
Public Body – Duty to Refer

The Duty to refer

With effect from 1st October 2018 under section 213.B of the Homelessness Reduction Act 2017 there is a new duty for specified public authorities to notify a housing authority if a person is homeless or threatened with homelessness (within 56 days). Below is a brief summary of the new provisions and how Elmbridge Brough Council will receive such referrals from the implementation date i.e. from 1st October 2018.

Before making a referral, a public authority must:

- have consent to the referral from the individual
- allow the individual to identify the housing authority in England which they would like the notification to be made to
- have consent from the individual that their contact details can be supplied so the housing authority can contact them regarding the referral.

Specified Public Authorities under the new duty to refer – who they are

The public authorities which are subject to the duty to refer are specified in *The Homelessness (Review Procedure etc.) Regulations 2018*. The public services included in the duty are as follows:

- prisons
- youth offender institutions
- secure training centres
- secure colleges
- youth offending teams
- probation services (including community rehabilitation companies);
- Jobcentre Plus
- social service authorities

- emergency departments, urgent treatment centres
- hospitals in their function of providing inpatient care

The Secretary of State for Defence is also subject to the duty to refer in relation to members of the regular forces.

The procedure for referrals

The Council wants most referrals to be received through our online referral form <https://hpa2.org/refer/ELM>. Officers will be reviewing this daily during office hours Monday to Friday. We will pick up the information from your referral and make contact with the person referred to the Council to establish the fact of the case, inviting them in for interview where appropriate so we can determine what action we might take under our duties under the Homelessness Reduction Act 2017.

You will also be asked to email additional information to housingoptions@elmbridge.gov.uk. This may include:

- what type of accommodation they are currently living in
- what date they are likely to become homeless, or whether they are already homeless. Please provide a discharge or release date, if relevant.
- what type of accommodation they require to meet their needs
- relevant medical information which outlines their health needs and any treatment they receive, for example, mental health assessment, medical or hospital notes, consultant report, care plan, discharge summary.
- details of any support needs they have.
- details of any support or treatment that they are receiving or are due to receive.
- risk assessment and details of any risks to be aware of
- offending history
- any other information we should be aware of prior to initial contact.

If any problems are experienced in making a referral to Elmbridge Borough Council through the Locata Homelessness Prevention and Advice Portal <https://hpa2.org/refer/ELM> please contact the Homelessness Prevention and Advice Team directly on 01372 474590 or 01372 474598 or email housingoptions@elmbridge.gov.uk.