



National Practitioner Support Service

PRIVATE RENTED SECTOR TOOLKIT

PART 4

JULY 2016

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Introduction

Local authorities should seek to support all client groups; both the statutory and the non-statutory homeless. Colleagues should be mindful that the PRS is an open market and highly responsive to changes in supply and demand. It is crucial that services are designed to deliver assistance to *all* clients who are genuinely homeless or threatened with homelessness through statutory and/or voluntary sector partners.

Changes applied to support one client group will have a potentially negative impact on the availability of housing for another - and on the overall success of homelessness prevention in the local area. Services should be strategically aligned to ensure a coherent and effective local approach to working with the PRS. They should not concern themselves solely with households owed a statutory duty.

For ease of reference, this toolkit has been split into 5 distinct parts:

Part 1: The Localism Act 2011 changes & The Homelessness (Suitability of Accommodation) (England) Order 2012

Part 2: Maintaining the Prevention Focus

Part 3: Working with the Private Rented Sector

Part 4: Developing a Private Rented Sector Offer Policy

Part 5: Annexe Pack

The overall value of the toolkit derives from the sum of its parts. It is therefore recommended that colleagues consider it as a complete package. This part explores technical advice and ideas for local authorities in developing their local approach to discharging the main homelessness duty through Private Rented Sector Offers, and how this approach could be developed alongside local preventions models.

To support you to reflect on the key messages captured in this toolkit, Annexe 1 contains two factsheets' that provide 'at a glance' synopses of the content.

Developing a Private Rented Sector Offer Policy

The homelessness changes in Part 7 of the Localism Act represent new ‘powers’ - as opposed to new ‘duties’. This means that individual local authorities can choose whether or not to adopt the power to discharge duty into the PRS. Authorities have the option of using this power strategically in a number of ways, including accommodating specific household types, based on the type of accommodation that can be secured through the local PRS market, to allow them to discharge the duty via this power.

There are clear arguments that it would be advantageous for local authorities to adopt the new powers - and these have been referenced earlier in this toolkit and are also dealt with in the “[Policy Options](#)” section in this part specifically.

There are some key operational matters for local authorities to consider prior to adopting the new power and these are outlined in brief below:

How to Plan

- *Avoid policy development based on anecdotal evidence*
- *Undertake a targeted strategic review*
- *Carefully research and analyse the local context to develop an approach that works and that contributes to local strategic aims*
- *Who are your key partners locally? Map services and consider how any third sector PRS access schemes (e.g. Crisis funded) can contribute to the local approach to PRS access*
- *Review local demand and supply issues so that they can feed into a local Private Rented Sector Offer (PRSO) policy*
- *Where housing markets are shared with neighbouring local authorities, consider developing the policy in partnership, or through consultation with them to ensure the needs of vulnerable households continue to be met where out of area placements are necessary*

- *Undertake an impact assessment with regard to welfare reforms, such as Universal Credit and review how the Council will continue to support landlords and tenants under the new welfare system in future.*
- *Take a considered view based on all the relevant information*
- *Try and anticipate any potential ‘unintended consequences’*
- *Develop policies & plans and the links between them –*
- *Continue to make the case for investment in front line services going forward – monitor the impacts of any changes in service delivery*
- *The impact on the local authority’s Preventing Homelessness Strategy and necessary review and amendment*
- *The relationship with the local Allocations Policy*
- *The relationship with the local Strategic Policy on Tenure*
- *The Private Rented Sector Offer Policy and how it will complement and contribute to wider strategies and plans*
- *Develop Private Rented Sector Offer policy options for consultation with key partners*
- *Consult and engage all partners and work together*
- *Brief elected members, consult and work with them on policy options - the following “Policy Options” section later in this part of the toolkit considers what these might look like*

Framing the Policy

- *Develop a considered Private Rented Sector Offer policy that underpins use of the new power and takes account of supply and demand – remember, local authorities can still use social housing to discharge a duty for some households, where this would be more appropriate*

