Commitment to Refer guide

Paragon Asra
PA Housing

As part of the Homelessness Reduction Act, public bodies are bound by the Duty to Refer. This is an obligation to refer anyone to a local authority if they are homeless or threatened with homelessness. Housing associations are not bound by this duty.

The Commitment to Refer is a voluntary initiative that PA Housing has entered into with the National Housing Federation. This commitment is to ensure that we will refer an individual or household to a local housing authority if they are homeless or threatened with homelessness, thereby supporting the aims of the Homelessness Reduction Act (and particularly the Duty to Refer). PA Housing already refer tenants who are at risk of losing their tenancy, so the Commitment to Refer is a way to formalise this process and ensure a safe transition for people facing homelessness. PA Housing is most likely to refer its own tenants or other people residing in the property who are at risk of becoming homeless. However, it would also be helpful for PA Housing to refer people they come into contact with through any of the other services they offer.

The steps to take when dealing with a referral are as follows:

1. People should be referred if they are already homeless, or within 56 days of becoming homeless.

2. Referrals should include the individual's name, contact details and reason for the referral. MHCLG have published an example referral form, which local housing authorities may or may not adopt. You can find it here.

Some basic steps for the referral are:

• Obtain consent from the individual/household to make the referral. They must understand that the local housing authority will contact them as a result of the referral being made. You cannot make a referral without consent.

• Ask which local housing authority the individual/household would like to be referred to. They can be referred to any local housing authority in England, regardless of local connection. If they have no preference, you should make an informed decision on which local housing authority to refer to.

• Make the referral. Local housing authorities should have a number of channels to receive referrals including online, email, phone, post, or in person. Any channel by which you make the referral will ask for the individual/household name(s), contact details, and the agreed reason for referral. Email addresses available for some local authorities can be found here.

  If the local housing authority you would like to make a referral to is not on this list or the email address is no longer working, further information on contact details can be found here.

• If the referral is accepted, the local housing authority will then contact the individual/household and work with them to identify next steps.

3. After submitting a referral, you should receive proof of receipt from the local housing authority. This should also clarify the length of time a person can expect to wait for the local housing authority to act on the referral. If you have not heard anything, you are welcome to contact the local housing authority.

4. The local housing authority will decide whether or not to accept the referral and will contact the individual/household to conduct an assessment of their case.

5. After the assessment, the local housing authority may work with the individual/household to develop a Personalised Housing Plan, which is designed to prevent their homelessness.

6. If the household/individual is not found to be threatened with homelessness, they should still receive advice from the local housing authority.

7. It is up to the local housing authority to decide if they will inform the referring partner of actions taken/advice given.

8. A Personalised Housing Plan will set out the steps an individual and the local housing authority must take for the individual to remain in or find suitable accommodation.

Examples of these steps include, but are not limited to:

• mediation/conciliation
• accessing Discretionary Housing Payment
• providing support to access private rented accommodation
• helping to secure an immediate safe place to stay for people who are sleeping rough or at high risk of sleeping rough.

9. If the tenant has not authorised consent for you to make a referral, either through refusal or through non-engagement, the referral cannot take place. You should record that you attempted to make a referral in order to demonstrate that you've pursued every possible option for supporting the individual/household.

10. Where you have obtained consent but there is concern that a referral might fail without additional support, this could be identified through the referral information, or through further contact with the local housing authority to arrange an appointment for assessment.

11. Referrals without consent may be made in order to safeguard children or vulnerable adults, in accordance with local safeguarding procedures.

12. There may be referral cases where there could also be safeguarding implications. You should not assume that in making a referral under the Commitment to Refer, any safeguarding concerns you might have will be picked up. You may decide that a separate safeguarding referral is also necessary.

13. Consent and GDPR – Obtaining consent from the individual makes the process GDPR compliant. Consent does not have to be written, but you may wish to obtain written consent for your own records.

14. PA Housing is keen to monitor the number of referrals and subsequent outcomes in order to measure success, and to influence how local referral processes may be improved in the future. Data can be kept in this instance but all personal details of the tenant, such as their full name, should be removed.

15. Alert is a free tool for submitting and managing referrals. Over 150 local housing authorities are currently using ALERT and the number is expected to grow. As a partner agency, housing associations can request a referral. When beginning a referral, ALERT will tell you if the relevant local authority is participating. If not, you will have to use the local authority's website to find out the process for referring in that area.

You can find the ALERT tool here.