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Consultation Document

National Pathway for Homelessness Services to Children, Young People and Adults in the Secure Estate

Date of issue: 2 July 2015

Action required: Responses by 24 September 2015

Overview

This consultation is to gather views on the draft National Pathway for Homelessness Services to Children, Young People and Adults in the Secure Estate.

How to respond

Please respond by completing the questionnaire at the back of this document and sending it to HomelessnessPathwayConsultation2015@wales.gsi.gov.uk

Or

Homelessness Policy Team
Housing Policy
Welsh Government
Rhydycar Business Park
Merthyr Tydfil
CF48 1UZ

Further information and related documents

Large print, Braille and alternative language versions of this document are available on request.

Contact details

For further information:

Homelessness Policy Team
Housing Policy
Welsh Government
Rhydycar Business Park
Merthyr Tydfil
CF48 1UZ

HomelessnessPathwayConsultation2015@wales.gsi.gov.uk

Data protection

How the views and information you give us will be used

Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about. It may also be seen by other Welsh Government staff to help them plan future consultations.

The Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. This helps to show that the consultation was carried out properly. If you do not want your name or address published, please tell us this in writing when you send your response. We will then blank them out.

Names or addresses we blank out might still get published later, though we do not think this would happen very often. The Freedom of Information Act 2000 and the Environmental Information Regulations 2004 allow the public to ask to see information held by many public bodies, including the Welsh Government. This includes information which has not been published. However, the law also allows us to withhold information in some circumstances. If anyone asks to see information we have withheld, we will have to decide whether to release it or not. If someone has asked for their name and address not to be published, that is an important fact we would take into account. However, there might sometimes be important reasons why we would have to reveal someone's name and address, even though they have asked for them not to be published. We would get in touch with the person and ask their views before we finally decided to reveal the information.

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CONTENTS

Summary	Page 5
National Pathway for Homelessness Services to Children, Young People and Adults in the Secure Estate	Page 6
Response Form	Page 59

Summary

The Housing (Wales) Act 2014 was passed by the National Assembly for Wales in July 2014 and received Royal Assent on 17 September 2014.

Part 2 of the Act introduces a new system to tackle homelessness and the threat of homelessness, including a far greater emphasis on preventing homelessness in the first place. This has been achieved by strengthening the role of prevention in the duties which Local Authorities owe to homeless people.

Section 70 of the Act outlines the priority need categories for those who require additional support. As a result of s.70, those released from custody are no longer automatically eligible for priority need.

In response to concerns about this change in legislation, the then Minister for Housing and Regeneration established the Prisoner Accommodation and Resettlement Working Group to ensure those held in custody would have access to prevention services prior to release.

The purpose of this consultation is to seek views on the *National Pathway for Homelessness Services to Children, Young People and Adults in the Secure Estate* which has been produced by the Working Group in response to concerns around access to the prevention services.

Consultation responses

Your views are welcomed and a response form is provided at the back of this document. The questions ask for your views on the Pathway.

**National Pathway for
Homelessness Services to Children,
Young People and Adults in the
Secure Estate**

July 2015

Audience	<p>Local Authorities; Registered Social Landlords; other housing service providers; National Offender Management Service; Integrated Offender Management (IOM) Cymru; National Probation Service; Wales Community Rehabilitation Company; prisons; youth secure estate; Youth Offending Teams (YOTs); Youth Justice Board; Regional Collaborative Committees; Supporting People Regional Boards; Local Health Boards and other provider agencies; third sector and partner organisations involved with supporting adults and young people in the secure estate.</p>
Overview	<p>This document sets out the pathway for meeting the housing needs of children, young people and adults held in custody and who will be resettling in Wales.</p>
Action required	<p>For practitioners and stakeholders to be aware of their responsibilities under the Offender Rehabilitation Act 2014 and the Housing (Wales) Act 2014. In particular Part 2 which deals with duties on local authorities to provide preventative homelessness services, and also other relevant frameworks and good practice.</p>
Further information	<p>Carl Spiller Housing Policy Division Welsh Government Rhyd y Car Merthyr Tydfil CF38 1UZ Tel: 0300 062 8211 Email: carl.spiller@wales.gsi.gov.uk</p>
Additional copies	<p>This document is available from the Welsh Government website and is available bilingually.</p>
Related documents	<ul style="list-style-type: none"> • Housing (Wales) Act 2014 • Offender Rehabilitation Act 2014 • Code of Guidance for Local Authorities – Allocation of Accommodation and Homelessness (April 2015)

	<ul style="list-style-type: none">• Social Services and Wellbeing (Wales) Act 2014• Mental Health (Wales) Measure 2010• Policing and Crime Act 2009• Legal Aid, Sentencing and Punishment of Offenders Act 2012• Southwark Judgement 2009• National Standards for Youth Justice 2013
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This document

This document is the result of the joint efforts of many different organisations. It stems from a joint Working Group, the Prisoner Accommodation and Resettlement Working Group, which was established in 2014 as part of the work leading to the Housing (Wales) Act 2014. Its overall purpose was to review and improve the services to help prisoners meet their housing needs. The following pages describe an approach which, if implemented effectively, will ensure consistently good services are provided to all prisoners, which recognise the type and timing of the assistance which prisoners need.

CONTENTS

	PAGE NUMBER
FOREWORD	
PART 1: LEGISLATIVE CONTEXT AND RESPONSIBILITIES	
PART 2: SUPPORTING THE RESETTLEMENT JOURNEY FOR PEOPLE IN CUSTODY	
PART 3: THE ADULT PATHWAY	
PART 4: THE CHILDREN AND YOUNG PEOPLE PATHWAY	
PART 5: TABLE OF RESPONSIBILITIES (ADULT)	
PART 6: TABLE OF RESPONSIBILITIES (CHILDREN AND YOUNG PEOPLE)	
PART 7: EXPECTATIONS	
<u>ANNEXES</u>	
1 – ACCOMMODATION SUPPORT AT RECEPTION STAGE (ADULTS)	
2 – ACCOMMODATION SUPPORT AT RESETTLEMENT STAGE (ADULTS)	
3 – ACCOMMODATION SUPPORT AT RELEASE STAGE (ADULTS)	
4 – PATHWAY FOR SUPPORT FOR CHILDREN AND YOUNG PEOPLE IN THE SECURE ESTATE	
5 - PRISONER HOUSING NEEDS FORM	
6 - HOUSING RISK ASSESSMENT	
7 – PERSONAL HOUSING PLAN	

FOREWORD

Lesley Griffiths
Minister for Communities and Tackling Poverty

PART 1: LEGISLATIVE CONTEXT AND RESPONSIBILITIES

Offender Rehabilitation Act 2014

1. On 1 February 2015, the Offender Rehabilitation Act 2014, which forms a key part of the UK Government's Transforming Rehabilitation agenda, was implemented. From 1 June 2014, all Probation Trusts in England and Wales were replaced by the National Probation Service and 21 Community Rehabilitation Companies ("CRC") UK wide. One company covering the whole of Wales.
2. National Probation Service is responsible for all court work, risk assessments and supervising high risk and public protection cases for adults. The Wales Community Rehabilitation Company is responsible for the management of low to medium-risk offenders and the resettlement planning of all prisoners returning to Wales on release. These changes are designed to ensure all adult offenders are provided with resettlement support and those prisoners whose offence was committed after 1 February 2015 can be supervised on release for a period of at least 12 months.

Wales Community Rehabilitation Company

3. From 1 May 2015, every adult prisoner will have access to 'Through the Gate' resettlement services which will start while they are still in custody and continue in the community. The aim is to reduce reoffending by providing a tailor-made package of support. The package might include help finding accommodation and re-engaging with family and friends, financial advice, drug and alcohol education, anger management classes, training opportunities and mentoring.
4. A universal screening of need for all adult prisoners will be completed by prison staff within 72 hours of arrival in prison (Basic Screening Custody Tool 1). This will be followed by the creation of an individual resettlement plan completed by the Wales Community Rehabilitation Company Resettlement Officers (Basic Screening Custody Tool 2). The resettlement plan will be shared with the relevant Offender Manager for low to medium risk offenders and from the National Probation Service for those considered high risk. During their time in custody all prisoners will undertake employment/tasks as normal within the prison regime, but the resettlement plan may be used to inform what these tasks should be.
5. The Wales Community Rehabilitation Company will be contractually obliged to deliver certain services from 12 weeks prior to release. These include advice on accommodation, employment, finance and benefits, preventing domestic abuse and special support for female sex workers. The prison-based Resettlement Officer will offer these based on need but attendance is voluntary. One week before release, the Resettlement Officer, Offender Supervisor, if one is involved, offender and Offender Manager will all be invited to a pre-release meeting where the Resettlement Plan will be reviewed and any further needs upon release will be identified. The Offender Manager will continue to meet with the offender in the community and support them through their resettlement period.

6. The Wales Community Rehabilitation Company has commissioned St Giles Trust to facilitate the services at HMP Cardiff, HMP Prescoed, HMP Stoke Heath and HMP Swansea. Safer Wales has been commissioned to provide this service at HMP Eastwood Park, while the Wales Community Rehabilitation Company will be delivering the services directly in HMP Parc.
7. In addition, HMP Altcourse and HMP Styal have each been designated as a Resettlement Prison for Wales.