- *Local authorities should seek to avoid blanket policy decisions – decisions that fail to take account of individual circumstances by reference to the policy – the local authority should not ‘fetter its discretion’*
- *Ensure the policy is clear and easy to understand – any leaflets made available to the public or partner agencies need to be plain English and accessible, and available in other languages*
- *Undertake Equalities Impact Assessments to ensure any future policy does not disproportionately or unfairly impact on any specific groups*

PRSO Policy Options

Having undertaken a strategic review, colleagues will need to consider how to develop a policy that is easily understood and intelligible for operational staff, partner agencies, and customers.

It is important that the policy does not become so technical it is difficult to understand, whilst providing a sensible framework to underpin decisions that affect the way the Council will discharge the main homeless duty for different households. The PRSO policy provisions need to be both general and clear enough to be applied in unanticipated circumstances and to take account of individual household’s needs.

There are broadly 4 over-arching options available for local authorities:

1. [*Do not adopt the power*](#)
2. [*End the duty for some, but not all, cases through a targeted approach*](#)
3. [*End the duty for some, but not all, cases through a less targeted approach*](#)
4. [*Adopt the power to end the duty for all accepted cases*](#)

These over-arching options are explored in this section. Matters associated with getting a policy decision to use the new power will be considered in a subsequent section.

Do not adopt the power

This may be an option for authorities where homelessness pressures are under control. (Remember, local authorities can always decide to adopt the policy at a later stage if circumstances change in the area).

Potential implications of not adopting the power are as follows:

- *Accepted homeless cases will continue to have the duty ended only through social housing*

- *There will be no qualifying offer option remaining to end the duty in the PRS with a 6 month fixed term tenancy as this has been repealed for new cases - so ending the duty by consent will require a 12 month Assured Shorthold tenancy*
- *PRS continues to be used for prevention and meeting the temporary accommodation duty but not ending it except by consent*
- *This approach is unlikely to contribute to local culture change especially around parental eviction and other relative or friend exclusions*

End the duty for some, but not all, cases through a targeted approach (e.g. one that may be applicable to household type and accommodation available)

The adoption of a ‘targeted approach’ could involve any combination of factors depending on the level of demand and supply of social/PRS stock available. For example:

- *The policy could be applied on the basis of specific household size in terms of bedroom category, such as making PRSOs for some household sizes but not others (when framing such an approach local authorities should consider welfare reform impacts on specific client groups, particularly in high cost housing market areas and on affordability for larger families); and/or*
- *With additional consideration of specific areas of preference / need – where low social housing stock available for specific households may need to consider PRSOs; and/or*
- *There could be a list of exemptions for vulnerable singles and families who are considered at risk in some way, or for whom accommodation in the PRS may not be suitable – these could include;*
 - Care leavers
 - People requiring supported accommodation
 - Families requiring adapted properties
 - Victims of domestic violence who have fled Council or Housing Association tenancies
- *The exemptions could be framed so that they are flexible – i.e. where appropriate, PRS accommodation may become available and the exempt customer will consider it as an option to address their housing need (this may*

require a risk assessment and support planning prior to making the offer to ensure it would be appropriate).

- *Colleagues may wish to consider how appropriate support packages could be put in place, alongside close partnership working with relevant PRS landlords, to develop the PRS as a suitable accommodation option for all client groups regardless of vulnerability.*
- *Provide a time limited period during which all new accepted cases can bid through the Council's CBL system on all tenure types, before a PRSO is made.*
- *This approach would change the dynamic between homelessness and social housing for some, but not all.*
- *This approach would facilitate the incorporation of a strategic approach informed through the analysis of local data and evidence.*

End the duty for some, but not all, cases using a less targeted approach

There may be no exemption categories except for those in 'exceptional circumstances' and the level of PRS supply will determine the number of cases that have the duty ended with a PRSO.

