



# HOMELESS VETERANS IN LONDON: INVESTIGATING HOUSING RESPONSIBILITIES

*Research Findings*  
*December 2016*

# EXECUTIVE SUMMARY

## Introduction

This report is the result of a collaboration between Professor Helen Carr and Dr Edward Kirton-Darling of Kent Law School, University of Kent (with research assistance by Maya Athanadou), and the London region of the Veterans Advisory and Pensions Committee. The report was written by Dr Kirton-Darling and Professor Carr.

## Objectives

The Kent Law School team conducted a comprehensive review of the law and policy relating to homeless veterans drawing on research into homelessness. In the light of this we analysed publicly available information on the websites of London's 33 local authorities, including public facing information pages and institutional and policy documents. Our purpose was to identify and critically reflect upon the legal and policy commitments towards veterans, and to evaluate local authority policies and the usefulness of information local authorities provide to veterans.

## The law

In summary the law imposes two responsibilities on local authorities towards homeless veterans, first through legal provisions dealing specifically with homelessness, and second through the allocation of social housing (governed by a local allocations policy and a national framework).

The homelessness duty is contained in legislation which imposes a duty on local authorities to help certain groups. Whether there is a duty owed towards veterans will depend on whether they can establish they are vulnerable as a result of their service. The meaning of vulnerability is derived from caselaw and in 2015 the Supreme Court reconsidered the meaning of vulnerability, criticised some previous decisions by lower courts, and introduced a new test which must be applied; whether the applicant is significantly more vulnerable than the ordinary person would be if they were made homeless.

Allocation of social housing is also provided for in legislation which gives considerable local discretion to local authorities, but also states preference must be given to veterans. Critically, under homelessness provisions successful applicants must be housed, whereas the allocation procedure provides applicants with a place on the housing list – which does not necessarily result in provision of a home. Across London, there are long waiting lists, and few homes available, so when they can, local authorities seek to refer applicants elsewhere under rules about local connection.

The local connection test arises in both homelessness and allocations cases. It permits local authorities to refuse housing to applicants who have a local connection to another area or lack a local connection to their area. In relation to allocations, there is a specific exception to the local connection rule for veterans, who cannot be refused entry to the housing list on this basis (ie, that they have a connection to another area) within 5 years of leaving the armed forces.

## Findings

In a challenging environment for housing in London, local authorities are required to weigh up competing demands for resources, and there is evidence that many are doing admirable work in relation to assisting former members of the armed services. However, there are ways they could improve their service, and this report sets out some recommendations which would improve service.

In relation to homelessness in general, there is a clear emphasis in policies and online materials on 1) managing the demand from homeless households through a focus upon prevention and early intervention; 2) seeking to increase the housing options available to people; and 3) delivering their responsibilities through partnership working. Across all London boroughs there is a recurring emphasis on “putting you in touch with the right people and services to help you.” This focus on prevention is likely to receive further emphasis as a result of a Bill currently passing through Parliament, which places further duties on local authorities in relation to prevention of homelessness. It requires, amongst other things, that local authorities must provide tailored information and advice for veterans (and so matches closely with some of the recommendations of this report).

Many boroughs acknowledge that leaving the armed forces is a significant cause of homelessness (with some citing local research which supports this). All have signed the Community Covenant, and many have evidently taken their responsibility to veterans seriously, with discussion in policy documents and widespread reference to veterans in allocations policies. There is also some discussion of preventative work in policy documents and in public facing materials, with examples of close working with voluntary sector organisations.

However, across the majority of boroughs, there is little explicit reference to duties owed to veterans in public information about homelessness duties. Even in the relatively few cases where boroughs do highlight vulnerability as a result of military service, there is generally poor explanation of what this means. These websites refer opaquely to a ‘particular legal test which the Courts have developed’ or ‘a specific legal test’ without explaining how this would be assessed, and none reflected the new definition provided by the Supreme Court. In addition, no website for any local borough provides information on what documents/evidence might be considered or might be helpful for an applicant to establish they are a veteran and are vulnerable as a result of their service. There is also no explicit acknowledgement of the fact that homeless veterans might establish a local connection through placement on a military base in a local authority area.

In relation to allocation, many (but not all) local authorities have amended their policies to provide greater preference for armed forces, with some going beyond the statutory requirements. Additionally, changed rules on local connection in relation to allocation are generally set out in detail in allocation policies across London boroughs, but not all, and there are suggestions that few veterans are housed as a result of allocation of social housing.

## Examples of good and poor practice

There are a series of examples of best practice, which we set out in further detail in the full report.

