

Comhairle nan Eilean Siar Policy on Housing Allocation for People with Mental Health Needs

Background

It is recognised that people with mental health needs are at an increased disadvantage if they are homeless or living in unsuitable housing.

This policy seeks to give due priority to the needs of this client group while recognising the serious shortage of Council housing throughout the islands, and the competing and perhaps equally urgent needs of other applicants.

There are some specific issues which staff in the referring agencies should be aware of when assisting individuals to address their housing needs.

- 1 The fact that mental health services in Lewis and Harris are focused on Stornoway does have the effect of increasing demand for housing there, where there is already the greatest competing pressure for local authority accommodation.
- 2 There is no centralisation of mental health services in Uist or Barra and so no corresponding demand for housing in any one area.
- 3 There is no emergency accommodation other than hospital for clients suffering a crisis in their condition. The temporary accommodation held by the Homeless Service is unsupported, and in some instances shared with several other people. It is therefore not appropriate for vulnerable people in need of care and support.
- 4 Temporary accommodation is at a premium in the islands and the Council's Homeless Units are subject to competing pressures. Every effort will however be made by the staff participating in multi agency case conferences to avoid the discharge from hospital to a B&B establishment of any person with mental health needs.

Whenever possible the discharge will be delayed until suitable long-term or permanent accommodation has been obtained for the client.

In recognition of these facts, referring agencies will seek to give a fair picture of both urgency and seriousness when making housing referrals on a client's behalf, and will avoid making crisis referrals in situations of low risk. They will also acknowledge the constraints on providing local authority housing in Stornoway, and will, when discussing care plans and discharge arrangements seek to give clients a realistic picture of their housing options.

Referrals to Housing may be made by the applicant or their representative e.g. Social Worker, Hospital Staff, CPN, GP.

If clients are on CPA and are Homeless or have a designated care manager and are Homeless the referral to Housing will be progressed as a matter of urgency by a multi-agency case conference.

Housing staff will attend individual case conferences and review meetings where appropriate and contribute as part of the care team around an individual client.

In addition a representative from the Housing department will form part of the CPA core group.

Criteria for Additional Priority

To facilitate the assessment of housing applications in line with the stated policy the following categories of priority have been identified:

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| PRIORITY 1 | People who are experiencing difficulties because of their mental health and are on CPA and Homeless |
| PRIORITY 2 | People who have mental health needs, are homeless, and have a designated care manager |
| PRIORITY 3 | People who have mental health needs in the community or in Hospital and are homeless. |
| PRIORITY 4 | People who have mental health needs and where there are additional factors such as dependant children, physical illness, or disability. |

PRIORITY 5 Other people with mental health needs.

PRIORITY CATEGORIES 1 - 3 inclusive will have their housing needs assessed under Homeless Persons Legislation and their application progressed through the Council's Homelessness procedures.

PRIORITY CATEGORIES 4 AND 5 will have their needs assessed under the Council's Allocation Policy. Applicants may submit supporting information from e.g. their GP, CPN, or Social Worker. Applicants may also be awarded additional medical priority points following an independent assessment by the Senior Clinical Medical Officer.

Homeless Persons Service

Comhairle nan Eilean Siar operates a Homeless Persons Service to assist the ever-growing number of people who find themselves homeless or about to become homeless.

The following information explains who may be entitled to apply for housing under Homeless Persons legislation and sets out the procedures used by the Council to assess an application.

Homeless Application

The Homeless Persons Service operates entirely separately from the Allocations Section, and Homeless Applicants have to meet different requirements to those applying for housing through the waiting list system.

There are many reasons why people become homeless. The most common are family or marital disputes, financial difficulties, following emergencies such as fire or flood and following action by a landlord.

If a client is already without accommodation or there is reason to think that they shortly will be, contact should be made with the Homeless Persons Officer at the nearest Housing Office to discuss the situation. The applicant will be asked to complete a housing application form, which will be considered in terms of the Housing (Scotland) Act 1987 Part II (Homeless Persons), and the type of help the Council can give will depend on the individual's personal circumstances.

Homelessness: The Legal Position

In terms of Law:

An individual is Homeless if he/she

- a) Does not have accommodation he is entitled to occupy e.g. has been put out by relatives.
- b) Does not have accommodation which can be reasonably used, e.g. there is a risk of violence in the home.
- c) Does not have accommodation where his family can live together.

An applicant will have priority need if he/she is:

- a) Responsible for dependent children (those under 16 years or under 19 years if they are still in full-time education or training).
- b) Pregnant
- c) Vulnerable due to old age, mental or physical disability or some other special reasons.
- d) Homeless due to fire, flood or other disaster.

An applicant will also qualify as having a priority need if someone who normally lives with them comes into one of these categories.

Assessment of Applications

It will normally be established by the end of the initial interview whether or not the applicant is likely to have a priority need.

If there is no priority need, advice and information will be offered regarding private rented accommodation. The applicant will also be advised to submit an application to be assessed for inclusion in the housing waiting list as soon as he has a permanent address.

A written determination of the homeless application will be prepared even if priority housing cannot be offered. If the individual does not have an address at the time of application, the decision letter can be collected from the Housing Office.

If an applicant does appear to be in priority need, the Council must make further investigations into the circumstances and details of their application. This may take some time, and if the applicant does not already have temporary accommodation (including hospital), a place may be offered in either one of the Council's furnished Homeless Units, or if these are unavailable, in private Bed and Breakfast accommodation. This last option will not be offered to applicants who are obviously in a distressed or vulnerable mental state as there is no support available within the premises.

Whilst considering the entitlement to permanent housing under the Housing (Scotland) Act 1987 Part II, the Council has a duty to find out whether the loss of the previous accommodation could have been avoided, and whether the applicant has an established and current local connection.

Housing staff may have to contact landlords, solicitors, social workers, doctors, banks or other landlords about the application, depending on the circumstances.

If the applicant is in hospital or has been referred to Housing by Social Work or Health staff, a multi-agency case conference will be convened to progress the investigations.

If information is deliberately withheld, false statements made regarding the applicants housing situation or there is a failure to notify any change in circumstances, the homeless application will be cancelled.

Outcome and Decision

<p>Homeless/potentially homeless with PRIORITY NEED</p> <p>i.e. have special circumstances as detailed above the</p> <p>APPLICANT WILL THEN be entitled to an offer of permanent housing</p>	<p>Intentionally homeless or potentially homeless with PRIORITY NEED</p> <p>i.e. have caused your homelessness the</p> <p>APPLICANT WILL THEN be offered temporary accommodation if necessary and assistance to find private housing</p>	<p>Connected with another area</p> <p>i.e. have no established local connection</p> <p>APPLICANT WILL THEN be referred back to the District Council where there is a connection OR helped to find private accommodation in this area</p>
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The decision regarding a homeless application will usually be made within 28 days and the applicant will be notified of the outcome in writing.

Appeals Procedure

If the applicant feels that the decision is not in accordance with the terms of the Housing (Scotland) act 1987 Part II, he may appeal against the findings of the Homeless Service.

Details of the Appeals Procedure will be provided with the outcome letter.

Offers of Housing

If the Council decides that an applicant is entitled to housing under Homeless Legislation, one offer of suitable housing will be made as soon as possible.

The serious local housing shortage means that areas of preference cannot be taken into consideration when housing is urgently required.

It may be necessary for the applicant to remain in temporary accommodation for a time until a property can be permanently allocated to him/her.