

# Policy Fact Sheet: Codes of practice

## (Updated following amendments in the Commons)

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### **What are codes of practice?**

This measure (in clause 11) gives the Secretary of State a power to issue statutory codes of practice, providing further guidance on how local housing authorities (LHAs) should deliver and monitor their homelessness and homelessness prevention functions.

### **What is the measure hoping to achieve and why is the Government supporting this?**

We want to bring all LHAs to the level of the best. The Government, working in partnership with LHAs, is taking action on a range of fronts to achieve this. This measure will give Government the ability to issue more targeted advice on standards and practice in the future, if it does not consider that acceptable standards are being met. The aim is to ensure everyone can access high quality support to help prevent or resolve their homelessness.

The Government is not trying to replace the existing Homelessness Code of Guidance for Local Authorities, which covers the whole of the homelessness legislation and will be updated before the provisions of the Homelessness Reduction Bill come into force. Broadly speaking, a code of practice would focus on specific functions of LHAs in order to drive up standards if the Government decided that was necessary.

### **Why is legislation needed?**

We believe that placing these measures in primary legislation gives the Government a robust framework from which to issue codes of practice, if it decides in the future that this is necessary, and will give the codes of practice suitable statutory weight by requiring LHAs to have regard to them in exercising their functions.

### **How do we see this working in practice?**

The need for a new or revised code of practice would be decided by the Secretary of State. Such a decision would be based on factors such as:

- Evidence on whether LHAs are raising service standards.
- Availability of strong examples of effective practice

If a code of practice is published, LHAs will be required to have regard to it in the delivery of their services.

Before being published the Secretary of State would be required to place a new code of practice before Parliament in draft form. The Secretary of State

may then issue the code if, within 40 days, no negative resolution not to approve the draft code is made by either House of Parliament.

## **Key questions and answers**

### **What is the purpose of a code of practice when we already have a Code of Guidance?**

The power to issue codes of practice is an important and focused tool which the Secretary of State can use to raise the standards of homelessness support services across the country to those of the very best.

Codes of practice would complement the current Code of Guidance and push LHAs to be even more effective on specific aspects of their work.

### **What would the codes of practice include?**

The content of the codes of practice will be decided on by the Secretary of State but could include specific areas of the homelessness, and homelessness prevention, activities of LHAs. We will engage with LHAs and other stakeholders in developing any codes of practice.