For example, there is an explicit acknowledgement of homeless duties owed to veterans on 9 of the 33 local authority websites. Lewisham and Redbridge state in public policies how many veterans were housed under the homelessness duties. Richmond specifically state that it would not generally be appropriate to place veterans in the private rented sector using their powers to offer this option, which means that veterans will generally be granted a more secure tenancy in social housing. Wandsworth suggests applicants tell the housing officer if they formerly served in the armed forces.

There are also examples of less good practice. In relation to the information and advice on their websites, all London local authorities could improve their service to homeless veterans. The allocations policies of Barnet, and, to a lesser extent, Kensington & Chelsea, do not comply with the law in relation to veterans. Some local authorities, particularly Islington, Waltham Forest and Kensington & Chelsea, have online assessment tools which incorrectly inform potential veteran applicants that they would automatically be ineligible to join the housing register. These local authorities should urgently review these systems and policies, and amend them so that they do not exclude former members of the armed services before they have had a chance to apply for housing.

## General recommendations

Our recommendations are directed at three levels; local authority, London-wide and at a national level. On a borough level, we consider that if veterans are to be treated fairly, it is important to provide accurate, clear and detailed public information about their rights. We therefore recommend all London Boroughs reflect on the findings of this report, and we specifically recommend:

- Every local authority should appoint and publicly announce an Armed Forces Champion and we encourage Champions to follow up on this report.
- All local authorities should improve the information they provide online; they should tell veterans they may be in priority need, they should clearly inform applicants that if they have served in the armed forces they should include this information in their application, and they should provide clear information to applicants about what documents to bring with them when making an application.
- All local authorities should ensure that those making decisions in relation to applications should ask applicants if they have a Service history and this should be recorded. Furthermore, they should not penalise applicants who are able to explain why they are vulnerable, have some knowledge of the test or have sought help. They should also ensure that decision makers know how to check for service records and are aware of the up to date law, including the changes in relation to vulnerability and local connection, and do not rely on the outdated national Code of Guidance in these areas.
- All local authorities should consider how to provide improved signposting to third sector sources of support for veterans as part of their online public facing homelessness information.
- All local authorities should review their homelessness strategies, including specific consideration of homelessness amongst veterans, and – reflecting on the practice of other authorities – should consider how they could improve the discharge of their homelessness duties towards veterans.

- All local authorities should review their online systems to ensure that they are fit for purpose and applicants to join the housing register are not given incorrect information at a pre-application stage. Additionally, all local authorities are encouraged to consider whether there are other ways they can offer assistance to veterans in their allocations policy, drawing on best practice from other local authorities.

The Mayor of London has an opportunity to help local authorities across London by coordinating responses to homeless veterans. We recommend the Mayor appoint and publicly announce an Armed Forces Champion, and that the Mayor's office explore ways to assist London local authorities, working with London Councils, including in relation to helping develop a lawful and coherent approach to be taken in relation to the test of vulnerability. We also recommend the Mayor's office and London Councils could help improve coordinate improvements in consistency of data collection, and could examine whether other cross-boundary strategic approaches could improve services for homeless veterans, including the creation of specialist London-wide Armed Forces Housing Officers.

At a national level, the law in relation to homeless veterans is too complex and does not work. This is the responsibility of national government. We therefore recommend that the government (1) consider whether the test of vulnerability is fit for purpose and can be properly applied by local authorities, with the objective of removing the test or reducing the complexity of this test for local authority decision makers (which might include consideration of adopting the approach taken to veterans and vulnerability in Wales), and (2) update the Homelessness Code of Guidance (last updated in 2006 and now unreliable and inaccurate in relation to the law).

We recommend that further research is required to examine how local authorities assess vulnerability of veterans in practice, and to establish how veterans are identified and defined. We set out some questions for further research at the end of the report.

# 1 INTRODUCTION

This report investigates the responses of London local authorities to homeless former members of the armed services. It builds upon and responds to the extensive investigation into the housing and support needs of single veterans funded by Riverside and Stoll and undertaken by the University of York's Centre for Housing Policy (hereafter, the York report). The York report identified that 'there is a lack of research into the discharge and interpretation of local authorities' obligations under the Armed Forces Act 2011 and homelessness legislation (Jones et al 2014, xvii), and that the extent to which the rules are 'consistently applied remains unknown' (Jones et al 2014, 17).

