



Ministry of Housing,  
Communities &  
Local Government

**Luke Hall MP**

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To All Chief Executives in England

Dear Chief Executive,

### **COVID-19 Response: Funding support for those in emergency accommodation and EEA Rough Sleepers**

I last wrote to you on 28 May regarding moving onto the next phase of accommodating those in emergency accommodation. I wanted to provide an update on this following the next steps support plans you recently submitted to MHCLG and the work of the Rough Sleeping COVID-19 Taskforce spearheaded by Dame Louise Casey.

Firstly, thank you all for the incredible work you and your teams have undertaken and continue to undertake to respond to the COVID-19 crisis, and in particular, for your work to support vulnerable rough sleepers to self-isolate. Providing accommodation offers to the vast majority of rough sleepers, people who were in communal sleeping spaces and those at risk of rough sleeping is a truly remarkable achievement which has saved lives. I would also like to thank you for the speed at which you have worked to provide our Department with your next step plans. These are a crucial step in our work to continue to protect vulnerable people and towards ending rough sleeping.

#### **Funding support for those in emergency accommodation**

We remain committed to ensuring that as many people as possible who have been brought in off the streets in this pandemic do not return to the streets. We know that you will need our support to do achieve this and that many of you have sought funding certainty. That is why we have today announced an additional £105 million to help local authorities implement a range of support interventions for people placed into emergency accommodation during the COVID-19 pandemic. This includes supporting moves into the private rented sector, helping individuals to reconnect with friends or family, and extending or procuring interim accommodation.

This funding is in addition to that announced on 24 May which will provide 3,300 long-term, safe homes for vulnerable rough sleepers this year. Together, these funding streams will support us to deliver a comprehensive Next Steps Strategy, which will support thousands of individuals to stay safe during the pandemic and beyond. The Government will provide additional details about this funding over the coming weeks.

I am also pleased to announce that a further £16 million in funding will be made available this financial year – bringing the total to £23 million – to tackle the substance dependence treatment needs of this population. This will help to build on and maintain the engagement people have had with substance dependence services whilst in emergency accommodation as they move into safer, long term accommodation.

This takes the total amount provided by Government this year to support vulnerable rough sleepers and those at risk of becoming homeless to over half a billion pounds.

We intend to work with local authorities to enable you to share good practice, and to track progress in the steps you are taking to help the most vulnerable in our society.

### **EEA Rough Sleepers**

We also understand that some of the individuals currently accommodated across the England under this initial emergency approach are EEA nationals who are not in employment, some of whom may have limited move on options. I know from my contact with various local authorities that this is a significant concern.

It is for this reason the Government is now taking unprecedented action in temporarily, nationally suspending an EU derogation (normally applied through Article 24(2) of the EU Free Movement Directive) to enable you to accommodate and support a specific group of rough sleeping EEA nationals for up to 12 weeks.

In September 2019 the suspension was applied in areas with acute and concentrated numbers of EEA nationals who were sleeping rough – Greater London, Luton Bedford and Milton Keynes. This has allowed us to break the cycle of homelessness for many of these individuals, helping them become economically active and to prevent the tragic loss of life, which is our biggest concern for those on the streets.

In the Autumn 2019 snapshot, there was a 21% reduction in EU national rough sleepers in London from 610 in 2018 to 481, and work continues to support more individuals to enter work and secure accommodation.

Following the success of this approach and in recognition of the ongoing challenges faced by local authorities, the Government will now be extending these powers nationally as of 24 June 2020. These powers will allow local authorities to support certain EEA nationals who are not eligible for other types of support until the end of the transition period (31 December 2020), at which point new rules will apply under the new immigration system. In practice this will mean that local authorities in the circumstances outlined in Annex B will be able to offer up to three months of emergency accommodation, alongside floating support to rough sleepers.

This approach does not extend to statutory services or welfare benefits. It means that job seeking, EEA national rough sleepers who meet the criteria, will be eligible for your non-statutory homelessness services, such as hostels, on the same basis as those who are currently eligible for these services e.g. UK national rough sleepers and EEA national workers.. It does not provide them with priority over UK national rough sleepers and accommodation and support is limited to a maximum of 3 months.