Housing (Wales) Act 2014

8. The Housing (Wales) Act 2014 reflects the Welsh Government commitment to reinforce the prevention of homelessness as set out in the Ten Year Homelessness Plan and introduces new homelessness legislation, which came into force on 27th April 2015. Key features of the new legislation include:
 - Introducing a new corporate duty for Local Authorities to take reasonable steps to help people prevent homelessness;
 - Extend the definition of 'threatened with homelessness' from 28 to 56 days;
 - A power rather than a duty to apply the intentionality test;
 - New powers allowing Local Authorities to discharge their homelessness duty through an offer of suitable private rented sector housing; and
 - Stronger duties on Housing Associations to support local authorities in carrying out their homelessness duties.
9. The result will be more help for more people either at risk of becoming homeless, or homelessness, while also retaining the safety net for those vulnerable people who need the additional support.
10. From the context of people in custody, the redefinition of the priority need status for housing adults on release from custody will provide a level playing field for everyone wishing to access support and, by removing the requirement for applications to be made in person, the Act also provides the legal basis for ensuring people held in custody can receive support prior to release.
11. This *National Pathway for Homelessness Services to Children, Young People and Adults in the Secure Estate* is intended to consolidate these two significant changes in legislation, and including a number of other changes in legislation, into an agreed best practice resettlement service for all people being held in the secure estate.
12. The additional changes of legislation are:
 - Social Services and Well-being (Wales) Act 2014
 - Mental Health (Wales) Measure 2010
 - Legal Aid, Sentencing and Punishment of Offenders Act 2012
 - Southwark Judgement 2009

Social Services and Well-being (Wales) Act 2014

13. Part 11 of the Social Services and Wellbeing (Wales) Act 2014, which will be implemented from April 2016, will ensure all adults and children in prison, youth detention accommodation or bail accommodation will have access to the care and support they need. The relevant sections are:
- Section 185 – adults in prison, youth detention or bail accommodation, etc;
 - Section 186 – children and young people in youth detention accommodation, prisons or bail accommodation, etc;
 - Section 187 – persons in prison, youth detention or bail accommodation, etc; and
 - Section 188 – interpretation of section 185 to 187.
14. For adults, the responsibility for assessing and meeting the care and support needs will reside with the Local Authority in which the prison is situated when they are in the secure estate within Wales. Those adults in the secure estate in England will come under the Care Act 2014 which places similar duties on Local Authorities in England. In the context of young people and children, the Local Authority where the young person was an ordinary resident prior to being held within the secure estate, will be responsible, regardless of whether the child or young person is accommodated in England or Wales. If the young person has been an ordinary resident within a Local Authority area or has been their responsibility (i.e. looked after children), the relevant Local Authority will be responsible for the young person and this will be known as the ‘Welsh Home Local Authority’. S186 (1) of the Social Services and Well-being (Wales) Act sets out the criteria for determining a ‘relevant’ child.
15. Part 6 of the Social Services and Well-being (Wales) Act sets out the duties on Local Authorities for looked after children. This includes duties to safeguard and promote a young person’s well-being, to either review or maintain a care and support plan or prepare and maintain one, if one does not already exist. However, as set out above, the ‘Welsh Home Local Authority’ has responsibility for the care and support needs of the young person in the secure estate, albeit previous duties for maintenance (section 80) and to provide accommodation (section 81) are dis-applied while the young person is in the secure estate until the young person is released.

Mental Health (Wales) Measure 2010

16. The Mental Health (Wales) Measure 2010 places a statutory duty on Local Health Boards and Local Authorities to provide Primary Mental Health Support Services to prisoners as well as providing holistic care, treatment plans and secondary mental health services.

Welsh Local Authorities

17. Local Authorities have a range of duties under the Housing (Wales) Act 2014, which include support for anyone who is homeless or at risk of homelessness within 56 days. Where a duty is accepted, they will have to take ‘reasonable steps’ to support them to return to or find suitable accommodation before they become homeless. The *Code of Guidance for Local Authorities Allocation of*

Accommodation and Homelessness 2015 provides detail on how this should be undertaken.

18. Local Authorities also have to prepare Local Homelessness Strategies, taking account of the need to address the needs of vulnerable groups including prisoners and young people and children.
19. Local Authorities also have additional duties, along with the relevant Local Health Board, under the Social Services and Wellbeing (Wales) Act 2014 and Mental Health (Wales) Measure 2010 to provide support to prisoners in need of social and mental care. Where these responsibilities lie differs depending on the age of the person in custody (paragraph 14 refers).
20. When taking these additional duties into consideration, this Pathway proposes Local Authorities consider the development of a core assessment tool which can be undertaken in prison, potentially by a third party on behalf of the Local Authority. This proposal is, however, not a requirement of this Pathway.
21. Local Authorities must ensure they are also aware of their general responsibilities to reduce re-offending in their communities and fulfil their role within Community Safety Partnerships in formulating and implementing a strategy to reduce re-offending under the Policing and Crime Act 2009.
22. These responsibilities require effective joint working at strategic and operational level across sectors with all partners engaged with people in custody.

PART 2: SUPPORTING THE RESETTLEMENT JOURNEY FOR PEOPLE IN CUSTODY

23. This *National Pathway for Homelessness Services to Children, Young People and Adults in the Secure Estate* is designed to support both Local Authorities and the Wales Community Rehabilitation Company to carry out their new responsibilities in respect of providing services to people due to leave the secure estate.
24. This Pathway also seeks to help Local Authorities to bring together their range of responsibilities in an integrated approach with all relevant partners, to support community safety and to reduce offending behaviour.
25. A clear understanding of agencies' responsibilities and what services a prisoner, be they an adult or a child or young person, can reasonably expect from them is essential. Obtaining appropriate accommodation and support for the individual on release is a key factor to help them reduce the risks associated with their offending behaviour.
26. This Pathway offers a significant opportunity to help individuals avoid homelessness on release from custody. It requires strong commitment from all the relevant services, including criminal justice, youth justice, housing, social services, the voluntary sector and private contractors.
27. The Pathway has been developed in order to integrate with the new probation resettlement planning process. All people in custody, whether sentenced, remand or civil, will be assessed using the Basic Custody Screening Tools 1 & 2 to develop a Resettlement Plan. Only those offenders convicted of an offence committed on or after 1 February 2015 will be subject to the new licence and post supervision arrangements. All of those prisoners not subject to the Basic Custody Screening Tools 1 & 2 are still able to voluntarily develop a Resettlement Plan as their release approaches.
28. While referrals can be made at any time during a sentence, reception stage and resettlement provide the most structured opportunities to co-ordinate the referral and support mechanisms as part of the resettlement planning the probation services will be undertaking.
29. A failure to consider an individual's housing needs in a timely and planned way before release can result in him or her becoming homeless or having to be placed in accommodation which, for a number of reasons, may be unsuitable and/or undesirable.
30. Similarly, a failure to consider someone's housing needs at their reception stage in prison can result in them losing their home or accommodation during the period of their sentence or time spent on remand. Worse still, issues left unresolved at reception stage can lead to unnecessary problems or complications such as insurmountable rent arrears which will reduce housing options on release.
31. As a result, the model pathway suggests the following split of responsibilities:

- Reception – Wales Community Rehabilitation Company (with Prison Link Cymru)
 - Resettlement – National Probation Service/Wales Community Rehabilitation Company (with the relevant Local Authority)
 - Release – Local Authority (with relevant local partners)
32. As part of the core rehabilitative offer, the Wales Community Rehabilitation Company will have responsibility for supporting those who have had a housing need/issue identified at the reception screening stage.
33. Additionally, it should be acknowledged a temporary “Approved Premises” placement after release does not prevent the ex-offender from being at risk of homelessness and is not suitable accommodation when a Local Authority is considering discharging its duty under the Housing (Wales) Act 2014. All agencies must be aware Approved Premises placements for high risk offenders are not indefinite or long term housing options but an interim measure to manage the offender in a safe, structured, environment.
34. Welsh Government funding will be used to support organisations such as Prison Link Cymru. Services will work with the Wales Community Rehabilitation Company to help with this work. As an established project working within Welsh and some English prisons, Prison Link Cymru should prove to be a valuable resource within the Pathway.
35. This Pathway is specific to prisons operating within the Wales Community Rehabilitation Company area. While the “Transforming Rehabilitation” agenda is expected to see approximately 80% of Welsh prisoners relocated back to a designated Welsh local prison approximately three months prior to release, 20% are potentially not covered by this document. The process outlined in this Pathway is transferable and will be disseminated to all prisons in the UK to ensure any Welsh prisoner looking to resettle back to Wales will have the opportunity of accessing the prevention service offered by Local Authorities in Wales.
36. Where a former prisoner presents to a Local Authority in Wales, following release from a prison outside of the Wales Community Rehabilitation Company area, and is unknown to the Local Authority, by signing up to this Pathway, the Local Authority is committed to providing additional emergency support to the applicant.

PART 3: THE ADULT PATHWAY

37. The Pathway has been developed to support the new responsibilities of the Wales Community Rehabilitation Company and has been designed to ensure there are no overlaps or gaps in terms of responsibilities.
38. Paragraph 6 above outlines the contractual arrangements in place to provide resettlement support in prison. Table 1 below outlines the process and timelines for this service as follows:

Table 1 – Resettlement service process

	Responsible Body	Activity	Milestone
1	Prison	<p>Complete Basic Custody Screening Tool – Part 1.</p> <p>The Basic Custody Screening Tool is split into Part 1 and Part 2. Part 1 is undertaken by Prison staff and will be undertaken within 72 hours of reception to custody. Accommodation is an element, but little detail will be requested at this time.</p>	Within 72 hours of reception to custody.
2	NPS/Wales CRC	<p>Complete Basic Custody Screening Tool – Part 2.</p> <p>Part 2 is the Resettlement Plan developed following completion of Part 1, which identifies the offender’s areas of need, including housing, and is completed by the Resettlement Officer in custody. It is completed within 5 days of the completion of Part 1 collecting additional detail.</p>	Within 5 days of completion of Part 1.
3	Prison	Identify relevant programmes for the prisoner to complete during the term of their sentence (might include health care, drug intervention, work, etc).	Following completion of Part 2.
4	Wales CRC	<p>Review Basic Custody Screening Tool Part 2, taking necessary action in line with plan and support the prisoner to overcome barriers to resettlement.</p> <p>During the last 12 weeks of the</p>	Commence approximately 12 weeks prior to release.