In relation to homelessness, local authority obligations may arise if a veteran can establish they are vulnerable as a result of their service. Following the publication of the York report in 2014, a decision of the Supreme Court in 2015 set out a new legal test for local authorities to follow in relation to the test of vulnerability. The Court was critical of the ways in which local authorities make decisions about homelessness. However it is not surprising that local authorities find vulnerability a difficult legal concept as this is a complex and often misunderstood area of law (see, for example, the recent report by the Communities and Local Government Committee<sup>1</sup> in August 2016 which cites old caselaw and does not discuss the 2015 Supreme Court decision on vulnerability, and the discussion of the law in Lord Ashcroft's Transition Review, which inaccurately states that priority need is not defined in legislation and states that caselaw gives general guidance about categories in priority need<sup>2</sup>).

Our research is founded on 2 key principles. Legislation has included veterans in classes of applicant given priority in relation to the discharge of homelessness and allocations duties by local authorities. There is also a considerable amount of 3rd sector support available for homeless veterans. Our central guiding principle is that there should be no informational or practical barriers to veterans in taking advantage of all or any of these opportunities. In addition, an increase in the availability of research and information will assist local authorities in taking a strategic and collaborative approach.

We have therefore reviewed the provision of information by local authorities, and have identified examples of best practice and instances where improvements could be made. Our research also identified that some local authorities have exercised their discretion to give additional assistance to homeless veterans, and we have sought to highlight these examples. In addition, in response to Lord Ashcroft's request for more information about the allocation of social housing (see Ashcroft 2014, 20-21), we have collated London allocation policies and include this list in Appendix 2.

This research does not seek to address the question of the number of homeless ex-service personnel in London (see Jones et al 2014, xviii; Milroy 2009, 332). We also do not focus on the contentious debate about the links between homelessness, vulnerability and service in the armed forces.<sup>3</sup> Furthermore, this research does not seek to argue for generic provision over specific provision, or vice versa.<sup>4</sup> Legislation has linked service in the armed forces with homelessness and vulnerability and has also encouraged local authorities to provide additional priority to the armed forces when allocating properties, and we take these legal requirements as the basis for our analysis. We have also identified questions requiring further research.

The report is split into three parts: an introduction; a discussion of the law on homelessness and allocations and the wider context; and a discussion of our findings and recommendations.

In relation to terminology, as Dandeker et al (2006) note, there is debate about the definition of 'veteran'. In the UK, veteran is broadly defined as anyone who has served in the armed forces. This report accepts this definition and veteran, ex-service personnel and former member of the armed forces are used interchangeably. In addition, for convenience, rather than referring to the full titles of the local authorities we discuss, we refer to the geographic area alone (thus we refer, for example, to the Royal Borough of Greenwich as Greenwich and the London Borough of Hillingdon as Hillingdon). We also refer colloquially for convenience to the 33 local authorities in London as London boroughs, recognising that the City of London is not a London borough.

*All hyperlinks were up to date as of the date of publication of this report. If you wish to access these materials, please access our report online at [www.kent.ac.uk/law/research/homelessveterans.html](http://www.kent.ac.uk/law/research/homelessveterans.html)*

1 Communities and Local Government Committee, Homelessness, Third Report of Session 2016-17, HC 40, 18 July 2016, at para 38

2 See Ashcroft 2014, page 86

3 But we note recent research by SSAFA (2016) on some of the issues faced by some veterans on discharge from service.

4 Research has found that many veterans prefer specific provision while others have more negative associations with their time in service and may prefer generic provision, see Johnson et al 2008; Walker 2012. The York report concludes that research suggests that 'dedicated veteran services provide better access to support than generic services and that some veterans prefer to use dedicated services' (Jones et al 2014, 20).

# 2 THE LAW AND WIDER CONTEXT

## The law: homelessness

Under the Housing Act 1996 local authorities have duties to provide accommodation (or assistance to obtain accommodation) to some homeless households. In order for this duty to arise, an applicant must satisfy a series of tests; they must be homeless, they must not be subject to immigration control, and they must have not made themselves homeless intentionally.<sup>5</sup> In addition, they must fall into a category of priority need, which includes pregnant women, people with dependent children, and 'a person who is vulnerable as a result of old age, mental illness or handicap or physical disability or other special reason'.<sup>6</sup> Where the local authority has reason to believe an applicant is homeless, they have a responsibility to inquire whether any duties are owed to them.<sup>7</sup> If an applicant successfully establishes they are owed the full duty, the local authority can decide to house them in the private rented sector.<sup>8</sup>

In 2002, new categories of priority need were created, including those who were vulnerable because of their 'institutional background' – a category which includes former looked after children, former prisoners, and critically for our purposes,