- *The message can be clearly disseminated that there is no guarantee that being accepted as homeless will lead to social housing. For some it may continue to - as the reasonable preference granted under Part 6 may lead to being housed before a PRSO can be made.*
- *In some areas social housing supply pressures will mean that the PRSO may be more likely to become available before a Part 6 offer. In areas of lower demand and/or higher supply of social housing, customers may seek to bid successfully for social housing before a PRSO is made – this could contribute to more realistic bidding, and support the local messages provided through Choice Based Lettings Schemes.*
- *There is also an option available to local authorities to reduce the level of priority accepted homeless households attract in comparison to other reasonable preference groups, which may reduce the likelihood of obtaining a social housing offer before the PRSO. This may be supported by priority awards that contribute to preventing homelessness locally. Any changes to allocations schemes should be undertaken with reference to equalities impact assessments, and with careful work to ensure a balance of priorities can be met through Part 6 offers that will contribute*

to the best strategic use of available housing stock locally. Remember any changes to your Allocations Policy must be consulted on.

- *This approach may contribute to local culture change especially around parental eviction and other relative or friend exclusions.*
- *This approach would facilitate the incorporation of a strategic approach informed through the analysis of local data and evidence.*

Adopt the power to end the duty for all accepted cases

By adopting the power to end the duty for all accepted cases, every case accepted will have the duty ended in the PRS (subject to 'exceptional circumstances' – a provision that will be necessary to keep the service safe from judicial review – **furthermore Local authorities must be mindful of any equalities implications if they establish a process that results in the homelessness duty never being discharged into social housing**).

- *This approach would change the dynamic between being accepted as homeless and obtaining social housing.*
- *Very likely to change the culture, especially parental eviction and other relative or friend exclusions.*
- *However - PRS supply must be available or the system may risk developing backlogs of households living in temporary accommodation and associated costs.*
- *This approach may require a review of the balance of priorities within the Council's existing Allocations Policy (for example, to reduce the reasonable preference given to accepted homeless cases so that social housing offers do not always come before a PRSO offer can be made) if the local policy intention is to change the dynamic between being accepted as homeless and receiving a Part 6 offer. (Local authorities will also need to ensure they are making the link to the local Preventing Homelessness Strategy and Strategic Policy on Tenure – as required by Section 153 of the Localism Act 2011).*

Dealing with homelessness cases post-enactment

Local authorities may wish to consider how to deal with homelessness cases now the new Localism Act provisions have commenced. The bullet points below provide a basic *example* framework - local authorities are encouraged to consider their local context in developing a framework for dealing with cases that is appropriate for the local area - this may be affected by the nature of the housing market, supply and demand and other locally applicable factors that may be relevant:

- *A household approaches claiming to be homeless and it appears that they may have a priority need.*
- *They are given clear advice on their options and the message is explained that being accepted as homeless may only result in PRS accommodation, and due to competing demands and comparatively low supply of social housing, it is unlikely to result in an offer of social housing.*
- *The household is advised that the Council will use all endeavours to try and prevent them from becoming homeless.*
- *Where homelessness cannot be prevented and a homelessness application is lawfully triggered the household will be made aware that two routes may be explored simultaneously by the Local Authority;*
 - a) *The PRS accommodation prevention route option; and*
 - b) *The homelessness application route option*

Please note that local authorities **should not** adopt a 'gate-keeping' approach and front line officers should receive appropriate training on relevant triggers and duties under Part 7 of the Housing Act 1996 to ensure the service is meeting statutory requirements. Colleagues may wish to review the recommendations contained in the Local Government Ombudsman report "Homelessness: How councils can ensure justice for homeless people" to support the development of local approaches. The LGO report can be downloaded here:

www.lgo.org.uk/news/2011/jul/lgo-highlights-councils-failings-legal-duties-homeless-people/

An example of how the PRS accommodation prevention route option could be used in conjunction with a homelessness application is provided below:

Households who are threatened with homelessness cannot choose the PRS accommodation 'prevention route' option until all efforts to prevent their homelessness by enabling them to remain in their existing accommodation have failed (where it is appropriate for them to do so).