		<p>custodial sentence, the Resettlement Officers will review the resettlement plan resulting from the Basic Custody Screen Tool Part 2. Where appropriate the prisoner will be referred to specific training modules designed to further support rehabilitation and resettlement. The Resettlement Officers will also be responsible for the continued development of a resettlement plan and assisting the prisoner's resettlement. This will include accommodation.</p>	
5	Wales CRC	<p>Undertake final review of resettlement plan, including the home circumstances report</p> <p>Seven days prior to release, and as part of resettlement planning, the relevant Resettlement Officer will undertake a final review of the resettlement plan, to include any home circumstances. This will help to establish and undertake any 'Through the Gate' actions as part of the resettlement plan as well as prepare information for possible electronic monitoring on release and hand over to the community Offender Manager.</p>	7 days prior to release.
6	Community Offender Manager	<p>The relevant Offender Manager has ownership/responsibility of the Prisoner from day 1 of the sentence. He or she works closely with the Offender Supervisor and/or Resettlement Officers throughout the custodial element, ensuring activities undertaken in custody are, when necessary, continued 'Through the Gate'. At the point of release, they will manage the Prisoner whilst on licence, taking continued responsibility for resettlement and supervision.</p> <p>On the day of release, the Resettlement Officer's</p>	Day of release.

	responsibilities cease.	
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Note – step 2 and 4 above might be undertaken concurrently depending on the length of sentence

Housing Support on Reception

39. The National Probation Service or Wales Community Rehabilitation Company has responsibility for the planning and management of a prisoner’s resettlement. This planning will begin immediately at the reception stage and will include the preparation of an initial ‘resettlement plan’ by the responsible Resettlement Officer. This will follow the identification of a housing need following the completion of the Basic Custody Screen Tool Part 2.
40. Once a housing need is identified, the Wales Community Rehabilitation Company will be required to support the prisoner to help resolve the housing related issue on reception regardless of the length of their sentence.
41. To assist the Local Authorities, and to allow them to concentrate on pre-release resettlement planning, Welsh Government funded supported services, such as Prison Link Cymru, will, taking account of their capacity, provide additional support to the Wales Community Rehabilitation Company to assist them to undertake this support role for those prisoners who **do not** immediately enter the 12 week resettlement planning process and who have an identified housing need. This will include, for example, providing advice on retaining the property, during completion of Part 2.
42. The content of this support at the reception stage will be dependent on the make up of the household of the applicant and the circumstances of the case rather than just the length of sentence. This might include liaison with statutory agencies to maintain housing benefit claims during the sentence, or reach an agreement over arrears with the landlord.
43. However, for those likely to be in custody for an extended period of time, retention of accommodation will not always be possible and the continued accrual of rent or mortgage arrears might significantly hinder the housing options available on release.
44. Advice will be provided to the prisoner of the possible implications of allowing accommodation to be reclaimed by the landlord/mortgage provider and where release of tenancy or sale of property is agreed as the best option, the Wales Community Rehabilitation Company or, for example, Prison Link Cymru will provide support to the applicant.
45. In some cases, particularly where the applicant is one member of a household, it may be appropriate to work with the relevant Local Authority for additional support to prevent a threat of homelessness to the whole household. Before involving a Local Authority and the possibility of triggering a duty under the Housing (Wales) Act 2014, the Wales Community Rehabilitation Company and the Offender Manager in the Community will need to be satisfied the facts of the case warrant the earlier intervention of the Local Authority.
46. Criteria for this early referral might include, but is not limited to the following:

- Early support will ensure accommodation can be secured for the duration of the sentence and beyond;
- Low level financial support, which the Wales Community Rehabilitation Company and Prison Link Cymru do not have access to, might eliminate the risk to the accommodation;
- The applicant is one member of a household and the household is at risk of homelessness; or
- The complexity of the case make it necessary for the Local Authority to become involved as soon as possible.

47. Where someone in the secure estate immediately enters the 12 week resettlement planning process on entering custody as a result of the anticipated length of sentence, support will be provided under that process and support will not be provided by Prison Link Cymru.

12 week resettlement window:

48. In addition to the reception activity, the Wales Community Rehabilitation Company is also required to review the 'resettlement plan' developed at reception approximately 12 weeks before the prisoner is due to be released.
49. Where a housing need has not been identified and an address has been provided, National Probation Service/Wales Community Rehabilitation Company will forward this address to the relevant Local Authority to seek comment on the validity and circumstances of the address provided.
50. Where a housing need was identified either in Part 2 (and hasn't been resolved or resulted in the release of accommodation) or during the initial resettlement planning process, the Wales Community Rehabilitation Company will have responsibility for supporting the prisoner to either retain accommodation or to source alternative accommodation in addition to supporting resettlement.
51. Support will depend on the facts of the individual case and could include any of the following:
- Setting up of bank account/credit union account
 - Obtaining an acceptable form of identification
 - Liaison with benefit claims
 - Services to resolve disputes between different parties, such as mediation and reconciliation
 - Specialist advice on welfare/benefit rights and debt/money advice, including access to independent advice
 - Independent housing advice
 - Joint working with Registered Social Landlords to prevent homelessness
 - Joint approaches with other services such as Social Care and Health
 - Domestic abuse services
 - Housing/Tenancy support
 - Action to resolve anti-social behaviour
 - Options to facilitate access to the Private Rented Sector
 - Action to intervene with mortgage arrears

- Action to support disabled applicants
 - Access to supported housing
 - Arranging accommodation with relatives and friends
 - Options for the accommodation of vulnerable people
52. National Probation Service/Wales Community Rehabilitation Company will be fully informed of the varied services being delivered in prison to support prisoners. Where appropriate, they should ensure this additional support is utilised when giving support.
53. It is not intended Welsh Government funded services, such as Prison Link Cymru, will support the Wales Community Rehabilitation Company during the resettlement stage.
54. Approximately 66 days prior to release, National Probation Service/Wales Community Rehabilitation Company will undertake a critical review of the accommodation element of the resettlement plan. Where the identified housing issue has not been resolved, they will submit a referral to the relevant Local Authority to trigger an assessment under s.62 of the Housing (Wales) Act 2014. The referral will be via the completed Prisoner Housing Needs Form (Annex 5) which will have been updated following the resettlement planning process. This will be sent to the Offender Manager in the Community initially.
55. The Offender Manager in the Community will then complete a Risk Assessment form (Annex 6) to ensure the Local Authority is able to make decisions on suitability based on the full facts and risks of the individual. This should be completed within 5 working days of receipt of the Prisoner Housing Needs Form. Together, these documents become the referral to the Local Authority and will be forwarded by the Offender Manager in the Community to the relevant Single Point of Contact in the Local Authority.
56. National Probation Service/Wales Community Rehabilitation Company have been advised of the need to be cognisant of the benefit of a re-connection back to the area of origin and encourage the prisoner to make the referral to the appropriate Local Authority. Where this is not possible due to license restrictions, they should consider other familial connections before making a referral. It should not be the default position to refer to the nearest (ie 'host') Local Authority or to a Local Authority with more established services.
57. All partners also need to be aware of the risk of domestic abuse or the risk of violence when supporting resettlement. The Homelessness (Suitability of Accommodation) (Wales) Order 2015 ensures a Local Authority must take into consideration the proximity of alleged perpetrators or victims of domestic abuse when supporting an applicant under the Housing (Wales) Act 2014, but Resettlement Officers must also take this into account for all those who are not referred to Local Authorities and ensure specialist support services are consulted with.

Use of Personal Housing Plans

58. To ensure the smooth transition of casework, the National Probation Service/Wales Community Rehabilitation Company may have supported the applicant via the attached Personal Housing Plan which will help a Local Authority to immediately identify the work undertaken to date, whether verification is required and what steps could be taken forward to help resolve the housing need. The form is attached at Annex 7.

Local Authority work following referral

59. Following a referral, the relevant Local Authority will need to decide whether the prospective applicant is owed a duty under the Housing (Wales) Act 2014. Details on undertaking an assessment and, where appropriate, making a referral to another Local Authority are included in the *Code of Guidance for Local Authorities – Allocation of Accommodation and Homelessness*.
60. It is of paramount importance, and a key principle of this Pathway, that a prisoner receives the same treatment as anyone else who approaches a Local Authority for assistance and will be subject to the same tests regarding the duty or duties owed. This key principle extends to the utilisation of the referral process.
61. A Local Authority retains the power to make a local connection referral under section 80 of the Housing (Wales) Act. However, this must take place prior to accepting a duty under section 73. Once a duty under section 73 is accepted, a referral cannot then be made.
62. Once a Local Authority has established whether the prisoner is owed a duty, they will take over responsibility for providing reasonable steps as per either the section 66 or section 73 duties of the Housing (Wales) Act 2014. Subject to any further duties owed under the Social Services and Wellbeing (Wales) Act 2014, it will not be appropriate for the Local Authority to take over the delivery of all resettlement support to a prisoner, and will only focus on steps which help to address accommodation on release. National Probation Service/Wales Community Rehabilitation Company will continue to have responsibility for resettlement planning and the relevant Local Authority will need to work with them to support the accommodation element. To ensure there is no duplication of services, a clear communication channel should be maintained between the Local Authority, the Resettlement Officer in prison and the Offender Management in the community.
63. As the duties under section 66 and section 73 are both blind to intentionality, a Local Authority, regardless of whether it is having regard to intentionality under section 78, is unable to refuse to support a prisoner on that basis.
64. A Local Authority must be aware of the possibility of challenge in relation to their support to a prisoner and it is recommended its officers ensure evidence of the steps taken is documented and retained. The use of the Personal Housing Plan will support this.

Nature of support for applicants

65. Many prisoners will leave prison with one or more characteristic(s) which will make it more challenging for them to source accommodation. When adding

concerns around the stigma and sometimes the nature of their original crime, accessing the private rented sector might be more difficult for a former prisoner. However, the private rented sector is still a viable option, but might require an additional package of support to accompany the accommodation and this ought to be considered for all prisoners supported into the private rented accommodation.

66. When considering the housing options available to a former prisoner, National Probation Service/Wales Community Rehabilitation Company or a Local Authority must consider some of the possible challenges faced by former prisoners, e.g. restrictions placed on them by licences, the lack of family support networks, poor basic skills, etc. In some cases, private rented accommodation will not be appropriate or possible and all housing options must be explored.
67. In assessing the suitability of accommodation, National Probation Service/Wales Community Rehabilitation Company or a Local Authority should take account of both the vulnerability of the applicant in the context of the Housing (Wales) Act 2014 and the prisoner's risk to the community to which they will be returning. This should be looked at in terms of the risk of re-offending and also the risk of harm to the community. The Offender Manager in the Community, who will be responsible for the resettlement planning of all prisoners, will need to be involved in this decision.
68. It is possible an offer of accommodation can be made without the applicant having had the opportunity to physically view the property. Where a Local Authority is making an offer under the Housing (Wales) Act 2014, it will need to ensure the prisoner has full access to the details of the property including photographs, dimensions and key facts. The Welsh Government recommends an advocate or family member is given the opportunity to view the property on the applicant's behalf. This situation is similar to those where an applicant is bed bound or in hospital and is unable to view a property in person.
69. Placing prisoners into Bed & Breakfast accommodation or other multi-occupancy arrangement, particularly with other prisoners, has shown to be unsuitable accommodation for a successful resettlement and must not be the default housing solution. However, the availability of housing means it is likely to be used in some cases. Where it is used, the Local Authority should record an explanation of why Bed & Breakfast accommodation has been used, keep probation services fully informed and begin planning move on arrangements immediately.

Seven days prior to release

70. Seven days prior to release, National Probation Service/Wales Community Rehabilitation Company will be responsible for finalising the resettlement plan, which includes the agreement of the home circumstances report. Where accommodation has been sourced during the resettlement planning window, the Company is expected to liaise with the Local Authority to help complete the report.