'A person who is vulnerable as a result of having been a member of Her Majesty's regular naval, military or air forces.'<sup>9</sup>

There are no reported cases in which this paragraph has been directly considered by the courts, but a series of cases have considered the meaning of 'vulnerable'. As testing an applicant's vulnerability requires that the decision maker has someone less vulnerable to compare it to, a key question has been who the correct comparator is – what, for the purposes of the duty, should be the nominal standard which the local authority can use to gauge the individual's vulnerability? Until May 2015 the courts held that test was whether an applicant was significantly more vulnerable than the ordinary homeless person; a high threshold to meet, given evidence about high levels of vulnerability amongst the homeless population.<sup>10</sup> In addition, the courts instructed local authorities to consider whether the applicant would be less able to fend for his or herself so that injury or detriment will result, when a less vulnerable person would be able to cope without harmful effects.<sup>11</sup>

Arguably this approach to the legal requirements was disadvantageous to veterans who, due to their training, can be considered to be more able to cope with living on the streets. The tests are reflected in Guidance issued by the Secretary of State which local authorities are required to have regard to when making decisions. The current code of guidance is the Homelessness Code of Guidance for Local Authorities, which was last updated in July 2006 (hereafter the Code of Guidance).<sup>12</sup>

In May 2015, in a significant shift, the Supreme Court reconsidered the legal test of vulnerability, and cast doubt on the lawfulness of some common approaches to the test.

### The Supreme Court decision in Hotak

In *Hotak*,<sup>13</sup> the Supreme Court considered the cases of three individuals who had unsuccessfully claimed to be in priority need because of their vulnerability. The Court held unanimously that the previous authorities had to be treated with caution.<sup>14</sup> The Court noted that anyone who was made homeless would suffer harm, and the correct approach is to ask whether the applicant would be significantly more vulnerable than the ordinary person who is in need of accommodation as a result of being rendered homeless. As Baroness Hale held

The comparison is with ordinary people, not ordinary homeless people, still less ordinary street homeless people. And it is ordinary people generally, not ordinary people in this locality.<sup>15</sup>

The decision clarified previous authority<sup>16</sup> which had been interpreted to mean that the applicant must be more vulnerable than the ordinary street homeless person. The court also criticised the use of the term 'street homeless' stating that it is dangerous to use this term instead of the language in the statute, which does not narrow 'homelessness' down to the (undefined term) 'street homeless'. The effect of this change is that it ought to be easier, post-*Hotak*, for applicants to establish they are vulnerable, and thus in priority need, although they will still have to demonstrate that they are 'significantly' more vulnerable than the ordinary person would be.

5 See Pt VII Housing Act 1996

6 S.189(1)(c) Housing Act 1996

7 s.184 Housing Act 1996

8 S.193 Housing Act 1996, as amended by the Localism Act 2011

9 R.5(2) Homelessness (Priority Need for Accommodation) (England) Order 2002/2051

10 See *Tetteh v Kingston on Thames Royal London Borough Council* [2005] HLR 313

11 *Ex p Bowers* [1983] QB 238

12 S.182 Housing Act 1996. Code of Guidance available at [www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/7841/152056.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/7841/152056.pdf) (last accessed 7 October 2016)

13 *Hotak v London Borough of Southwark*; *Kanu v London Borough of Southwark*; *Johnson v Solihull Metropolitan Borough Council* [2015] UKSC 30

14 *Hotak*, para 49

15 *Hotak*, para 93

16 *R v Camden London Borough Council, Ex p Pereira* (1998) 31 HLR 317

## 2 THE LAW AND WIDER CONTEXT (CONT)

As well as dealing with this particular point, the Court also set out some general points intended to provide guidance for housing officers. This includes the direction that local authorities cannot take their own resources into account when determining the vulnerability of an applicant and a strong steer that it is 'very dangerous' to use statistics in identifying whether the particular applicant is more vulnerable than average.<sup>17</sup>

Some of this guidance has particular importance for homeless veteran applicants. Most obviously, given the evidence that their training means that ex-service personnel are often more capable of dealing with the challenges of rough sleeping than the average person (see, for example, Johnson, Jones & Rugg 2008), the Court emphasised that the test is not whether the applicant is able to fend for themselves. Noting the 'obvious dangers' of inappropriately supplanting the test in the legislation, the Court noted that 'a person may be vulnerable even though he can fend for himself'.<sup>18</sup>

The assessment of vulnerability is not a stand-alone test of whether the applicant is vulnerable, but is rather an assessment of whether they will be vulnerable if they are not provided with accommodation. The Court therefore made it clear that housing officers are not assessing whether the applicant needs the kind of care and attention that may be provided for in other legislation, but should focus on the 'provision of bricks and mortar'.<sup>19</sup>