In this sense, a local authority would focus initially on options for sustaining existing accommodation and removing the threat of homelessness, before supporting the household to access an alternative housing solution.

In some cases, it may be sensible for the Council to run both approaches alongside one another so that if remaining in the existing home proves to be impossible, unsuitable or unsustainable in the longer term - alternative accommodation options have already been determined, sourced and identified that can then be discussed with the household. This also allows the local authority to explore all options prior to triggering a homelessness application and links in to the "gold standard" early intervention approach.

The Prevention Route

Where the local authority is given reason to believe a household may be threatened with homelessness within 28 days, (unless the household are triggering the re-application duty under the new section 195A(1), having received a S21 notice to quit with more than 28 days left to run on it - as outlined in Part 1 of the toolkit), then a homelessness application may then run alongside the prevention work.

If the household accepts a prevention option, they have the choice of:

1. *Remaining with relatives or friends and finding PRS accommodation themselves in their own timescale backed by any local deposit or bond guarantee scheme.*

(As outlined above - where households are threatened with homelessness within 28 days, Part 7 applications will have been triggered – prevention options can continue to be discussed and offered alongside appropriate inquiries).

2. *Remaining with relatives and friends and receiving a specified number of offers of accommodation through the private sector access team (to be determined locally – could be 2 or more).*

(As outlined above - where households are threatened with homelessness within 28 days, Part 7 applications will have been triggered – prevention options can continue to be discussed and offered alongside appropriate inquiries).

3. If the household is physically homeless and have no relatives or friends to stay with, the PRS access team can make one immediate offer of PRS accommodation of their choice depending on the availability that day, whilst investigating the duty under a homelessness application.

(If a homelessness application is triggered, however this may be concluded with a 'not homeless' decision if the household accept an offer of accommodation in the PRS. In this way, the Council will be meeting its statutory duties whilst running the prevention options service in parallel. If there are no alternative PRS accommodation options that are available on the day the Council will need to consider interim temporary accommodation duties under Section 188 of the HA96).

Where Part 7 homelessness applications have been triggered and prevention options refused by the household, the Council will need to ensure appropriate inquiries have been made and issue an appropriate Section 184 decision letter.

If the household's application is accepted, then the Council may determine that a PRSO is appropriate to discharge the homelessness duty. If the application is rejected on the grounds of no priority need or intentional homelessness, then the Council can still seek to offer PRS accommodation to relieve homelessness and prevent rough sleeping at its discretion. This approach could be adopted in partnership with other statutory agencies such as Social Services departments, and through engaging voluntary sector partners locally to support households who are owed no further accommodation duty under Part 7.

Households that take a prevention option which is outside of the district could be allowed to remain on the Council's Housing Register (although they will not be granted reasonable preference for being homeless). This will allow households to seek social housing through work in the district or some other locally set criteria.

Following this type of approach, if a household accept a PRS offer as prevention they may have greater choice and control over their housing future. They can continue to refuse to take alternative PRS accommodation as a prevention option and proceed to a homelessness application, as long as one has been lawfully triggered - however, there may be risks depending on their individual circumstances and less choice if they are accepted as homeless.

Local authorities are accountable to the public purse and the high costs associated with temporary accommodation provision in some areas may mean that PRSOs are used at the earliest opportunity where Part 6 offers are not forthcoming to minimise the Council's temporary accommodation portfolio commitments.

Local authorities should ensure they are acting reasonably and in keeping with principles of natural justice when determining homelessness applications, and to ensure the processes they put in place do not unfairly impact on any specific groups. It is recommended that local authorities undertake robust impact assessments of any approach they may devise and carefully consider any equalities and/or human rights implications.