On release:

71. Where a successful outcome has not been possible as a result of the service provided in prison, the Local Authority will take over sole responsibility for providing continued housing-related support via the duties under the Housing (Wales) Act 2014 upon release for those who remain eligible and either homeless or threatened with homelessness. The duty under which this activity is delivered will be dependent on the facts of the case.
72. For those prisoners identified as priority need (under any of the ten categories), or likely to be priority need, the Local Authority would continue to have a duty to provide accommodation either under section 68 or section 75 depending on the individual circumstances.
73. For individuals for whom the duties owed have ended while in custody, release from custody would constitute a material change of circumstance and a new duty could be owed to the applicant on release.

Any other time

74. A prisoner (or a third party on behalf of the prisoner) can make a request at any time for support to a Local Authority and the Local Authority would be duty bound to undertake an assessment if they suspect the individual is eligible and either homeless or at threat of homelessness.
75. Paragraph 46 above outlines the criteria where an early referral might be made to a Local Authority. By signing up to this Pathway, where this support has been utilised and exhausted, a Local Authority will provide additional support, where appropriate and where the original involvement was not spurious or vexatious, to those applicants at the 56 day limit utilising the duty to provide information, advice and assistance (section 60) of the Housing (Wales) Act 2014.

Support for female offenders

76. In relation to work to support people in custody in HMP Eastwood Park, Prison Link Cymru will provide support for **all** prisoners regardless of length of sentence at both reception and resettlement stages.
77. It is acknowledged female prisoners have a range of additional support needs. Evidence suggests women are:
 - Much more likely (than men) to have been the victim of physical or sexual abuse;
 - More likely to demonstrate depression, anxiety and self-harm in custody; and
 - More likely to demonstrate a prevalence of substance misuse issues which pose particular difficulties for effective resettlement.
78. In addition, the absence of a female custodial establishment or approved premises in Wales impacts on home connections during sentence and results in individuals having to travel some distance on release to resettle in their home communities. The fact women are far more likely to be primary carers on their intake into custody, and will often try to re-establish connections with their children on release, should also be taken into account when providing reasonable steps and considering suitability of accommodation.

79. Given these challenges, National Probation Service/Wales Community Rehabilitation Company and Local Authorities will need to develop an alternative approach to support the resettlement and accommodation needs of female prisoners resettling back to Wales. It will be important all partners are involved in developing and delivering the multi-agency Integrated Offender Management Cymru: Women's Pathfinder model to help women manage their vulnerabilities and to reduce the risk of offending behaviour.
80. The Transforming Rehabilitation reforms will ensure the female prisons situated outside of Wales receive the same reception and resettlement service as outlined above. In addition, National Probation Service/Wales Community Rehabilitation Company will have an added responsibility to ensure those who have previously been a sex worker or a victim of domestic abuse are signposting to specialist services.
81. When working with this client group, National Probation Service/Wales Community Rehabilitation Company and Local Authorities must also be sensitive to the case details of the applicant when undertaking an assessment and/or developing reasonable steps. This includes careful and sensitive handling when investigating accusations of domestic abuse, establishing support needs, and the appropriateness of re-establishing family and partner relationships.

Communication between Local Authorities and Probation services

82. While the referral of a case approximately 66 days prior to release will need to be formal to trigger an assessment and possible duty, both formal and informal communications between Local Authorities and the in-prison Probation services is encouraged and will help to ensure the best possible chance of achieving a positive resettlement.
83. However, where a referral has been made, it has been agreed communication between the Local Authority and the officer inside prison should be made via the Offender Manager in the Community. This is because the Offender Manager is the responsible officer and will need to retain oversight for risk management purposes. The referral document in the main will be raised in the Prison by the Resettlement Officer, who will have direct access to the prisoner. It will then be sent to the Offender Manager to ensure any risk management concerns can be recorded prior to full submission to the Local Authority Point of Contact. This trigger of the three-way communication would be best served by an e-mail ensuring the Resettlement Officer, Offender Manager and Local Authority are all kept informed of all housing decisions which will impact on the possible future accommodation of the applicant.
84. The Homelessness Network will retain an up to date database of the key contacts in each Authority, in addition to key prison and community resettlement contacts in order to ensure delays are limited.
85. The issue of data sharing is often cited as a barrier to effective partnership working. Local Authorities should work with relevant partners to identify alternative approaches if necessary. Local Authorities should also be mindful of section 115 of the Crime and Disorder Act 1998, which allows for the transfer of

data where there is a public safety concern. To ensure the safe transfer of data between partners, Local Authorities might also find it useful to arrange for a secure email address to be available.

86. Attached are a number of Annexes which outline the process to be followed in relation to supporting adults.

PART 4: THE CHILDREN AND YOUNG PERSON PATHWAY

87. This part of the Pathway provides information on the key departures when delivering services to children and young people in the secure estate and expands on the different agencies providing services to children and young people.

Youth Offending Teams

88. Youth Offending Teams are multidisciplinary teams made up of Health, Social Services, Education, Police and Probation working together and are statutory local partnerships established by section 39 of the Crime and Disorder Act 1998¹. They are part of the Local Authority. The Teams which have a statutory responsibility for managing children and young people who are subject to court orders. There are 15 Teams² in Wales.

Youth Offending Teams and the Secure Estate

89. Youth offending teams and the secure estate work closely together to ensure there are resettlement arrangements in place for all children and young people leaving custody. Their responsibilities are set out in the National Standards for Youth Justice which identifies a number of points in the sentencing planning arrangements when consideration needs to be given to post release arrangements and the likelihood of accommodation need.
90. For young people, the relevant Youth Offending Team will also be a key contact in ensuring co-ordination with services. They have a responsibility to help provide suitable accommodation on release and they should do this in partnership with housing officials within the relevant Local Authority via both the Children Services and/or Housing Options Teams.

Legal Aid, Sentencing and Punishment of Offenders Act 2012

91. The Legal Aid, Sentencing and Punishment of Offenders Act 2012, which came into effect in November 2012 provides that any young person remanded to Youth Detention accommodation will be treated as 'Looked After' by the designated Authority. This means all young people who are securely remanded to Youth Detention accommodation are entitled to 'Looked After' status.

Southwark Judgment 2009

92. The Southwark Judgment³, made by the Law Lords in May 2009, is a piece of case law which clarifies the Children's Act 1989 and obliges Children's Services to provide accommodation and support to homeless 16-17 year-olds. This will

¹ The precise requirements of the Act are that youth offending teams shall include at least one of each of the following:

(a) an officer of a local probation board or an officer of a provider of probation services; (b) a social worker of a local authority; (c) a police officer; (d) a person nominated by a Local Health Board, any part of whose area lies within the local authority's area; (e) a person nominated by the chief education officer appointed by the local authority

² Local authorities are required to have a YOT either on an individual or partnership basis; there are 15 YOTs in Wales, 5 of which cover two Local Authorities each and one which covers three.

³ <http://www.publications.parliament.uk/pa/ld200809/ldjudgmt/jd090520/appg-1.htm>

continue to provide the catalyst for Housing and Social Services departments to work more collaboratively to deliver both the duties under the Housing (Wales) Act 2014 and Social Services and Well-being (Wales) Act 2014.

Social Services and Well-being (Wales) Act 2014

93. Paragraph 15 explains part 6 of the Social Services and Well-being Act (Wales) 2014 which sets out the duties on Local Authorities for 'Looked After Children'. This includes duties to safeguard and promote a young person's well-being, to either review or maintain a care and support plan or prepare and maintain one if one does not already exist.

Differing resettlement planning process

94. Sentence planning arrangements in custody should, at the outset, identify whether there is, or is likely to be, a housing need and take steps to ensure the child or young person is able to access suitable accommodation on release and refer the need to the Local Authority. This should include consideration of whether the child/young person was 'Looked After' prior to entering custody, has acquired 'Looked After' status as a result of their custodial experience and whether they are unable to return to the accommodation they previously lived in or are in need on release.
95. Young people who have served a custodial sentence and who are released on licence from detention or a training order will continue to be supervised by Youth Offending Teams, even though this might take them beyond their 18th birthday on some occasions.
96. The key differences with the adult probation process are:
- There is no 12 week resettlement planning trigger. Instead, the young person's sentence plan is revised every month.
 - Prison Link Cymru currently only operates in adult establishments. This will continue and no service will be provided to young people;
 - Youth Offending Teams will work with all young people to help to secure suitable accommodation on release;
 - Accommodation and support for any children and young people in secure accommodation who have not yet reached the age of 18, will be the responsibility of Children's Services.
 - The Youth Offending Team is required to visit each young person within 10 days of their release to review resettlement.

Housing (Wales) Act 2014

97. In acknowledgement of the differing journey and different supervisory arrangements for children and young people being held in custody, attached at Annex 2 is a youth specific process map.
98. While the Housing (Wales) Act 2014 reduces the emphasis on priority need, children and young people will potentially retain additional support as a result of

the following two priority need categories outlined in section 70 of the Housing (Wales) Act 2014:

- a) A person who is aged 16 or 17 when the person applies to a Local Housing Authority for accommodation or help in obtaining or retaining accommodation; and
- b) A person who has attained the age of 18, when the person applies to a Local Authority for accommodation or help in obtaining or retaining accommodation, but not the age of 21, who was looked after, accommodated or fostered at any time while under the age of 18.

- 99. As a result of section 104 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012, (b) above will ensure anyone who was held in a Youth Detention accommodation will legally be defined as 'Looked After', thereby ensuring priority need status.
- 100. This will ensure anyone held in custody before the age of 18, will have automatic priority need status up until their 21st birthday.
- 101. There are further protections for all the priority need categories which refer to age ranges to ensure the age category at the time of the initial presentation to a Local Authority will be retained during the duration of their support from the Local Authority.

Support provided pre-sentence:

- 102. In most cases Youth Offending Team staff complete a pre-sentence report prior to sentencing. It includes information about the young person's living arrangements, education, health and any involvement with social care.
- 103. The pre-sentence report should describe the family circumstances, and where the young person has been living and whether there are any problems associated with it. The pre-sentence report would also identify if the young person was 'Looked After' and any relevant information regarding their accommodation.
- 104. Youth Offending Teams are responsible for sending 'placement information' to the Youth Justice Board's placement service, within 24 hours. This includes the pre-sentence report and all youth justice and risk assessment information and educational history.

Support provided while in custody:

- 105. Youth Offending Teams and secure estate staff are responsible for holding a joint planning meeting within ten days of entering custody. This will result in the production of a sentence plan which should include information about whether the child or young person is in receipt of care and support, but also include details of accommodation on release.
- 106. The Youth Offending Team Sentence Plan should be informed by the youth justice assessment information and identifies how the young person will be

supported throughout their custodial sentence and should be distributed to all relevant agencies/individuals 'within a reasonable timescale'.