In assessing whether the applicant will be vulnerable if they are not provided with bricks and mortar, the Court stated that housing officers should focus on the applicant's particular characteristics and situation in the round rather than dissecting the applicant's situation into discrete categories.<sup>20</sup> This rejection of isolated factors in favour of a contextual approach to the applicant reflects research which highlights the complex interplay of interlinking factors which can contribute to vulnerability in former service personnel (Gee 2013). Similarly, Hugh Milroy, Chief Executive of Veterans Aid, critiques a 'partial' approach to understanding homelessness amongst veterans with focus on 'military-related factors', and instead advocates a 'comprehensive evaluation' focused on 'an understanding of family, childhood, adolescent and community factors in addition to the military experience of the individual' (Milroy 2009, 332).

However, because the law explicitly links vulnerability with former military service, it creates an obligation on local authorities to identify whether an individual's vulnerability is linked to service; to examine how their time in service would affect an individual if they were homeless and whether their time in service would make them more vulnerable than the ordinary individual if they were made homeless. Local authorities have therefore sometimes adopted a two stage test; exploring whether an individual was vulnerable, and then identifying the cause of that vulnerability. Critically, the court suggested that this was not the right approach. Instead the court acknowledged that 'in many cases there will be a mixture of reasons as to why an applicant is said to be vulnerable'<sup>21</sup> and suggested a single, composite test would be more practical in such cases.

The implication of this for determination of vulnerability of ex-service personnel is that it appears that the Supreme Court is directing local authorities away from an exhaustive dissection of problems and the attribution of causal links to those problems. Previous research has found that the vulnerability of homeless veterans could be derived from 4 different sources: those with pre-existing vulnerabilities; those who experienced difficulties whilst in the armed services; those who had a successful armed forces career but suffered problems on leaving the service; and those who had difficulties linked to unrelated subsequent trauma (Johnson, Jones & Rugg 2008). Rather than undertaking such an analysis however, the judgment suggests that local authorities should recognise the interrelationships between problems experienced by the applicant and a possible range of linked causes of vulnerability. In such cases, the implication of the decision is that decision makers should seek to establish whether the applicant is vulnerable and whether that vulnerability is a result of service – critically, whether their time in service would make an individual significantly more vulnerable than an ordinary person if they were made homeless. In such a case, even if the applicant's vulnerability could be said to have been potentially also caused or exacerbated by pre-existing and/or post-service factors, the applicant will still be in priority need.

These are clearly complex decisions, and the law presents housing officers with a daunting task to properly interpret the duty placed upon them, as well as requiring (in all likelihood) a detailed fact finding exercise. The task is not made easier by some of the assumptions linked to service. One example is an assumption founded in the

17 Hotak, para 39 (resources) and 43 (statistics), in which the court approvingly quoted an earlier judgment about vulnerability linked to suicide risk in which the court held that a statistical analysis 'It might show only that a disproportionate number of people with the kind of history or personality that renders them specially liable to attempt suicide tend to be made homeless. The fact that there might be disproportionately many such people in the homeless population would not in itself mean that they were any the less vulnerable within the meaning of section 189 (1)(c) – any more than it would if there were a disproportionately large number of homeless people suffering from severe mental illness. The question of who constitutes the 'ordinary homeless person' ... cannot be answered purely statistically.'

18 Hotak, para. 40 & 41

19 Hotak, para 37

20 Hotak, para 38

21 Hotak, para 46

legislation itself, that of 'institutionalisation.' Bergman, Burdett & Greenberg (2014) critique the common conception that veterans are unable to adapt to civilian life due to lengthy institutionalisation in the forces, noting that in fact, early service leavers have the most difficult transition into civilian life. This is reiterated in Lord Ashcroft's Veterans Transition Review, with a finding that early service leavers are 'the most vulnerable of all Service leavers' and are most likely to be homeless (Ashcroft 2014). However, the extent to which assumptions about institutionalisation translate into practice is currently unclear, and requires further research.

One key issue in *Hotak* was the impact of third party assistance on vulnerability. The question for the court was whether support provided by a third party to an otherwise vulnerable individual could mean that individual was no longer vulnerable for the purposes of the test. The court split on this point, with the majority holding that it was a question of fact in an individual case – it would need to be shown that the support was provided on a consistent and predictable basis and even with such support the individual could still be vulnerable. The impact of this aspect of the decision has not yet been the subject of empirical research, and in the context of veterans, such research would need to examine the role of the charitable sector (discussed further below).