The Homelessness Application route

As referenced above, for households who refuse prevention options or where prevention options are not successful and they pursue the homelessness application process, there may be risks, depending how the Council sets up its processes and any specific influencing local factors such as resource constraints:

Risk 1

There is no guarantee that the case will be accepted as homeless, in priority need and unintentionally homeless. If the case fails on one of these grounds the Council may decide that no accommodation offer will be made.

Please note Section 190(2) of the HA96 requires local authorities to secure accommodation for such period as will give the applicant a reasonable opportunity to secure accommodation and to ensure that the applicant is provided with advice and assistance in any attempts he or she may make to secure accommodation for their occupation. The Council will still be under a statutory duty to provide advice and assistance to intentionally homeless households and people who are deemed not to be in priority need. Local authorities are encouraged to adopt an approach that enables access to accommodation in these circumstances.

Accepted good practice would be for the Council to continue to seek to provide support and assistance on a discretionary basis for the household to access alternative PRS accommodation to prevent homelessness and rough sleeping. This could be through Council resources, joint working with local voluntary sector agencies and/or in the case of intentionally homeless families through partnership working with Children's Services.

The risk to the affected household may be significantly reduced choice, and/or in some instances, the potential for the local authority not to adopt best practice and determine that it has met its statutory duties and no further accommodation offer will be made.

Risk 2

If they reject a PRS offer and continue to a homelessness application there may be no choice of PRS offer or area at that time and the Council will end its homelessness duty with an offer of suitable accommodation. This may not meet the household's preferences in terms of accommodation type or area.

Customer interviews could be structured to obtain most required evidence at the interview itself followed by targeted inquiries. Once sufficient evidence is obtained a decision can be taken. The homelessness application process could be accelerated

by using this approach, but this must not be at the expense of making thorough inquiries and reaching the right decisions on household's circumstances.

Part 7 applications that are not accepted as being owed the main homeless duty may mean the households have to make their own arrangements, although as noted above, the Council will still be under a duty to provide advice and assistance for the household which could include support to access alternative PRS accommodation to prevent rough sleeping.

Local authorities have a responsibility to comply with safeguarding requirements in those situations where they may be refusing assistance to applicants who are vulnerable or with vulnerable people comprising the household. Chapter 13 of the Homelessness Code of Guidance for Local Authorities (2006) can be viewed using the link below:

www.gov.uk/government/uploads/system/uploads/attachment_data/file/7841/152056.pdf

The code provides statutory guidance on the duty housing authorities and social services authorities are under to co-operate in certain cases involving children.

Cases accepted as being owed the full homelessness duty could receive one immediate offer of suitable private sector accommodation to end that homelessness duty. Careful pre-offer assessment will need to be undertaken into employment, affordability, schooling, health and support factors and any areas where there may be fear of violence to ensure the matching process is robust (this list is not exhaustive and individual circumstances of specific households should always be taken into account).

Summary of Policy Options

Local authorities should seek to adopt the same or similar standard of PRS accommodation through both the prevention route, and by way of a PRSO – for example, by meeting new suitability requirements across all PRS lets so that there is no perverse incentive to pursue greater security of tenure and higher quality offers of accommodation through homelessness applications. Where this approach is adopted, the prevention route option may give an applicant more choice of area for the PRS offer, which may encourage applicants to choose this as the default option.

To further boost the PRS accommodation prevention route there is the option for an applicant to be given more than one offer, whereas accepted homeless cases will be made one offer which could, potentially, be provided only where the case is accepted having passed all the statutory tests (duties to provide accommodation for a reasonable period and to provide advice and assistance notwithstanding).

Local authorities are encouraged, wherever possible – and with regard to prevailing circumstances in the area - to meet applicant preferences in making offers of accommodation through either route. Local authorities should not adopt a policy through which more desirable PRS properties are withheld from households for whom the statutory homelessness duty will be discharged by PRSOs as a measure to deter Part 7 applications.

Local authorities may need to carefully consider the local PRS availability with reference to the processes it adopts around the prevention and Part 7 routes respectively.