107. The Youth Offending Team is required to maintain contact with the young person, and their parents/carers, to support them throughout the duration of their sentence and must have contact as a minimum at two-monthly intervals. This may be relevant to supporting the prevention of housing breakdown or facilitating a return home, for example.
108. Although less likely, consideration will need to be given to the appropriateness of continuing tenancies for those young people with their own tenancies. Welsh Government funded support services, such as Prison Link Cymru, will not be available to deliver this intervention, but will be able to provide advice where the circumstances arise.

Pre-release support:

109. Young people's sentence plans are reviewed at regular intervals throughout their sentence and should incorporate plans for resettlement and release, but resettlement planning should take place from the start of the sentence and should, as a minimum, cover arrangements for ensuring there is suitable accommodation on release.
110. Youth Offending Teams are responsible for gathering information from key sources external to the secure estate to inform the resettlement plan. This could include inviting the Local Authority social worker or housing representative to planning meetings within the secure estate, which would also provide an opportunity for housing need assessments to be undertaken.
111. Youth Offending Teams are required to organise, in collaboration with the secure estate, a final release review meeting. This meeting should consider the young person's resettlement plan, including their accommodation needs and how they will be met on release.

Providing housing related support:

112. In the absence of the 12 week resettlement planning window, at the nearest planning point approximately 66 days prior to release, and if a housing need is identified, then the referral should be made to the relevant Local Authority as per the process outlined in Part 3 utilising the same Housing Needs Form.

Seven days prior to release:

113. All children and young people who have been referred to the Local Authority at the 66 day referral point and who will not have passed their 21st birthday on release, will receive details of their accommodation on release at least seven days prior to release.

Day of release

114. The Youth Offending Team to oversee initial resettlement takes place on day of release and co-ordinate agencies providing support to ensure issues are

resolved quickly and pragmatically. This would include liaison with housing and accommodation services.

115. Young people are required to report to the Team on the day of release. Also, the Team's caseworker is required to undertake a home visit within five days of release and then at least monthly thereafter.
116. The Team is also required to chair a post-release review meeting, with the young person, their parents/carers and to invite those agencies/individuals participating in the resettlement plan, including secure estate staff. This could also include the accommodation provider or any key workers providing housing support.
117. Should the Team have concerns around the suitability of the accommodation sourced by the Local Authority, they should get in touch with the relevant point of contact in the Local Authority. This is also relevant where the Youth Offending Team is aware of a new threat of homelessness.

Early referrals:

118. Care and support needs can occur at anytime and needs may change over time. These should be kept under review at sentence planning meetings. This should also include whether young people's accommodation needs are likely to change on release.
119. As a result of the additional protections outlined in paragraphs above, consideration will need to be given to an earlier referral if the child or young person is approaching a significant birthday which will potentially impact on their possible future priority need status, (ie 21st).
120. In deciding whether to refer early, the Youth Offending Team will need to consider the amount of time left to serve in custody, the facts of the accommodation issue (which might make the individual ineligible for support under either section 66 or section 73) and by agreement with this Pathway, an early referral cannot occur if the relevant birthday is more than 100 days prior to release.
121. In these circumstances, and where support has not resolved the housing issue, the child or young person progresses through to the section 75 duty, the Local Authority will not trigger a discharge based on the inability of the child or young person to occupy, but keep the case open and ensure accommodation is sourced for the child or young person on release.

Transition to adult services:

122. Young people who are released on detention or a training order will remain under the supervision of the Youth Offending Team beyond their 18th birthday, until the end of their order.
123. If the young person is to transfer to an adult service, the Youth Offending Team will make arrangements with the relevant service about the transfer and share relevant information. This could include information on the young person's housing situation and the support available to them.

PART 5: TABLE OF RESPONSIBILITIES (ADULT)

Prior to sentencing:	Responsible
<ul style="list-style-type: none"> Establish the housing needs, if any, of individuals awaiting trial and/or sentencing. 	Local Authority
<ul style="list-style-type: none"> If housing is threatened as a result of a possible extended stay in custody, 'reasonable steps' to be identified in order to prevent the loss of the accommodation. 	Local Authority (s.66/s.73)
<ul style="list-style-type: none"> If someone suspected of an offence is convicted, but receives a community sentence rather than custodial sentence, their accommodation might still be at risk. Where appropriate 'reasonable steps' must continue to be taken. 	Local Authority (s.66/s.73)
On reception to custody:	
<ul style="list-style-type: none"> Complete Basic Custody Screen Tool Part 1 for all new prisoners within 48 hours of reception. This would identify those risk areas to addressing including any identified accommodation issues at the time. 	Prison
<ul style="list-style-type: none"> Within 5 days of the completion of Part 1, complete Part 2. 	National Probation Service/Wales Community Rehabilitation Company
<ul style="list-style-type: none"> If housing is anticipated to be lost or threatened to be lost as a result of the terms of the sentence, support to be offered to the individual to either prevent the loss of the accommodation or to assist in the managed release of the accommodation. 	Wales Community Rehabilitation Company/Prison Link Cymru
While in custody (12 weeks prior to earliest point of release):	
<ul style="list-style-type: none"> At 12 weeks prior to release, review the prisoner's 'resettlement plan' which would include a further assessment of the prisoner's housing situation upon release. 	National Probation Service/Wales Community Rehabilitation Company
<ul style="list-style-type: none"> Where the prisoner is homeless on release, or at risk of being homeless, as identified at the commencement of the 12 week resettlement process, commence supporting the individual to overcome the housing issues. 	National Probation Service/Wales Community Rehabilitation Company
While in custody (approx 66 days prior to release):	
<ul style="list-style-type: none"> Where the housing issue has not been resolved prior to the 66 day limit, complete the housing needs form and submit to the Offender Manager in the Community suggesting a referral to the relevant Local Authority. 	National Probation Service/Wales Community Rehabilitation Company
<ul style="list-style-type: none"> Where the Offender Manager in the Community agrees a referral is appropriate, a risk Assessment form is also completed and both forms are 	Offender Manager in the Community

submitted to the relevant Local Authority point of contact.	
<ul style="list-style-type: none"> Possible support needs to be identified as part of core assessment process which determines eligibility for Housing (Wales) Act 2014 and Social Services and Wellbeing (Wales) Act 2014 duties and liaison with National Probation Service/Wales Community Rehabilitation Company in relation to their offender management and resettlement responsibilities. 	Local Authority Local Health Board (s.62 & s.185/186 SSWB Act 2014) With National Probation Service/Wales Community Rehabilitation Company
<ul style="list-style-type: none"> If no core assessment in place, undertake assessment of the individual's eligibility for services under the Housing (Wales) Act 2014. 	Local Authority (s.62)
<ul style="list-style-type: none"> If applicant meets eligibility for support under the Housing (Wales) Act 2014, 'reasonable steps' to be agreed with prisoner and package of support to commence in consultation with National Probation Service/Wales Community Rehabilitation Company, informed by any restrictions/licence conditions.* 	Local Authority (s.66/s.73)
<ul style="list-style-type: none"> Support the 'reasonable steps' process, offering options of suitable accommodation. 	Registered Social Landlord (s.95)
While in custody (within 7 days of release):	
<ul style="list-style-type: none"> If necessary, and depending on whether there is reason to believe the applicant is priority need, the Local Authority will determine whether there is a duty to provide interim accommodation to commence from date of release in liaison with the National Probation Service/Wales Community Rehabilitation Company offender management and resettlement responsibilities. 	Local Authority (s.68) With National Probation Service/Wales Community Rehabilitation Company
<ul style="list-style-type: none"> Confirm the prisoner's 'resettlement plan' including date of release and the means by which the individual is likely to travel back to the resettlement area. 	Prison National Probation Service/Wales Community Rehabilitation Company Registered Social Landlord Local Authority
<ul style="list-style-type: none"> In the majority of cases where a Local Authority has had at least 66 days to work with a particular prisoner, an offer of suitable accommodation is made which will be available for occupation on the day of release. 	Local Authority
Day of release and beyond:	
<ul style="list-style-type: none"> Ensure initial resettlement takes place on the day of release and all agencies are available at short 	National Probation Service/Wales

notice to help to resolve any initial issues.	Community Rehabilitation Company
<ul style="list-style-type: none"> Where a former prisoner has not been housed as a result of the use of 'reasonable steps' prior to release, support to continue under the duties of the Housing (Wales) Act 2014 and could include providing further support under the 'Prevention' Duty or the 'Relief' Duty depending on the particular circumstances and might include the provision of emergency interim accommodation. 	Local Authority (s.66,68 & 73)

* Providing support while in custody will not be appropriate in all cases, but to ensure the relevant agencies are able to prepare for the additional workload and potentially provide support prior to release where possible. This must be discussed with the prison's offender supervisor and National Probation Service/Wales Community Rehabilitation Company.