In conclusion, the judgment in *Hotak*, and the additional guidance given by the Supreme Court suggest that it may now be easier for veterans to establish they are in priority need, but further research on the application of the test in practice is needed.

### The approach in Wales

As a comparator the Welsh approach to homeless veterans is provided for in the Housing (Wales) Act 2014, which states that former regular members of the armed services will be in priority need if they are homeless, and have been homeless since they left the armed forces.<sup>22</sup> There is therefore no vulnerability test to be applied, and the (far simpler) key question a decision maker needs to establish is whether the veteran has been homeless since leaving the Armed Forces. Further guidance on this is given in the Welsh Code of Guidance (2016, para 16.57-63), which states that this means that the applicant has failed to secure suitable permanent accommodation – including situations where the applicant has failed to secure a tenancy or permanent accommodation with family or friends.

### The Code of Guidance

The Code of Guidance provides local authorities with specific information about its duties towards veterans.<sup>23</sup> It includes example copies of documents which may be given to HM forces personnel towards the end of their service.<sup>24</sup> It also provides that 10.23. In considering whether former members of the armed forces are vulnerable (as set out in paragraph 10.13 above) as a result of their time spent in the forces, a housing authority may wish to take into account the following factors:

- i) the length of time the applicant spent in the armed forces (although authorities should not assume that vulnerability could not occur as a result of a short period of service);
- ii) the type of service the applicant was engaged in (those on active service may find it more difficult to cope with civilian life);
- iii) whether the applicant spent any time in a military hospital (this could be an indicator of a serious health problem or of post-traumatic stress);
- iv) whether HM Forces' medical and welfare advisers have judged an individual to be particularly vulnerable in their view and have issued a Medical History Release Form (F Med 133) giving a summary of the circumstances causing that vulnerability;
- v) the length of time since the applicant left the armed forces, and whether he or she had been able to obtain and/or maintain accommodation during that time;
- vi) whether the applicant has any existing support networks, particularly by way of family or friends.

While this list of factors is helpful, as noted above, the Code of Guidance (2006) does not reflect the latest decisions by the Courts and so inaccurately states the law on the definition of vulnerability. It also implies, through its rebuttal in para 10.23(i) that an applicant is more likely to be vulnerable if they have served a longer period in the armed forces – an assumption which, as noted above, does not fit with the evidence about Early Service Leavers. Finally, it does not tell decision makers how to check service history in relation to an individual applicant (a service provided by Veterans UK).

<sup>22</sup> S.70(1)(i) Housing (Wales) Act 2014

<sup>23</sup> Para 10.21-10.23, Code of Guidance 2006

<sup>24</sup> Including the Certificate of Cessation of Entitlement to Occupy Service Living Accommodation, see Code of Guidance, Annex 14 & 15

## 2 THE LAW AND WIDER CONTEXT (CONT)

### Homelessness & local connection

The legislation provides that, if an applicant has no connections in the area they are applying, but they do have a connection (known as a 'local connection') to another local authority, the local authority receiving the application is permitted to refer them back to that other authority.<sup>25</sup> It does not, as is often mistakenly stated, mean that an individual must have a local connection with a particular area if they are to make an application there. A local connection can be established through residence, work or family connections, and prior to 1 December 2008, members of the armed forces who served on a base in an area could not claim a local connection to that area. This rule was abolished on 1 December 2008,<sup>26</sup> and subsequent applications from members of the armed forces should not be refused on this basis, but the Code of Guidance (2006) pre-dates this change and is therefore inaccurate.

#### Recommendations:

- All local authorities should ensure decision makers are aware that the Code of Guidance is incorrect in relation to local connection and veterans.
- National Government should issue a revised Code of Guidance to take into account changes in the law since 2006 and to better reflect research about vulnerability linked to service.