It will still be necessary to conduct robust & thorough investigations into homelessness in those instances where the customer chooses the homelessness application route.

The option available to local authorities of accepting a full homeless duty with only minimum investigation (where the applicant will be offered a PRS property) may not be viable in a position where the supply of PRS accommodation is limited.

As outlined above and earlier in Part 3 of the toolkit, it is important that the prevention offer is similar to the homelessness end of duty PRS offer – to avoid the homeless route being seen as a more attractive option. There could be variations to this approach, for example the prevention offer could be a 6 month AST with a promise by the landlord to renew whereas the PRSO end of duty offer must be a 12 month fixed term tenancy. Wherever possible local authorities should seek to provide the highest possible common standard across PRS lets, and Part 3 of the toolkit has provided a range of suggestions and tips for local authorities to incentivise landlords to work closely with them.

By changing the dynamic between homelessness and social housing many households, (especially those living in relative comfort with parents and relatives where homelessness may be seen as a way to obtain social housing), may be less inclined to pursue homelessness applications, or engineer circumstances to trigger homelessness duties. Many will remain living with parents and extended family where it is suitable to do so. Those that genuinely require support with alternative housing will be more inclined towards prevention options such as accepting suitable PRS accommodation that may be available, and the historical advantages of pursuing Part 7 applications will have been reduced or removed.

In this context, local authorities should be mindful of over-crowded situations in the community and ensure that people affected by overcrowding are not deterred from approaching the Council for advice to alleviate their housing needs. Quality housing advice and housing options assistance should be embedded in service delivery so that anyone with a genuine housing need receives appropriate help tailored to their individual situation. This should also be reflected in the tenancy strategy, homelessness strategy and local authority allocations policy.

By adopting a strategic approach to PRSOs, local authorities could apply a homelessness policy that fully supports that homelessness legislation is a safety net to provide accommodation for the most vulnerable, but will not allow households to gain disproportionate advantage by using existing legislation to obtain social housing above other households experiencing high housing need in the area.

Through PRSO policy links into local tenancy strategy development, local authorities will be able to work with housing management colleagues (where stock has been retained) and with registered providers to achieve balanced community profiles and avoid marginalising social housing.

New affordable rent models and the introduction of flexible tenure in some areas may further evidence that PRS options do provide good quality and comparable homes as an alternative to Part 6 offers. The PRS has a significant role to play in making the best use of the local housing stock and a strategic approach to PRSO policy development can contribute to any overarching strategic aim around housing locally.

Introducing this type of framework could result in minimising statutory homelessness applications and the use of temporary accommodation, including unsuitable bed and breakfast placements. This is dependent on proactive and positive approaches to sourcing PRS accommodation and working with landlords and their agents, alongside a local commitment to preventing homelessness by supporting people to remain in their existing homes wherever possible (and appropriate).

Where local authorities are successful in reducing applications under Part 7, they are actively encouraged to ensure they are capturing and recording strategic information regarding customer approaches, demography, housing needs and outcomes outside the statutory process, to inform future strategies and plans to tackle and prevent

homelessness locally (including repeat homelessness), and to continue to support the local case for investment in homelessness prevention services.

Consultation & Getting a Policy Decision to Use the New Power

The local authority housing options team will need to support local decision makers in determining whether the new power is appropriate for the area, and how it could be implemented most appropriately by the authority.

