ensuring that property is available and safe for tenants, and so these measures form a crucial part of the Government's Covid-19 response in this sector.

The Government has published detailed information about its Covid-19 measures for tenants, landlords and local authorities, which is available at: <https://www.gov.uk/government/publications/covid-19-and-renting-guidance-for-landlords-tenants-and-local-authorities>. We continue to keep these guidance documents under review to ensure they remain in line with the latest public health guidance.

### **Government action on homelessness and temporary accommodation**

The unprecedented action Government has taken to support households affected by the economic impacts of Covid-19, both financially and through our work to prevent evictions, will help to keep people in their own homes and prevent homelessness.

We recognise, however, that despite these measures sometimes people require additional support and may become homeless. For those who are homeless, or at risk of homelessness, the Government implemented the Homelessness Reduction Act in 2017, the most ambitious homelessness legislative reform for over a decade.

The Homelessness Reduction Act placed new duties on local housing authorities to take reasonable steps to try to prevent and relieve a person's homelessness, irrespective of whether a person has priority need or is regarded as being intentionally homeless. Since the start of the Homelessness Reduction Act, data is indicating positive change, with many more people now receiving the support they need. Since the Act came into force, local authorities have accepted a new prevention or relief duty to over 400,000 households. In July-September 2019, approximately two-thirds of households owed a prevention or relief duty were single households (households without children) – many of whom would not have been eligible for support prior to the Homelessness Reduction Act.

In December 2019, the Prime Minister announced the allocation of £200m for the Flexible Homelessness Support Grant and £63m for the Homelessness Reduction Grant for the financial year 2020/21. These funding streams give local authorities more control and flexibility in managing homelessness pressures and supporting those who are at risk of homelessness. The Homelessness Reduction Grant provides an uplift on the new burdens funding provided to implement the Homelessness Reduction Act and will enable local authorities to do more to prevent and relieve homelessness in their areas. Where local authorities are facing further pressures as a result of Covid-19, they can draw on the additional £3.2bn funding provided by the Government.

Where a local authority is not able to prevent or relieve a person's homelessness, and that person is eligible, has a priority need for housing and is not intentionally homeless, the local authority has a duty to house them in suitable temporary accommodation until such a time that the main duty is ended.

The purpose of temporary accommodation is to ensure that people have a roof over their head and are getting the help and support to begin their recovery from homelessness. This purpose continues to be crucial during this pandemic.

For those families who are not yet able to move into a settled home, we recognise the challenges of living in temporary accommodation at this time, when restrictions on activities are in place, especially for those living in B&Bs and hostels.

The accommodation provided must be suitable, which is determined in line with legislation and guidance, as set out in Chapter 17 of the Homelessness Code of Guidance. The guidance is clear that consideration of whether accommodation is suitable will require an assessment of all aspects of the accommodation in the light of the relevant needs, requirements and circumstances of the homeless person and their household.

Legislation also provides the applicant with the right to request a review of the suitability of the accommodation and local authorities have a continuing obligation to keep the suitability of accommodation under review, and to respond to any relevant change in circumstances which may affect suitability.

The Government has two teams of specialist advisers, the Homelessness Advice and Support Team, and the Rough Sleeping Initiative Advisers, who have been working with local authorities to support them during the Covid-19 outbreak. For households living in temporary accommodation, the best outcome is always to support them to move into suitable settled accommodation as quickly as possible. This remains the case and the action Government has taken will support this. The injection of nearly £7bn into the welfare system will mean more households in temporary accommodation are able to find a settled home in the private rented sector that they can afford. And to make sure they can move into new homes as quickly as possible, we have been clear that where households are homeless or living in temporary accommodation, moves into more settled accommodation should still be taking place, along with other essential moves. This was outlined in non-statutory guidance on social housing allocations (<https://www.gov.uk/guidance/coronavirus-covid-19-guidance-for-social-landlords-on-essential-moves>).

Charities and specialist organisations supporting victims of domestic abuse have a vital role to play at this time. Domestic abuse is a heinous crime and we are absolutely committed to ensuring survivors get the support they need to rebuild their lives. This includes having a safe place to stay when they need it, with specialist support to rebuild their lives. In view of this, Government has announced a £76

million package of support for the most vulnerable in society. This includes £28m to help charities who support survivors of domestic abuse and their children, of which MHCLG will allocate £10m to domestic safe accommodation services.