### Homelessness reviews and strategies

Under the Homelessness Act 2002, local authorities are required to carry out a review of homelessness in their area. Following this review, they must formulate a homelessness strategy aimed at preventing homelessness in their district and ensuring there is support for those who do become homeless.<sup>27</sup> The legislation requires that a new strategy must be published at least every 5 years, beginning with the date of the previous strategy, and that local authorities must take this strategy into account when exercising their functions. The Code of Guidance recommends that armed forces records might be a useful source of information in the review, and states that local authorities should be encouraged to work across boundaries, and in London, with the Greater London Authority.<sup>28</sup>

### Duty to provide information

The legislation requires that every local authority should 'secure that advice and information about homelessness, and the prevention of homelessness, is available free of charge to any person in their district'<sup>29</sup> but does not specify what methods should be used to provide this information and advice. The Code of Guidance states that 'The provision of comprehensive advice will play an important part in delivering the housing authority's strategy for preventing homelessness in their district' and that the provision of advice and information 'will need to be wide-ranging and comprehensive in its coverage.'<sup>30</sup> Whilst there is no specific reference to online information, there has been an exponential development in online information since the Act in 1996 and the Code of Guidance in 2006, and 82% of the UK population use the internet daily (compared to 35% in 2006, according to the Office for National Statistics). While the figure is likely to be lower for the homeless, who can face specific barriers accessing the web, there is research to suggest that homeless individuals – particularly younger homeless persons – do access online services, and the growth and decreasing cost of mobile internet access is likely to make the internet available to increasing numbers of the homeless.<sup>31</sup>

This research has been undertaken on the basis that, whilst it should not be the sole source of information, the first port of call for the provision of free information by a local authority is now likely to be their website. Therefore, local authorities have a responsibility to provide wide-ranging, comprehensive and tailored online information in relation to preventing homelessness, which by necessity should include information about the duties local authorities owe to certain groups of homeless individuals including veterans. This responsibility will be enhanced if the Homelessness Reduction Bill 2016 becomes law.

### The Homelessness Reduction Bill

Introduced on 21 October 2016, and given a second reading on 28 October, the Homelessness Reduction Bill was going through Parliament at the date of publication of this report. Uniquely, while it is a private members bill, it is the product of a Select Committee report on homelessness,<sup>32</sup> and the Select Committee scrutinised a draft of it and produced further recommendations.<sup>33</sup> Some individuals in local

22 S.70(1)(i) Housing (Wales) Act 2014

23 Para 10.21-10.23, Code of Guidance 2006

24 Including the Certificate of Cessation of Entitlement to Occupy Service Living Accommodation, see Code of Guidance, Annex 14 & 15

25 S.199

26 Housing and Regeneration Act 2008 c. 17 Sch.16 para.1

27 Ss. 1-3 Homelessness Act 2002

28 Code of Guidance, para 1.3

29 S.179 Housing Act 1996

30 See para 2.09-2.10 Code of Guidance 2006.

31 See amongst other research, Anderson & Whalley 2015; Rice & Barman Adhikari 2014.

32 Communities and Local Government Committee, Homelessness, Third Report of Session 2016-17, HC 40, 18 July 2016

33 Communities and Local Government Committee, The draft Homelessness Reduction Bill, Fifth Report of Session 2016-17, HC 635, 14 October 2016

authorities have expressed concerns about the additional burdens it will place on them,<sup>34</sup> but it is widely supported by homelessness charities,<sup>35</sup> and the Government have undertaken to support it, including a commitment that new money will be available to local authorities to fund the additional costs which the Bill will produce.<sup>36</sup>

The Bill focuses on prevention of homelessness. At second reading in the House of Commons, it provided for an extension of duties on local authorities to respond to cases of threatened homelessness, and created a duty on local authorities to make personalised plans for all eligible individuals threatened with homelessness, whether or not they are in priority need. It also amends the law in relation to advisory services, providing that the duty to provide information and advice must be tailored to meet the needs of persons in the authority's district. This section states that this information must be particularly designed to meet the needs of specific groups, including former members of the armed services. As such, the recommendations in this report – which also seek to encourage the provision of information and advice to former armed services personnel – complement the Bill. The proposed expansion of advice services irrespective of vulnerability, with a particular focus on former members of HM forces, also complements the criticism of the complexity of the vulnerability test in this report.

The Bill also creates the power for the Secretary of State to issue Codes of Practice, which will make provision about the ways in which functions ought to be carried out by a local authority, and set out requirements in relation to training and monitoring. The Government have committed to 'working together on any guidance and codes of practice that will be required to sit alongside the new legislation'<sup>37</sup> but draft Codes were not available at the time of writing this report, and it is not clear whether this will include updating the 2006 Code of Guidance.

#### Recommendation:

- We recommend, if enacted, the Codes of Practice envisaged by the Homelessness Reduction Bill include specific provision for former members of the armed services; to include ensuring that they are asked about their service upon presentation at a local authority.