**Next steps**

Your MHCLG adviser will be in touch shortly to discuss this in more detail and to answer any questions you might have. They, along with the Taskforce, will be available to support you throughout this process. Likewise, over the coming weeks, the Government will provide additional details about the £105 million of funding.

Thank you for continuing to support some of the most vulnerable people in our society.

A handwritten signature in blue ink, appearing to read 'L Hall', is centered on the page. The signature is fluid and cursive.

**LUKE HALL MP**

## **Annex A – Q&A**

### **Q. What is the ‘Suspension of the Derogation’?**

- The UK currently applies an exemption (derogation) from Article 24(2) of the Free Movement Directive to the need for equal treatment between UK and EEA citizens who are exercising free movement rights during their initial three months in the UK and when they are here as ‘jobseekers’ (as defined by the Immigration (European Economic Area) Regulations 2016).
- The government has chosen to temporarily suspend the derogation for up to 7 months.
- This will allow a specific group of EEA nationals who are rough sleeping to access certain non-statutory homelessness services. This will extend to a one time, maximum of three months, emergency accommodation and floating support.
- During this time individuals will be supported into employment or supported to return home and connected with services there, should this be the most suitable option.
- By providing accommodation it will support eligible job seeking EEA nationals to find employment and regularise their stay in the UK.
- This approach does not extend to statutory services or welfare benefits. In practice it means that job seeking, EEA national rough sleepers who meet the criteria will be eligible to access basic non-statutory homelessness services.
- This is a short-term measure which will allow government to take immediate action to support these individuals.

### **Q. Why have you chosen to do this?**

- The suspension of the derogation was introduced in Greater London, Luton, Bedford and Milton Keynes in September 2019 and in the Autumn 2019 snapshot count, there was an overall decrease in EU nationals sleeping rough. In addition, for the first time in six years, there was a decrease in the number of people estimated to be sleeping rough in London and the largest decrease since 2010.
- We want to support EEA nationals to find employment and regularise their status in the UK or return to their country of origin and connect with services there, should that be the best option available.

### **Q. How long will this approach be applied?**

- The approach will be limited to a maximum of seven months – from 24 June 2020 until 31 December 2020.

## **Annex B – Circumstances in which we have chosen to suspend the current derogation in relation to Article 24(2) of the Free Movement Directive**

Local Authorities in England may provide limited support offers to EEA nationals exercising their treaty rights as job seekers (and people in their initial 3 months) who have been sleeping rough or have been temporarily placed in emergency accommodation for the purposes of self-isolation, on the basis that not doing so, would lead to a greater burden on the state – through pressure on local services e.g. Outreach services, COVID Care and Protect, accident and emergency, police. It is therefore temporary and limited to specific groups as defined by the government.

1. Not all EEA national exercising treaty rights are entitled to support, only those that meet all of the criteria specified below (this is on a temporary basis until 31 December 2020, subject to review):

- Individuals who have been verified as sleeping rough by an outreach worker.
- Individuals who need assistance in the first instance (assistance will be time limited and will not include repeat provision).
- Of these individuals, only those who are considered job seekers in line with Home Office guidance on qualified persons:  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/759064/eea-qualified-persons-v6.0ext.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/759064/eea-qualified-persons-v6.0ext.pdf); or those individuals who are in their first three months of residence within the UK.
- Individuals must be willing to engage with navigators/support workers.
- Individuals must be willing to engage with employment support/training and job searching to either enter or improve their position in the labour market or accept an offer of reconnection.
- Those individuals who are assessed to be outside of the scope of the stipulations outlined above must have support withdrawn as soon as this is established. Unless there are reasons which mean the individual requires shielding or treatment from COVID-19, or the individual is seeking to reconnect to their home country.

2. Support offers are predicated on point 1 and must not exceed the criteria specified below:

- Single access only.
- Time-limited – up to 12 weeks in order to find employment and accommodation, up to 4 weeks to establish options for the individual and facilitate a reconnection.