PART 6: TABLE OF RESPONSIBILITIES (CHILD AND YOUNG PERSON)

Prior to sentencing:	Responsible
<ul style="list-style-type: none"> Youth Offending Team staff complete a pre-sentence report prior to sentencing. It includes information about the young person's living arrangements, education, health and any involvement with social care. 	<p>Youth Offending Team</p>
<ul style="list-style-type: none"> The pre-sentence report should describe the family circumstances, where the young person has been living and whether there are any problems associated with the proposed accommodation on release. The pre-sentence report would also identify if the young person was 'Looked After' and any relevant information regarding their accommodation. 	<p>Youth Offending Team</p>
<ul style="list-style-type: none"> Youth Offending Teams are responsible for sending 'placement information' to the Youth Justice Board's placement service, within 24 hours. This includes the pre-sentence report and all Youth Justice risk assessment information and educational history. 	<p>Youth Offending Team /Youth Justice Board</p>
Support in custody:	
<ul style="list-style-type: none"> Youth Offending Teams and secure estate staff are responsible for holding a joint planning meeting within ten days of entering custody. This will result in the production of a sentence plan which should include information about whether the child or young person is in receipt of care and support, but also include details of accommodation on release. 	<p>Youth Offending Team /SECURE ESTATE</p>
<ul style="list-style-type: none"> The Youth Offending Team Sentence Plan should be informed by the Youth Justice assessment information, identify how the young person will be supported throughout their custodial sentence and should be distributed to all relevant agencies/individuals 'within a reasonable timescale'. 	<p>Youth Offending Team</p>
<ul style="list-style-type: none"> The Youth Offending Team is required to maintain contact with the young person, and their parents/carers, to support them throughout the duration of their sentence and must have contact as a minimum at two-monthly intervals. This may be relevant to preventing a housing breakdown which might prevent a return home, for example. 	<p>Youth Offending Team</p>
Pre-release support	
<ul style="list-style-type: none"> Young people's sentence plans are reviewed at regular intervals throughout their sentence and should incorporate plans for resettlement and release, but resettlement planning should take place from the start of the sentence and should, as 	<p>Youth Offending Team /SECURE ESTATE</p>

a minimum, cover arrangements for ensuring there is suitable accommodation on release.	
<ul style="list-style-type: none"> Youth Offending Teams are responsible for gathering information from key sources external to the secure estate to inform the resettlement plan. This could include inviting the Local Authority social worker or housing representative to planning meetings within the secure estate, which would also provide an opportunity for housing need assessments to be undertaken. 	Youth Offending Team
<ul style="list-style-type: none"> Youth Offending Teams are required to organise, in collaboration with the secure estate, a final release review meeting. This meeting should consider the young person's resettlement plan, including their accommodation needs and how they will be met on release. 	Youth Offending Team
While in custody (approx 66 days prior to release):	
<ul style="list-style-type: none"> Where a housing issue has been identified and has not been resolved prior to the 66 day limit, Youth Offending Team to complete the housing needs form and submit to the relevant Local Authority. 	Youth Offending Team
<ul style="list-style-type: none"> Possible support needs to be identified as part of core assessment process which determines eligibility for Housing (Wales) Act 2014 and Social Services and Wellbeing (Wales) Act 2014 duties and liaison with Youth Offending Team in relation to their offender management and resettlement responsibilities. 	Local Authority Local Health Board (s.62 & s.185/186 SSWB Act 2014) With Youth Offending Team
<ul style="list-style-type: none"> If no core assessment in place, Local Authority must undertake assessment of the individual's entitlement for services under the Housing (Wales) Act 2014. 	Local Authority (s.62)
<ul style="list-style-type: none"> If applicant meets eligibility requirements for support under the Housing (Wales) Act 2014, 'reasonable steps' to be agreed with prisoner and package of support to commence, taking account of any restrictions/licence conditions. 	Local Authority (s.66/s.73)
<ul style="list-style-type: none"> Support the 'reasonable steps' process, offering options of suitable accommodation. 	Registered Social Landlord (s.95)
While in custody (within 7 days of release):	
<ul style="list-style-type: none"> The Local Authority will determine whether there is a duty to provide interim accommodation to commence from date of release in liaison with the offender management and resettlement responsibilities. This will be the vast majority of children and young people due for release. 	Local Authority (s.68) With Youth Offending Team
<ul style="list-style-type: none"> Confirm the young person's resettlement plan, including date of release and the means by which the individual is likely to travel back to the resettlement area. 	Prison Youth Offending Team Registered Social Landlord

	Local Authority
<ul style="list-style-type: none"> In the majority of cases where a Local Authority has had at least 66 days to work with a particular young person, an offer of suitable accommodation is made which will be available for occupation on the day of release. 	Local Authority
Day of release and beyond:	
<ul style="list-style-type: none"> Youth Offending Team to oversee initial resettlement takes place on day of release and co-ordinate agencies providing support to ensure issues are resolved quickly and pragmatically. This would include housing and accommodation services. 	Youth Offending Team
<ul style="list-style-type: none"> Young people are required to report to the Youth Offending Team on the day of release. Also, the Youth Offending Team caseworker is required to undertake a home visit within five days of release and then at least monthly thereafter. 	Youth Offending Team
<ul style="list-style-type: none"> The Youth Offending Team is also required to chair a post-release review meeting, with the young person and their parents/carers and to invite those agencies/individuals participating in the resettlement plan, including secure estate staff. This could also include the accommodation provider or any key workers providing housing support. 	Youth Offending Team
<ul style="list-style-type: none"> Should the Youth Offending Team have concerns around the suitability of the accommodation sourced by the Local Authority, they should get in touch with the relevant point of contact in the Local Authority. This is also relevant where the Youth Offending Team is aware of a new threat of homelessness. 	Youth Offending Team /Local Authority

* Providing support while in custody will not be appropriate in all cases, but to ensure the relevant agencies are able to prepare for the additional workload and potentially provide support prior to release where possible. This must be discussed with the prison's offender supervisor and the relevant Youth Offending Team.

PART 7: EXPECTATIONS

Corporate commitment

- All partners will understand the corporate value in preventing homelessness and proactively supporting prisoners' resettlement upon release and promote the coordination of services to reduce the risk of reoffending and ensure safe communities.
- All partners to also engage with key resettlement partners, such as Housing Associations and Local Health Boards, to ensure the widest range of services is offered to support an individual's resettlement planning.
- All partners to be proactive in helping to increase the supply of housing stock available for use by prisoners upon release and access to the relevant supported living provision.

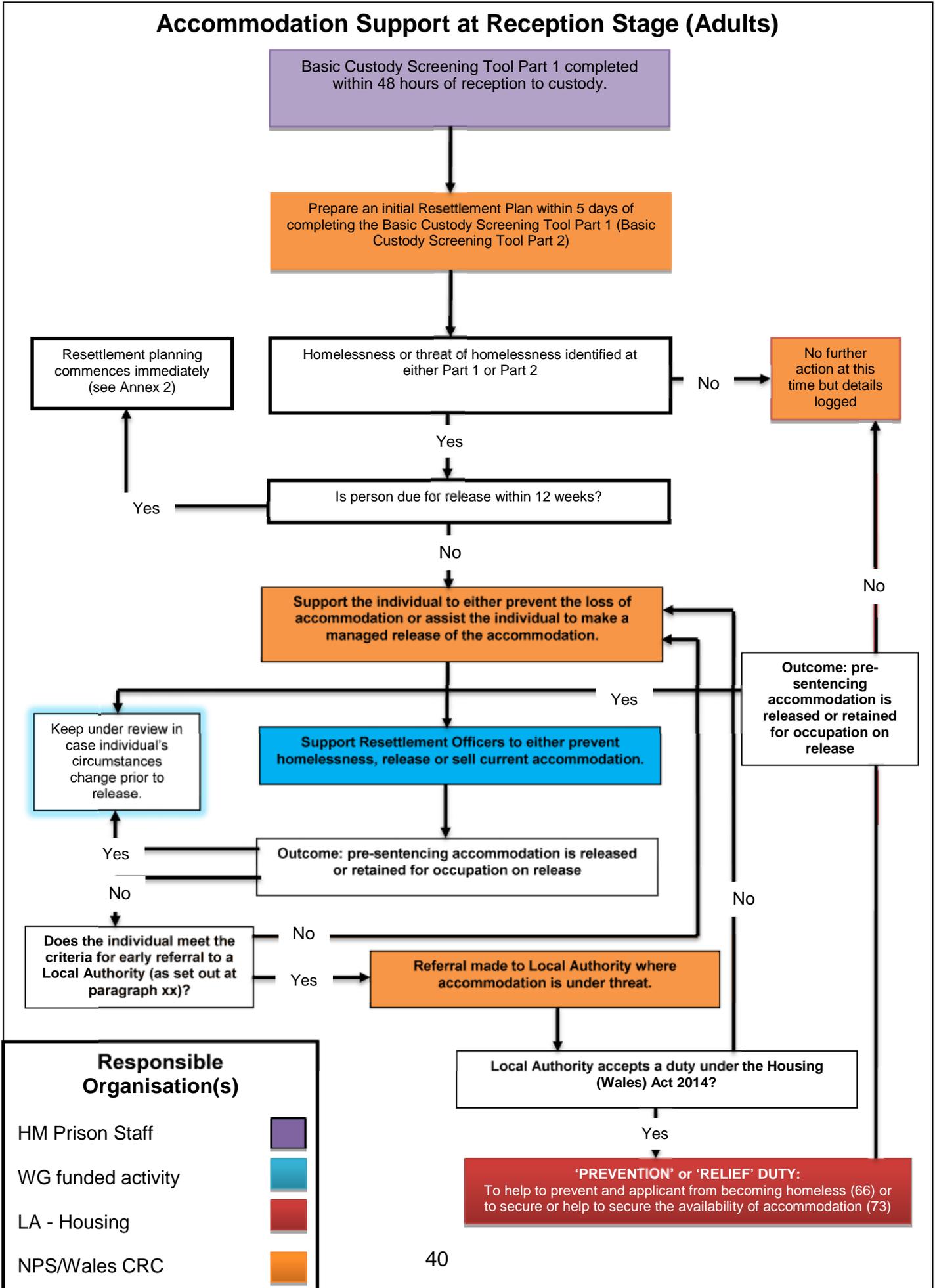
Applicants will be provided with:

- A named point of contact for housing matters.
- Detailed information on the support available to them.
- Frank and factual information on the likely housing supply situation post-release and the benefits of working with the Local Authority in advance of release.
- A confirmed resettlement plan, which will include help to secure accommodation upon release.
- Diagnosed conditions are taken into account when considering post-release services.
- A consistent evaluation of vulnerability and the opportunity to review if a prisoner's circumstances change.
- Wherever possible, the offer of accommodation to be available on release.
- Where necessary, additional resettlement support to be considered.
- An agreed means of travelling to the resettlement area and, if appropriate, to any relevant housing appointment.

An applicant will be required to:

- Co-operate with the relevant agencies in the setting of 'reasonable steps' to find suitable accommodation. This includes:
 - Be flexible in the setting of 'reasonable steps'.
 - Be open-minded to the possibility of receiving conditional support services post-release.
 - Be realistic in accepting accommodation which is suitable and available.
 - Understand and comply with any licensed conditions which may be imposed as part of the sentence.
 - Ensure any housing appointments are kept.
 - Notify their Offender Supervisor Manager of any proposed change of address.
- Engage in the undertaking of the actions involved in meeting the agreed 'reasonable steps'.

Accommodation Support at Reception Stage (Adults)



Responsible Organisation(s)

- HM Prison Staff
- WG funded activity
- LA - Housing
- NPS/Wales CRC

Legend for Responsible Organisation(s):

- HM Prison Staff
- WG funded activity
- LA - Housing
- NPS/Wales CRC

Accommodation Support at Resettlement Stage (Adults)

Approx 12 weeks prior to release, 'Resettlement Plan' reviewed to take account of individual's housing situation upon release.