- *There are a range of key arguments that housing teams may wish to deploy when addressing the adoption of the new power with elected members:*
- The power reflects the government's agenda (and a culmination of efforts by previous governments to develop the use of the private rented sector to support local authorities to tackle homelessness). The following sections in primary legislation represent the recent history of these changes:
 - S197 Housing Act 1996 (repealed)
 - S7 Homelessness Act 2002 (amended 6 to 8 of HA96 S193)
 - S148 Localism Act 2011 (S193(7F))
- *The power can provide for increased choice for homeless households and increased options available for vulnerable applicants to secure a suitable settled home*
- *By adopting a Private Rented Sector Offer policy, the Council would be making better use of available housing stock locally (and with reference to local supply and demand issues) - through strategic policy development and adapting to a changing legislative framework*
- *The Council would be able to provide greater access to social housing for priority groups (other than those owed statutory homelessness duties who have received disproportionate levels of Part 6 allocations in the past)*
- *The Council would reduce the length of stay for households in temporary accommodation and the costs associated with temporary accommodation provision*
- *Where applicable - the Council would cease to use unsuitable bed & breakfast accommodation for homeless households with dependent children and/or pregnant household members*
- *It is reasonable to anticipate the Council would cease to breach the Homelessness (Suitability of Accommodation) (England) Order 2003 (by no longer accommodating households with dependent children and/or*

pregnant household members in bed & breakfast accommodation for periods exceeding 6 weeks)

- By adopting the new power, the Council would be developing the approach to the prevention of homelessness & Part 7 duties – by reducing instances of homelessness that are ‘engineered’ locally to take advantage of the system by way of accessing social housing*
- The Council spends ‘£x’ on statutory homelessness and temporary accommodation – adopting the new power would reduce costs associated with homelessness duties and enable resources to be targeted to front line prevention work*
- There is a range of safeguards embedded within the Localism Act provisions and the Homelessness (Suitability of Accommodation)*
- (England) Order 2012 to ensure that Private Rented Sector Offers afford households suitable and settled accommodation*
- The Council will ensure PRS accommodation provided through PRSOs is affordable for each respective household, and will respond to changing circumstances for tenants in the PRS*
- The Council’s housing team will provide ongoing support to households placed into the PRS through the exercise of the new power*
- The new policy options have been developed to ensure sufficient flexibility to take account of individual circumstances and exceptional cases where appropriate*
- The Council’s housing team will seek ongoing customer feedback to inform delivery across the service subsequent to the introduction of the new PRSO policy*
- The Council’s housing team has already been using the PRS to secure accommodation for people who would otherwise face homelessness (include any relevant data held locally to demonstrate longevity of outcomes and the success of PRS access schemes in addressing homelessness pressures)*
- Emphasise the checks and balances that will be put in place to monitor and support delivery of the new approach and that reports will be made available for scrutiny going forward post-implementation*
- The Council will be one step closer to applying for the gold standard award having achieved the local challenge to ‘develop a suitable private rented sector offer for all client groups, including advice and support to both clients and landlords’*

Having undertaken the ‘planning’ and ‘framing’ stages of policy development, professional officers within the Council’s housing service should be well placed to identify and present the key options that are most sensibly available to the authority to ensure that the PRSO power can be adopted appropriately:

- *Whilst it is elected members who make policy, Officers may wish to consider developing their preferred policy approach so that members are supported to consider approaches that reflect the strategic context of the local area*
- *Work closely with portfolio holder or cabinet member in framing options*
- *Officers should be in a position to provide options that can work for the area at both the operational and strategic level*

When presenting considered options based on a strategic review it may be helpful to direct elected members to consider policy options that are based on relevant local knowledge & expertise, and benefit from the experience and understanding of professionals in the field.

Housing Options teams may want to include their allocations, Private Rented Sector Enforcement & HB colleagues in the development of the PRSO policy as their involvement will be crucial to the success of the policy and ability to access PRS properties.

