

# One minute guide

## Homelessness: 'Duty To Refer' (DTR)

The [Homelessness Reduction Act 2017](#) significantly reformed England's homelessness legislation by placing duties on local housing authorities to intervene at earlier stages to prevent homelessness in their areas, and to provide homelessness services to all those who are eligible. Additionally, the Act 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** ([see paragraph 7 of the Homelessness code of guidance](#)). This duty became effective from 1 October 2018 and applies to the list of public authorities set out within this guide.

The duty to refer will help to ensure that services are working together effectively to prevent homelessness by ensuring that peoples' housing needs are considered when they come into contact with public authorities. It is also anticipated that it will encourage local housing authorities and other public authorities to build strong partnerships which enable them to work together to intervene earlier to prevent homelessness through, increasingly integrated services.

### **The duty to refer homelessness cases to housing authorities – from 1<sup>st</sup> October 2018:**

Under [section 213B](#) the public authorities as specified in the regulations are required to notify a housing

authority of service users they consider may be homeless or threatened with homelessness (i.e. it is likely they will become homeless within 56 days). Before making a referral a public authority must:

- a) have consent to make the referral from the individual;
- b) allow the individual to identify the housing authority in England which they would like the notification to be made to; and,
- c) have consent from the individual that their contact details can be supplied so the housing authority can contact them regarding the referral.

The specified public authorities subject to the 'duty to refer' (in England only) are:

- prisons
- young offender institutions
- secure training centres
- secure colleges
- youth offending teams
- probation services (including community rehabilitation companies)
- Jobcentre's in England
- social service authorities (both adult and children's)
- emergency departments
- urgent treatment centres
- hospitals in their function of providing inpatient care
- Secretary of State for defence in relation to members of the regular armed forces

## Identifying when a referral might be required:

Staff in public authorities will usually know if a service user is sleeping rough and therefore actually homeless. They may also become aware of service users who are homeless but not roofless (sometimes described as ‘sofa surfers’) if they provide ‘care of’ addresses or frequently change their address.

Identifying that a family, couple or individual is threatened with homelessness is less straight forward. The following are factors that would indicate that a service user may be threatened with homelessness and should be asked about their housing circumstances:

- problems with debt, particularly rent or mortgage arrears
- problems with a landlord, being threatened with eviction or served notice to leave
- being a victim of domestic abuse, or other forms of violence, threats or intimidation
- approaching discharge from hospital, armed forces or release from custody, with no accommodation available to them
- having previously been in care, the armed forces or in prison

## How to make a referral:

The process to make a referral across North Yorkshire, and York is as follows:

Local Authority	Referral Method	Contact email
Craven District Council	<a href="#">Portal on website</a>	<a href="mailto:dutytorefer@cravenc.gov.uk">dutytorefer@cravenc.gov.uk</a>
City of York Council	ALERT System	<a href="mailto:dutytorefer@york.gov.uk">dutytorefer@york.gov.uk</a>
Hambleton District Council	ALERT System	<a href="mailto:dutytoreferHDC@hambleton.gov.uk">dutytoreferHDC@hambleton.gov.uk</a>
Harrogate Borough Council	ALERT System	<a href="mailto:dutytorefer@harrogate.gov.uk">dutytorefer@harrogate.gov.uk</a>
Richmondshire District Council	ALERT System	<a href="mailto:dutytorefer@richmondshire.gov.uk">dutytorefer@richmondshire.gov.uk</a>
Ryedale District Council	ALERT System	<a href="mailto:dutytorefer@ryedale.gov.uk">dutytorefer@ryedale.gov.uk</a>
Scarborough District Council	ALERT System	<a href="mailto:dutytorefer@scarborough.gov.uk">dutytorefer@scarborough.gov.uk</a>
Selby District Council	Email the referral form on the <a href="#">SDC Website</a>	<a href="mailto:dutytorefer@selby.gov.uk">dutytorefer@selby.gov.uk</a>

Please visit the relevant local authority website to find out more around the referral process within that area.

In order to make a referral using the ALERT system, please use the following steps:

1. Sign up to ALERT at: [live.housingjigsaw.co.uk/alert/dutytorefer](https://live.housingjigsaw.co.uk/alert/dutytorefer)
2. Enter the details of your agency
3. Provide details of the household being referred
4. Complete the consent to share declaration
5. Submit the completed form.

Once submitted, the referring agency will receive confirmation that the referral has been sent along with a unique referral code; where appropriate a copy of the referral can also be sent to the customer for their reference.

Once a referral has been made, a user account is automatically created. This increases efficiency for future referrals and will also enable the user to track their referral online and receive update notifications.