Resettlement Plan identified either homelessness or threat of homelessness

No

Yes

Refer address to relevant Local Authority for assessment of suitability

Implement 'Resettlement Plan' (accommodation support included if necessary)

Accommodation issue resolved approx 66 days prior to release

Provide brief factual report on address given

Success: prisoner housed on release. Keep under review in case prisoner's circumstance change prior to release.

Address legitimate.

Refer to appropriate Local Authority for assessment using Housing Needs Form*

Complete Risk Assessment Form and forward to appropriate Local Authority*

Continue implementing 'Resettlement Plan'.

COMPLETE LOCAL AUTHORITY CORE ASSESSMENT*

Yes

Person is accepted as eligible for housing assistance under the Housing (Wales) Act 2014

Success: prisoner housed on release. Keep under review in case prisoner's circumstance change prior to release.

'PREVENTION' DUTY:
To help to prevent an applicant from becoming homeless (66)

'RELIEF' DUTY:
To secure or help to secure the availability of accommodation (73)**

Outcome of duty: accommodation will be or remain available for 6 months following release

Outcome of duty: accommodation will be or remain available for 6 months following release

No
Person meets the conditions for further support (see para xx)

No
Following inquiries, applicant is established as priority need and unintentional homeless**

Yes
Duty no longer applies

Yes
'FINAL' DUTY: Duty to secure accommodation (75)

Success: prisoner housed on release.

Confirm 'Resettlement Plan' 7 days prior to release

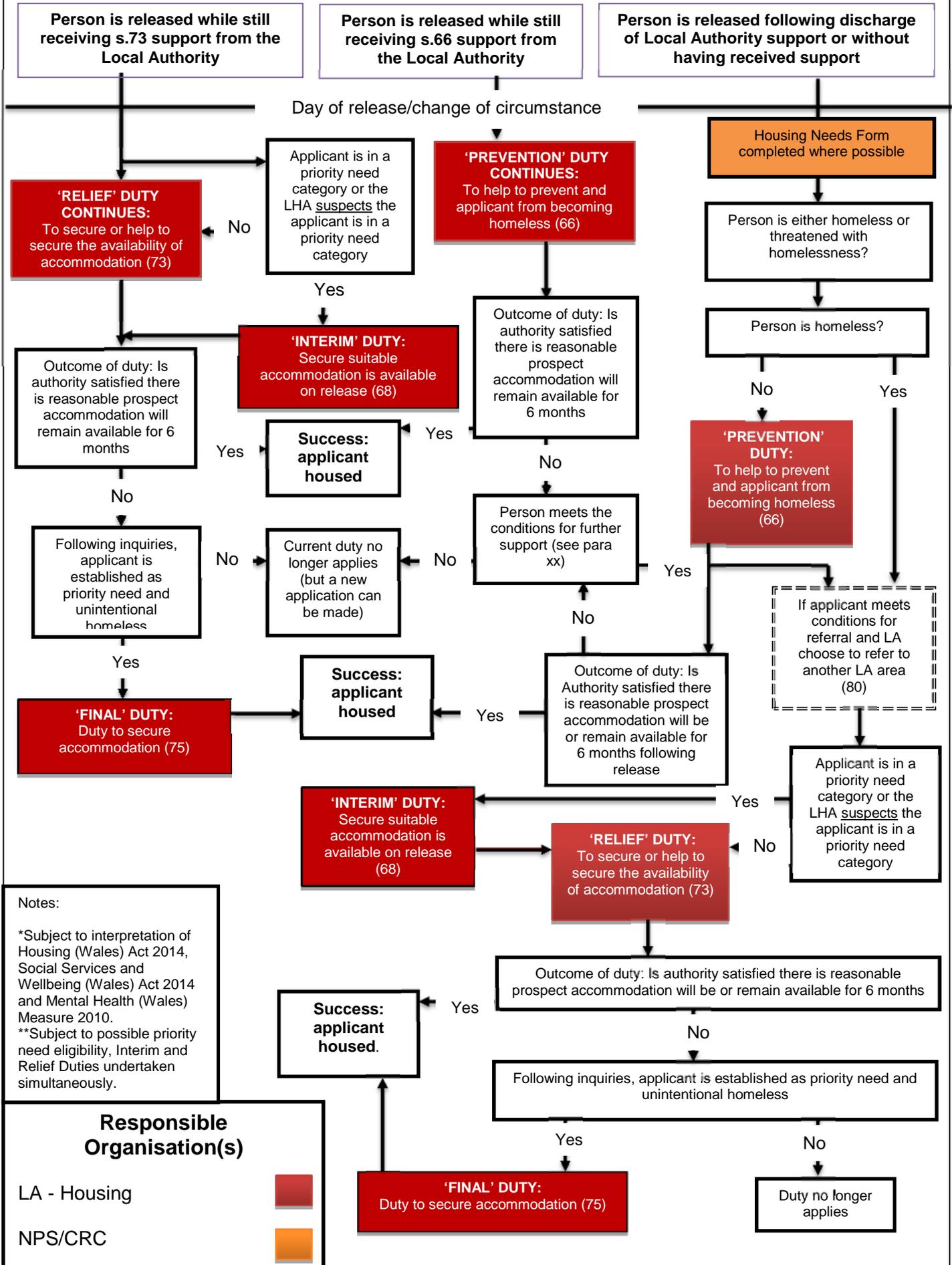
Person released

joyNotes:
*Subject to interpretation of Housing (Wales) Act 2014, Social Services and Wellbeing (Wales) Act 2014 and Mental Health (Wales) Measure 2010.

Responsible Organisation(s)

- Offender Manager
- LA - Corporate
- WG funded activity
- LA - Housing
- NPS/Wales CRC

Accommodation Support on Release (Adults)



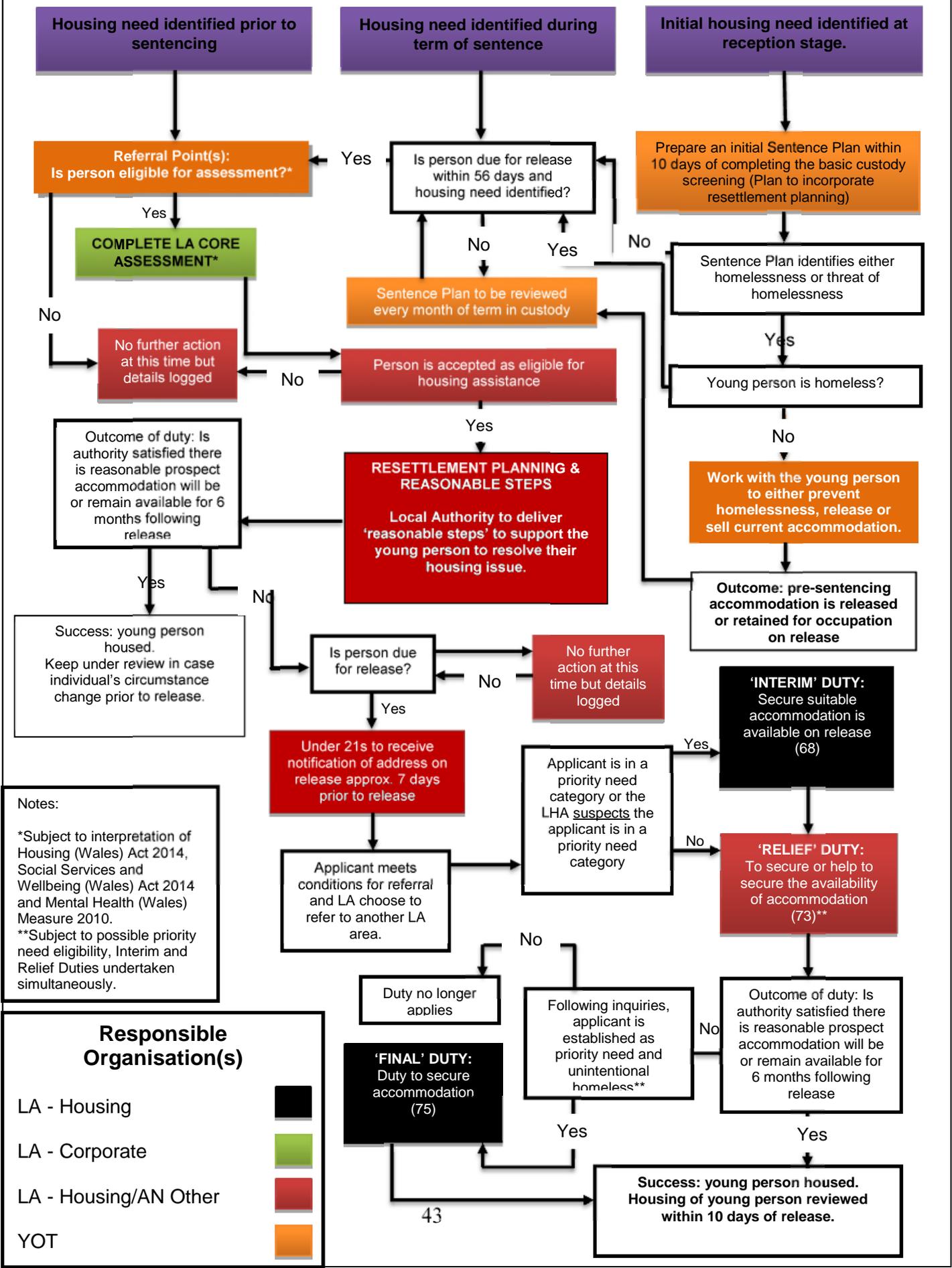
Notes:

- *Subject to interpretation of Housing (Wales) Act 2014, Social Services and Wellbeing (Wales) Act 2014 and Mental Health (Wales) Measure 2010.
- **Subject to possible priority need eligibility, Interim and Relief Duties undertaken simultaneously.

Responsible Organisation(s)

- LA - Housing
- NPS/CRC

Pathway for support for children and young people



Notes:
 *Subject to interpretation of Housing (Wales) Act 2014, Social Services and Wellbeing (Wales) Act 2014 and Mental Health (Wales) Measure 2010.
 **Subject to possible priority need eligibility, Interim and Relief Duties undertaken simultaneously.

Responsible Organisation(s)

- LA - Housing
- LA - Corporate
- LA - Housing/AN Other
- YOT

Wales Local Authority Housing Referral Form For Prison Leavers

DECLARATION

It is an offence for anyone seeking assistance to knowingly or recklessly give false information to the Authority or to knowingly withhold information, which the Authority has reasonably required to be given. A person found guilty of this offence is liable on summary conviction to a fine not exceeding level five on the standard scale.

