

## Safer Lincolnshire Partnership Staff Briefing:

### Lincolnshire Prison Release Housing Protocol

#### Introduction

The new protocol is an agreement between all Lincolnshire Local Housing Authorities (LHA), the Prison Service (HMPS), the Probation Service (PS) and Shelter, sub-contracted by NACRO, and will apply to people being released homeless or at risk of homelessness from HMP Lincoln & HMP North Sea Camp or leaving Wordsworth House Approved Premises within Lincolnshire.

The aims of the protocol are to contribute towards the Government's aims of:

- Eliminating rough sleeping by the end of the current parliament (2023/24);
- Ensuring that at least 90% of people are in accommodation upon release from prison;
- Ensuring that at least 80% of people are in settled accommodation either three months after their release or upon receipt of a community sentence.

The Homelessness Act 2017 introduced a duty on specified public authorities to refer service users who they think may be homeless or threatened with homelessness to local authority homelessness/housing options teams. This protocol draws from the government's publication, [A Guide to Duty to Refer](#).

This protocol is not intended to apply to young people under 18, where different arrangements will apply. Support for making referrals for 16- and 17-year-olds can be found via:

[Lincolnshire Youth Homelessness Joint Working Protocol](#).

Because of the initial target profile of this protocol, which is "people released from the two adult male prisons and one male Approved Premises in Lincolnshire", at this preliminary stage it is also not intended to formally apply to persons who identify as Women on Probation or in any other way than as a male, however the principles and good practice herein should always be utilised for women and for anyone else that does not self-identify as a man. At the point of the formal 6 months review, the intention would be to ensure that all Persons on Probation, regardless of how they self-identify, are fully included in this operational protocol and work will commence forthwith to scope out that eventuality.

#### Overarching Principles

<b>COMMITMENT</b>	from all local housing authorities and from those involved in "the supervision of adults who offend" to work together, to promptly address challenges and to seek to remove any arising barriers to progress at the earliest opportunity.
<b>COOPERATION</b>	ensuring clarity about our individual responsibilities and roles within someone's housing journey, between all staff within all of the above agencies to improve housing solutions with timely referrals and responses.
<b>COMMUNICATION</b>	ensuring that all information that is shared is timely, necessary, comprehensive, accurate, accessible and regularly updated.
<b>COORDINATION</b>	around our shared and mutual processes and our collection of data to evidence our collective performance.
<b>COHESION</b>	working together to ensure that all those released from Lincolnshire Prisons to the Lincolnshire area receive a consistent and high-quality level of service.

## **Multi-Agency Agreed Actions:**

### **Cooperation to Prevent the Loss of a Person's Existing Home**

1. Prison and Probation services will always check at the earliest opportunity whether a person has an existing tenancy or mortgage agreement. If so, they will take the necessary steps to save that tenancy/mortgage wherever possible, and as a minimum to avoid the build-up of rent arrears or other debt due to the person being in custody.
2. When Prison and Probation services request help from an LHA to assist with saving a tenancy in that LHA's area they will do so via the Jigsaw portal. The N-DELIUS standard Duty to Refer (DtR) referral form will be accepted as an alternative, if unable to access the Jigsaw portal.
3. The LHA will respond within 5 working days and will support Prison and Probation Services in their attempt to maintain the tenancy. It should be noted that whilst all efforts will be made to maintain the tenancy this may be reliant upon co-operation from the landlord.

### **Application of the Homelessness Reduction Act Duty to Refer**

1. Parties to this protocol making a referral to an LHA will seek to identify where the person most clearly meets at least 1 of the local connection criteria and will strongly advise the person to be referred to that LHA only, unless they are legally excluded from services in that LHA or returning to that LHA presents a clear risk to themselves or others.
2. If there are such reasons to refer to an LHA where there is no clear local connection, these will be explained clearly in the 'wishes of the person in context of the referral' section of the referral on the

Jigsaw portal or section 8 of the N-DELIUS Duty to Refer referral form.

3. LHA's party to this protocol will look sympathetically at such reasons where it is clear that a referral to the LHA with the clearest local connection was not practicable or was not safe.
4. Referrals under the protocol will use the [Housing Jigsaw Alert Portal](#). The N-DELIUS standard Duty to Refer referral form will be accepted as an alternative if unable to access the Jigsaw portal.
5. LHA's receiving referrals under the protocol will provide a substantive response indicating next steps and designating a named contact person to lead on the case for the LHA within 5 working days or sooner if the person will become homeless before the 5th day. This response may either be by e-mail or by telephone or both.