Next Strategic Steps

- *Develop a communications strategy that covers the provision of advice, information and marketing regarding the new approach and disseminate;*
 - *Stakeholders*
 - *Customers*
 - *The front line*
 - *Neighbouring local authorities and their partners*
 - *Private landlords and agents*
- Proactively work to dispel 'myths' and misunderstanding in the lead up to adopting the policy
- Be mindful that the message could inadvertently encourage an influx of Part 7 applications from applicants seeking social housing before the commencement of the new provisions
- Consider how local 'Affordable Rent' and flexible tenure models could contribute to the marketing and information that is reaching customers to provide an accurate and balanced account of local housing options and re-housing prospects
- Take charge of the message locally:
 - *Demonstrate local demand and supply issues clearly and how policy options have been informed*
 - *Clearly demonstrate how the dynamic between Part 6 allocations and Part 7 duties has been changed locally (an example policy statement was provided in the "Policy Options" section earlier in this part of the toolkit) – it is likely that the Part 7 main duty 'product' will no longer be as attractive for applicants who may previously have been reluctant to consider PRS prevention options*
 - *Include advice on what to expect from 'prevention' options, what to expect from 'temporary accommodation' options, and what the options are locally for permanent re-housing (including flexible tenure, affordable rent, HomeBuy products et cetera)*
- Develop local advice literature and update on line services accordingly
- Deliver training sessions so that advocates, agencies and providers understand the approach and can support clients through the process
- Ensure the authority has systems in place to facilitate careful monitoring of the policy and impacts (including considering how PRS tenants could be given a 'voice' through ongoing customer feedback and surveys)

- Continue to develop the working relationship with the PRS – including focus on prevention through tenancy sustainment and proactively sourcing suitable accommodation that, as far as practicably possible, meets preferences

Front Line Service Delivery:

Supporting Operational Staff to Implement the New Policy

Top tips in brief - for operational managers supporting staff to operate the new rules 'on the ground':

- Involve them
- Consult them
- Get their buy-in at the earliest opportunity
- Provide training
- Identify training needs – and act on them
- Provide step by step and simple guidance on the new PRSO policy and their role within it
- Interview shadowing - watch how customers are being advised (*this can be supported by the Self Diagnostic Toolkit through peer or 'bite-sized' review*)
- Observe reception process – watch how customers are being advised (*this can be supported by the Self Diagnostic Toolkit through peer or 'bite-sized' review*)
- Develop 'Buddy systems' between staff to monitor consistency
- Conduct regular case-file audits to check consistency and identify training needs (*this can be supported by the Diagnostic Peer Review Toolkit or through 'bite-sized' reviews*)
- Ensure that regular team meetings are happening – and that they involve the wider team (Private Rented Sector Enforcement, Housing Benefit, any other providers involved in the sourcing and accessing of PRS accommodation etc)
- Have regular 1-1s and appraisals with front line staff and ensure the PRSO is discussed as part of these meetings
- Monitor the impacts of the policy and identify trends that can be addressed with operational staff
- Conduct mystery shopping and service user involvement exercises to help shape the service or offer

Useful Links

Localism Act Implementation:

Part 7 of the Localism Act deals with allocations and homelessness sections. To view the Act please use link below:

www.legislation.gov.uk/ukpga/2011/20/contents/enacted

The commencement orders for a number of the provisions in the Act can be viewed here:

Commencement Order 1 - www.legislation.gov.uk/uksi/2012/57/made

Commencement Order 2 - www.legislation.gov.uk/uksi/2012/57/contents/made

Commencement Order 3 - www.legislation.gov.uk/uksi/2012/411/contents/made

Commencement Order 4 - www.legislation.gov.uk/uksi/2012/628/contents/made

Commencement Order 5 - www.legislation.gov.uk/uksi/2012/1008/made

Commencement Order 6 - www.legislation.gov.uk/uksi/2012/1463/made

PRS Access Support:

The Crisis PRS website is packed full of independent reports on various PRS schemes across the country, plus an excellent toolkit that includes everything needed to set-up your own PRS access scheme:

www.praterentedsector.org.uk/index.asp

Crisis key principles of PRS schemes:

www.praterentedsector.org.uk/key_principles.asp

The team of PRS experts at Crisis is available to answer your queries about the PRS and to provide advice and support in setting up, sustaining or developing such a scheme. Please contact them at:

www.praterentedsector.org.uk

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