

Policy Fact Sheet: Duty to provide advisory services

What is the duty to provide advisory services?

This measure (in Clause 2) extends the existing duty to provide advisory services by placing a duty on local housing authorities (LHAs) in England to provide free information and advice to any person in the LHA's district on preventing and relieving homelessness, the rights of homeless people or those threatened with homelessness, as well as the help that is available from the LHA or others and how to access that help. The service should be designed with certain listed vulnerable groups in mind (e.g. care leavers, victims of domestic abuse). It also permits LHAs to outsource advisory services.

What is the measure seeking to achieve and why is the Government supporting this?

This measure seeks to ensure that LHAs provide, or secure the provision of, free and detailed advice and information to any person in their district. This will be important in enabling households to help themselves and seek support or solutions to their current situation, in order to prevent their homelessness. While some local authorities already do this to a high standard, there is evidence to suggest that some LHAs only provide minimal or out of date information, which would not help all those that seek support.

Why is legislation needed?

The existing law does not specify the type or quality of advice and information that must be provided on homelessness and its prevention, nor does it require it to be tailored to meet the needs of local people, in particular the needs of certain specified groups. Some LHAs are providing minimal and out of date information, in particular for single homeless households to whom they do not owe the main homelessness duty. While they technically are still acting within the law, it means that opportunities to prevent homelessness are missed.

This measure ensures that all people have access to the same help in the first instance. It would help to set the expectations of the quality and type of information that is needed.

This mirrors section 60 of the Housing (Wales) Act 2014 and is integral to helping prevent more homelessness.

How do we see this working in practice?

This new duty will mean that more detailed information, tailored to specific needs, must be provided to any household free of charge. It will result in more effective information being made available right across the country.

LHAs should provide tailored advice and information that meets the needs to those households who are homeless or likely to be at risk of homelessness and is effective in helping them resolve their own situation. This is why the measure specifies that the advisory service should be designed to meet the needs of certain at risk groups, such as care leavers or ex-service personnel.

Key questions and answers

How will you ensure all local housing authorities are providing good quality advice and information?

This measure requires LHAs to produce and provide more detailed advice and information for those households who need help. We will provide more detailed information in statutory guidance¹ to explain how LHAs should do this.

Do local housing authorities have to provide the information themselves?

No, they will be allowed to outsource advisory services if that is how they would prefer to meet this duty. They will, however, remain responsible for meeting this duty regardless of who is carrying out the work on a day-to-day basis.

¹ The Bill will also give the Secretary of State a power to issue a statutory code of practice if it becomes apparent that standards are not being met.