I hereby declare that the information given on this form is true and accurate to the best of my knowledge and belief. I understand that the facts given are subject to verification and that any misrepresentation or false statement made now or subsequently may lead to criminal proceedings, disqualification from the Housing Register or, if re-housed, to forfeiture of my tenancy.

<p><i>Notice under the Data Protection Act 1998</i> Any information provided by third parties will be kept confidential and used only for the purposes of processing an application for rehousing, and checking the accuracy of details supplied by the applicant. The Council has a duty to detect and prevent fraud. The details you provide may be put on file or in the case of suspected fraud, passed to another Council Department or the Police.</p>
--

I understand that any information relating to this application for housing will be placed on the Authority's Housing Register and any participating agencies may see it.

Signature: **Date:**

SECTION A - YOUR PERSONAL DETAILS

Title: Nationality:

First Names: Surname:

Date of Birth: National Insurance No:

..... Prison Address:

.....

.....

Prison Number:

.....

Reception Date: Release Date:

Current Offence: Sentence:

Probation Officer & contact details:

.....

.....

Contact Telephone No:

.....

Correspondence Address:

.....

(if different from above)

.....

Which County are you applying to for housing?

.....

Are you or any of those who would normally be expected to reside with you subject to any form of immigration control?

YES / NO

If yes, please give details:

.....

...

.....

...

SECTION B – HOMELESSNESS

Please give details of where you lived immediately before your custody:

Address	Type of Accommodation	Name of Tenant/Owner	Their Relationship To You	How long had you been staying there?

SECTION C – LOCAL CONNECTION

Please list all of your previous addresses for the last 5 years, starting with your current address and working backwards

Address	From/To	Tenure – e.g. owner, tenant, family, friend, etc	Landlord's name and address	Reason for Leaving

Please give details of immediate relatives living in Borough (mother, father, brother, sister or independent children)

Name	Address	Relationship to You	Length of Residency

Please give details of location, size and type of accommodation you would be looking help to secure: (reasons why; family size, access, employment etc)

SECTION D – MEDICAL FACTORS

Do you suffer from a disability or long-term health problem? YES / NO

If so please give details:

Health Problems & Current Medication (if applicable)	Name & address of GP

SECTION E – SUPPORT NEEDS

Are you receiving or have you received any support whilst in prison?
YES / NO

Name of Support Agency	Contact Details at Agency	Reason for support

Would you like to be able to access support when you are released from prison?

YES / NO

Name of Support Agency	Type of support provided	Reason for support referral

SECTION F – EQUAL OPPORTUNITIES

The Local Authorities are committed to providing equal opportunities to all, regardless of race, colour, religion, gender or disability. In order for the Authorities to monitor equal opportunities it would be helpful if you could complete the following questions. Please note that you do not have to answer these questions.

Are you male or female? MALE / FEMALE

Are you or a member of your household registered disabled? YES / NO

How would you describe your ethnic origin?

- White British
- White Other
- Black British
- Black Caribbean
- Black African
- Black Other
- Asian British
- Indian
- Pakistani
- Bangladeshi
- European
- Chinese
- Mixed Race
- Traveller
- Other

What is your 1st language?

.....

DECLARATION

I hereby declare that the information given on this form is true and accurate to the best of my knowledge and belief. I understand that the facts given are subject to verification and that any misrepresentation or false statement made now or subsequently may lead to criminal proceedings, disqualification from the Housing Register or, if re-housed, to forfeiture of my tenancy.

Signed: Date:
.....

CONSENT TO SHARE INFORMATION

Do you consent to the information on this form being shared, at our discretion, with agencies, which will be concerned with providing you with services?

YES / NO

Signed:Date:

THIRD PARTY

If this form has been completed on your behalf by a third party please provide details:

Name: Organisation:

Contact details:

.....
.....
...

Signed:.....Date:

SECTION G – ADDITIONAL INFORMATION

Please use this page to continue previous questions or to tell us any additional information including any reasonable steps already taken with the applicant.

WALES HOUSING RISK ASSESSMENT FOR PRISON LEAVERS

Date received by OM: _____

Date forwarded by OM to local authority: _____

(Please ensure this form is completed and forwarded within 5 days of receipt)

Applicants Details

Applicants Name					
Applicants Aliases					
Applicants Address					
Telephone/Mobile Number					
Date of Birth		Gender		Ethnicity	

Please list the most recent previous convictions

Date	Offence Details

DATE OF RELEASE	
------------------------	--

Please list the most serious convictions in the applicants offending

Date	Offence Details

Has the applicant committed violent/sex offences or have a history or aggressive behaviour

	Type and Context of Risk
Current offending or behaviour	
Previous offending or behaviour	
No previous history	

	YES	NO
Is the applicant subject to MAPPA/MARAC procedures?		
Is the applicant a Schedule One offender?		
Is the applicant on the Sex Offender Register?		
Is the applicant subject of a SOPO?		
Is the applicant managed under IOM arrangements?		

Risk of serious harm to others

	Children	Public	Known Adult	Staff
Very High				
High				
Medium				
Low				

Amongst the public or known adults is there any specific risk to the following?

	Young Adults	Older People	Women	Any Minority Groups	Neighbours	Others
Very High						
High						
Medium						
Low						

Context of Risk Identified

Definitions of Risk of Harm

The level of risk of harm identified above are taken from OAsys (Offender Assessment System). The definitions of the levels are:

- **LOW** – No significant current indicators of harm
- **MEDIUM** – There are identifiable indicators of risk of harm. The offender has the potential to cause harm but is unlikely to do so unless there is a change in circumstances. For example, failure to take medication, loss of accommodation, relationship breakdown, drug or alcohol misuse.
- **HIGH** – There are identifiable indicators of risk of serious harm. The potential event could happen at any time and the impact would be serious.
- **VERY HIGH** – There is imminent risk of serious harm. The potential event is more likely than not to happen immediately and the impact would be serious.

Factors accentuating the risk of harm to others

	Context of Risk
Mental Health	
Drugs	
Alcohol	
Racist or other discriminatory behaviour	

Is the applicant a risk to her/himself?

	Nature of the Risk of Self Harm
YES	
NO	

Is the applicant a risk of abuse by others?

	Nature of the Risk of Abuse by Others
YES	
NO	

Current Concerns

	YES	NO
Risk of Suicide		
Risk of Self Harm		
Coping		
Vulnerability		
Control Issues		
Breach of Trust		

What risk management strategies are currently in place?

**What strategies do you propose to manage and reduce the risk if housed?
(Please include any geographical restrictions)**

How might provision or not of housing affect the risks identified to self or others?

What, if any, are the risks to self or others of housing this person in a shared or communal setting?

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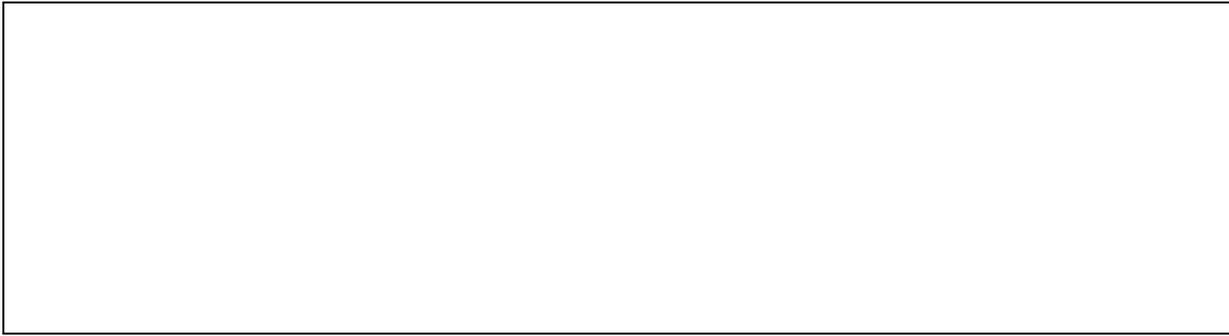
Tenancy Risk Factors

What is the risk of tenancy failure without housing support (assessed by previous failure)	
Assess the applicant's likelihood to co-operate with support	
Assess the risk of tenancy disturbance caused by associates of the applicant	
Assess the likelihood of anti-social behaviour by the applicant	

Please detail the risk and strategies/factors which may reduce risk in the boxes provided above

--

Please include in the box below any other risk factors which should be disclosed



Name of Probation Officer:

Signature of Probation Officer:

Probation Office:

Date: _____

PERSONAL HOUSING PLAN

We saw you today as you have a housing problem and wanted our help. We want to do everything we can to make sure you do not lose your home and this plan confirms the actions that we have agreed to help resolve your housing issue.

Please show this plan, if you wish to, to your relatives, friends, or any other agencies that may be supporting you so that they are aware of how we are trying to help you. If they know your problem and the actions we have suggested they might be able to help you resolve your housing problem.

Applicant(s)	
Reason for Homelessness	
Advice Given/Options Available	
Actions to be taken by Housing Officer:	
Actions to be taken by applicant(s)	

We will review this plan on the **/**/****

I confirm that this is an accurate summary of my interview and I understand the options available to me and any action I need to take

Signed: _____

—

Officer : _____

Date: _____

Response Form

Name:

Email:

Telephone:

Address:

Postcode:

Organisation
(if applicable)

Returning this form

The closing date for replies is **24 September 2015**

Please send this completed form to us by email to:

HomelessnessPathwayConsultation2015@wales.gsi.gov.uk

Or by post to:

Homelessness Policy Team

Housing Policy

Welsh Government

Rhydycar Business Park

Merthyr Tydfil

CF48 1UZ

If you are sending your response by email, please mark the subject of your e-mail **Homelessness Pathway**

Publication of responses

Responses to consultations may be made public – on the internet or in a report. Normally the name and address (or part of the address) of its author will be published along with the response, as this helps to show the consultation exercise was carried out properly.

If you would prefer your name and address not to be published, please tick here:	<input type="checkbox"/>	<input type="checkbox"/>
--	--------------------------	--------------------------

1. Is the process outlined in the Pathway clear for you to establish who is responsible for each stage?

Yes

No

If not, why not?

2. Does the process outlined in the Pathway adequately address the requirements of the Housing (Wales) Act 2014 and Offender Rehabilitation Act 2014?

Yes

No

If not, why not?

3. Does the Pathway adequately explain how organisations should work together to tackle homelessness for those due to leave the secure estate?

Yes

No

If not, why not?

4. Do you feel the Pathway could be strengthened or made easier to use? If so, please explain.

Yes

No

If yes, how?

5. Are there any other comments you would like to make about the Pathway?

Yes
No