### **Identification of Homelessness or a Risk of Homelessness**

1. The first opportunity to identify homelessness or a risk of homelessness (*see appendix 1*) by officers in Prison and Probation services is likely to be at the point when a person is taken to court either for trial or to determine pre-trial conditions e.g. bail, or where a person is remanded in custody.
2. Where the court-based Probation Officer is invited to assess a person's circumstances to assess their suitability for sentencing options, this should also include an assessment of whether they are homeless or at risk of homelessness within 56 days.
3. If this above risk is identified, and an imminent release from court is likely, then the court-based Probation Officer should complete the Duty to Refer referral and submit to the relevant LHA within 1 working day.
4. Otherwise, all Prison and Probation service staff beginning to work with a person should assess whether they are

homeless or at risk of homelessness within 56 days. If such a risk is identified, then the relevant officer should make a referral if this has not already been done within 2 working days.

5. This could be the case if a referral has not been made by the court-based Probation Officer or if information indicating homelessness or a risk of homelessness comes to light later, or if the person is sentenced to longer than 56 days and a referral is made prior to release rather than at the point of sentence.

### **Partnership Working**

1. Whoever makes the referral, a named person will be identified who will co-ordinate the case for Prison and Probation services and that person's name and contact details will be provided on the referral for use by the LHA.
2. If either the Prison and Probation or LHA lead changes, notification of this will be made without delay.
3. The Prison and Probation lead and the LHA lead will discuss at the first opportunity what steps are to be taken to try to prevent or relieve homelessness.
4. Unless release is imminent, a Personal Housing Plan interview will be set up within the prison at the earliest opportunity if a person serving a custodial sentence or remanded in custody is identified to be at risk of homelessness within 56 days.
5. This will be attended by the LHA lead either in person or by telephone/video, and by the Prison and Probation lead in person, wherever possible.
6. Upon request from the LHA, and consistent with GDPR requirements, the

Prison and Probation lead will work with the person to provide any reasonable information requested by the LHA, including ID verification and other evidence, in order to establish their duty under the homelessness legislation.

### **Cooperative working where there is no statutory Duty to Refer**

1. When Prison and Probation services request help from an LHA more than 56 days before release, the LHA will accept the referral and work with the person and the Prison and Probation lead to prevent homelessness where there are actions which can sensibly be taken to prevent homelessness at that stage.
2. When Prison and Probation services request help from an LHA more than 56 days before release they will do so via the Jigsaw portal. The N-DELIUS standard Duty to Refer referral form will be accepted as an alternative.
3. The LHA will respond within 5 working days and where agreed appropriate will support Prison and Probation Services in their attempt to prevent homelessness.

### **Data Sharing and Outcomes Monitoring**

1. All 7 LHA's – with the support of Prison and Probation services – will develop a data reporting and analysis tool which collates and reports on the outcomes of referrals made under this protocol, making use of data in each LHA's H-CLIC returns.

## Duty to Refer Contact Details

Those staff completing DtrRs, should always make a referral using the Housing Jigsaw: Alert system creating an account by registering [here](#).

All Lincolnshire Councils are using the above system. Only if there are practical/technical issues should default email accounts, listed below, be used, using the Delius Dtr form.

District	Duty to Refer Email
City of Lincoln Council	<a href="mailto:dutytorefer@lincoln.gov.uk">dutytorefer@lincoln.gov.uk</a>
West Lindsey District Council	<a href="mailto:dutytorefer@west-lindsey.gov.uk">dutytorefer@west-lindsey.gov.uk</a>
East Lindsey District Council	<a href="mailto:dutytorefer@e-lindsey.gov.uk">dutytorefer@e-lindsey.gov.uk</a>
North Kesteven District Council	<a href="mailto:dutytorefer@n-kesteven.gov.uk">dutytorefer@n-kesteven.gov.uk</a>
South Kesteven District Council	<a href="mailto:housingadvice@southkesteven.gov.uk">housingadvice@southkesteven.gov.uk</a>
Boston Borough Council	<a href="mailto:dutytorefer@boston.gov.uk">dutytorefer@boston.gov.uk</a>
South Holland District Council	<a href="mailto:dutytorefer@sholland.gov.uk">dutytorefer@sholland.gov.uk</a>

For more detailed information please refer to the full Lincolnshire Prison Release Housing protocol, will be available on the [Safer Lincolnshire Partnership website](#) in due course. In the interim please contact [MSO.ACCW@lincolnshire.gov.uk](mailto:MSO.ACCW@lincolnshire.gov.uk) for a copy.

The whole protocol will be initially reviewed after 6 months of operation. In the meantime, please do get back to us with any suggestions for amendment or improvement via [EMprobationtaskforce@justice.gov.uk](mailto:EMprobationtaskforce@justice.gov.uk)

### **Appendix 1:**

Below are the main reasons why a Local Housing Authority may consider someone to be homeless or threatened with homelessness.

- Rough sleeping
- Squatting
- Sofa surfing
- Of no fixed abode
- Living in accommodation which is unsuitable due to risk of abuse or violence, severe harassment, poor conditions, unaffordable or unreasonable to occupy due to disabilities
- Living in accommodation which is not available for occupation e.g., because a landlord has changed the locks
- Living with friends and family and has been asked to leave
- Have been served an eviction notice from their current accommodation which expires within 56 days
- Residing in Probation Approved Premises

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