It is absolutely critical that victims of domestic abuse get support and especially when they are in housing need. That is why the Government announced on 2 May that it will bring forward the necessary legislative changes to extend automatic priority need for victims of domestic abuse. This change will mean that that consideration of vulnerability will no longer be required in order for domestic abuse victims to be eligible for settled housing.

### **Government action on rough sleeping and 'Everybody In' campaign**

The support outlined above will prevent many people from becoming homeless. We are taking further action to help those that do end up on the streets. Over the past three years, successive Governments have taken action to eliminate rough sleeping. While Government was already leading work to help people who sleep rough, the manifesto commitment made in 2017 to halve and then end rough sleeping by 2027 led to a sizeable programme of work which is now having a significant impact in local areas. The Rough Sleeping Initiative was established in spring 2018, with a team of specialist advisers appointed to work with local authorities to tackle rough sleeping. This was followed by a Rough Sleeping Strategy in summer 2018, backed with £100m of funding, which set out a large number of cross-government commitments to help deliver this goal. These measures helped to deliver a 2% reduction in the annual rough sleeping snapshot in autumn 2018 – the first reduction in eight years.

Since these first steps, the Government has gone even further. In the 2019 General Election, the Conservative Manifesto brought forward the commitment to end rough sleeping by the end of this Parliament, and the most recent annual snapshot showed a reduction of 9%. At the 2020 Budget, the Government announced a further £381m for rough sleeping, including funding for drug and alcohol treatment and for move-on accommodation, in order to ensure people who rough sleep have access to the services and support to enable their long-term recovery away from the streets and in sustainable accommodation.

The Covid-19 outbreak has brought on new challenges for this group. The Government recognised early on the need to provide support for rough sleepers needing to self-isolate and on 18 March quickly announced targeted funding of £3.2m for safeguarding symptomatic rough sleepers with a commitment to review this funding as the pandemic progressed.

Since then, the Government has rapidly scaled up its response. We appointed Dame Louise Casey to spearhead our emergency response to bring rough sleepers in off the streets. On 26 March, Luke Hall MP wrote to Chief Executives of local authorities to thank them for their work to date and to set out priorities regarding the 'Everybody In' campaign being delivered by Dame Louise. This set out priorities

around people sleeping rough and those in places where it is difficult to self-isolate, such as shelters, in order to reduce transmission.

Since the launch of this work, the Government has worked with the Greater London Authority (GLA), London boroughs and local authorities around the country to support them to deliver this accommodation. The Government also worked with a range of national hotel chains, to encourage them to support this work. In many places the accommodation procured are hotels and local authorities were encouraged to follow a triaging approach, as recommended by health colleagues.

In just over a month, over 90% of the people who local authorities identified as sleeping rough or in shelters at the beginning of the crisis have now had offers of accommodation, with over 5,400 people receiving offers of help. In many areas around the country, all of the people rough sleeping at the beginning of this crisis, some of whom have been rough sleeping for many years, have had offers of help and a chance to turn their lives around.

This is a truly remarkable achievement, and one which is the result of the hard work of local government, agencies and charities across the country, who have helped to get people off the street and into safe accommodation, protecting the most vulnerable in society and, ultimately, saving lives. The focus of our work will now be on how we ensure those offers of help can enable sustainable recovery for those individuals.

Given that rough sleepers are more likely to have needs (for instance we estimate over 80% have a current mental health need and over 60% have a current substance misuse need) accommodation has also required a certain level of support staff to make sure they can be run safely, often repurposed staff from existing rough sleeping work. We have also taken steps to ensure this workforce is supported to do this vital work by including them as key workers and ensuring appropriate access to testing and Personal Protective Equipment when doing this vital work.

There have been considerable local successes. In Birmingham everyone who was rough sleeping or in shared sleeping arrangements at the beginning of this crisis has had an offer of help and a new emergency housing options team has been put in place to support this work. At Heathrow, a collaboration between Hillingdon Council, Heathrow security services, aviation police and local transport services has significantly reduced rough sleeping at the airport – a well-known hub for rough sleeping.

We have also worked closely across Government to ensure local healthcare systems Health plays a vital role in this work, supporting specialist COVID CARE (for symptomatic individuals) and COVID PROTECT (for individuals asymptomatic but vulnerable to the virus) sites being set up in London, and working more broadly with local authorities around the country to offer advice and support on issues such as triaging.

The Government recognises the significant steps local authorities have taken to deliver this work. On top of the initial £3.2m funding, the Government has now announced £3.2bn in funding for local authorities to help them meet the pressures caused by Covid-19 and to support vulnerable people, including rough sleepers.

### **Next stage to support rough sleepers**

Now that these people are in off the street, the Government's strategy is focused on ensuring the sustainability of rough sleeping accommodation, including ensuring accommodation is safe and secure and meets the needs of rough sleepers and the staff supporting them.

During this next stage, we expect local authorities and partners to work with rough sleepers to offer support and accommodation where possible, particularly prioritising vulnerable rough sleepers. and to provide help and support to prevent homelessness for those at risk of losing their accommodation at this most difficult time.

Building on the considerable success so far, the Secretary of State for Housing, Communities and Local Government announced on 2 May that Dame Louise Casey will spearhead a Taskforce to lead the next phase of the Government's support for rough sleepers during this pandemic.

While we will continue to support all local authorities in this work, the Taskforce will particularly focus on high priority areas, and will support those areas to develop local plans to meet need and to make sure that those accommodated now and those new to the streets are given help to move-on from rough sleeping. The taskforce will also ensure the thousands of rough sleepers now in accommodation continue to receive the physical and mental health support they need over the coming weeks while they continue to self-isolate from the virus.

We recognise that once people are safely in this accommodation, it is important to ensure there is a consistent offer of support and health provision. This is necessary to manage arrangements if people become symptomatic and to tackle any underlying needs to give the individuals the best possible chance of successfully and sustainably moving on.

The Government is working closely with Public Health England and NHS England to ensure that arrangements are in place in local areas to support symptomatic people in this accommodation and that other basic health needs of symptomatic and asymptomatic rough sleepers are met. This includes ensuring they are registered with their GPs, have underlying physical health conditions assessed, including blood borne illnesses and undergo social care, substance misuse and mental health assessments where appropriate.

Given the complex nature of this cohort there will be a group of individuals who either will refuse an offer of help, or whose needs will lead to them being evicted from this accommodation. In these cases, local authorities should work with a range

of local partners to provide solutions. The Government is clear we need to ensure local authorities have the tools they need to respond to these challenges. To this end we are working with the National Police Chiefs' Council to provide guidance and clarity for frontline officers working with rough sleepers, making sure that appropriate action is taken which will include linking in with local support services.

Data and intelligence will be a key tool in building our intelligence and data to better understand the needs of people in this provision and to inform the next phase of our work. In London, we are working with the Greater London Authority and leading providers such as St Mungo's and Thames Reach to understand what data people are collecting and how we can use this to inform the delivery of sustainable move-on accommodation, and will be replicating this approach in other areas.

The Government recognises that hotel accommodation is not a sustainable solution for the individuals concerned, businesses, or local authorities.

To support long-term recovery, the Government's key aims for supporting rough sleepers beyond the Covid-19 crisis are firstly to move individuals into alternative accommodation once the lockdown begins to be lifted and reduce returns to the street. We will use this opportunity of widespread engagement to maximise the group who are moved into appropriate move-on accommodation as quickly as possible where that is appropriate.

The Government recognises that hotel accommodation is not a sustainable solution for the individuals concerned, businesses, or local authorities.

Given the challenges in seeking to support and accommodate large numbers of people at scale, as the Covid-19 pandemic eases we recognise the need to use sector expertise and support and encourage innovative thinking. The Government will announce details of this in due course.

Finally, testing is a key element of supporting rough sleepers going forward, and we are working across Government to ensure local arrangements are in place to ensure all rough sleepers can get tested.

## **Conclusion**

Taken together, these significant measures are protecting the most vulnerable and providing a significant degree of support for tenants. The Government has acted quickly and decisively in these uncertain times.

As we progress to support those we have brought in off the streets into sustainable accommodation, we recognise this will require another huge effort from local government, and the wider homelessness sector. The Government is committed to working jointly to support as many vulnerable people as possible away from the streets.

We will keep under review efforts to support renters and those at risk of or experiencing homelessness and will continue to monitor the situation for households in temporary accommodation to determine whether further action is needed. The responsive package for vulnerable groups, renters and landlords has delivered certainty and security at this time and has been driven by the public health imperative to reduce unnecessary moves. However, the Government recognises that there are circumstances where it is only right that a landlord be able to regain possession of a property. As we look to the future, we will seek to use the available levers to ensure the transition away from emergency measures is approached in a fair and proportionate manner.

*May 2020*