## The law: allocations

Local authorities are required to have a published allocations scheme, and to allocate properties according to that scheme. Such allocation schemes must give preference (known as 'reasonable preference') to particular applicants, including homeless people.<sup>38</sup> In 2012, the law was amended to improve the status of veterans.<sup>39</sup> The law now requires that if a person is homeless or falls into another of the categories of reasonable preference, local authorities must boost their application by also giving them additional preference, if that applicant has urgent housing needs and–

- is serving in the regular forces and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's service,
- formerly served in the regular forces,
- has recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of that person's spouse or civil partner who has served in the regular forces and whose death was attributable (wholly or partly) to that service, or
- is serving or has served in the reserve forces and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's service.

However, there is no definition in the regulations of the meaning of 'urgent need' or 'additional preference'.

Local authorities are allowed to determine their own priorities in allocating housing accommodation to people who fall within the preferential categories, and are permitted to take into account the applicant's financial resources, their behaviour (or that of a member of their household) which affects his suitability to be a tenant; and any local connection which exists between a person and the authority's district.

34 See, for example, the response by the Association of Housing Advice Services

35 See for example Crisis and Shelter

36 See statement by Marcus Jones, Parliamentary Under-Secretary of State for Communities and Local Government, Hansard, 28 October 2016, Vol 616, Col 606, <https://hansard.parliament.uk/commons/2016-10-28/debates/D25DDE1B-CE4D-4887-A9DD-A45F8D3890D6/HomelessnessReductionBill>

37 See statement by Marcus Jones, Parliamentary Under-Secretary of State for Communities and Local Government, Hansard, 28 October 2016, Vol 616, Col 606, <https://hansard.parliament.uk/commons/2016-10-28/debates/D25DDE1B-CE4D-4887-A9DD-A45F8D3890D6/HomelessnessReductionBill>

38 S.166A Housing Act 1996, s.1(3) states that the scheme shall be framed so as to secure that reasonable preference is given to— a) people who are homeless (within the meaning of Part 7); (b) people who are owed a duty by any local housing authority under section 190(2), 193(2) or 195(2) (or under section 65(2) or 68(2) of the Housing Act 1985) or who are occupying accommodation secured by any such authority under section 192(3); (c) people occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions; (d) people who need to move on medical or welfare grounds (including any grounds relating to a disability); and (e) people who need to move to a particular locality in the district of the authority, where failure to meet that need would cause hardship (to themselves or to others).

39 Housing Act 1996 (Additional Preference for Armed Forces) (England) Regulations 2012/2989 reg.2(b)

## 2 THE LAW AND WIDER CONTEXT (CONT)

In addition, another change in the law in 2012 provided that local authorities would no longer be allowed to exclude an individual from applying for housing on the basis that they had no local connection with the local area, if the applicant is a serving or former serving member of the armed forces (within 5 years); if they are an Armed forces widow(er) or if they are disabled as a result of their service.<sup>40</sup> As with their homelessness duties, local authorities are required to make information and advice about the right to make an application freely available.<sup>41</sup>

### Context

This section of the report sets out some context in relation to the military covenant, national and charitable support which is available to homeless veterans, and research on homelessness in relation to veterans and generally.

### The Military Covenant

The Armed Forces Covenant is a pledge by the Nation to the armed forces with two chief elements: that those in service will not suffer any disadvantage as a result of their service, and that special provision for some former members of the armed services or dependents is justified (including those who have been wounded or bereaved as a result of service). To supplement the national covenant, the Government has encouraged other organisations to sign up to a local Covenant for Communities setting out the ways in which they will work to further the principles of the Armed Forces Covenant. This can include appointing an Armed Forces Champion, who is responsible for overseeing the implementation of the covenant.<sup>42</sup>

There is a London-wide agreement, signed by the then Mayor and Chair of the Assembly on 25 June 2012, and individual local authorities have also been encouraged to sign their own covenant. All London boroughs have signed a covenant, and many have encouraged others in the voluntary sector and business community to also sign up.

### Ministry of Defence housing support

The MoD operates a Joint Service Housing Advice Office<sup>43</sup> to provide information to service personnel on housing. It provides briefings on civilian housing for those in service and operates a scheme to assist service leavers (within the first 6 months of leaving service) with allocation of social housing.<sup>44</sup> In addition, the MoD works with Riverside Group to provide the Single Persons Accommodation Centre for the Ex Services, SPACES, based at Catterick. Up to 6 months post-discharge, SPACES will assist with accommodation, and thereafter will provide advice and support.

### The role of the third sector: veteran specific and homeless organisations

Across the UK there is a wide range of charities and not for profit organisations which provide support for veterans. For example, the People First website (a collaboration between Hammersmith & Fulham, Kensington & Chelsea and Westminster) lists 25 separate organisations who may be able to help veterans (some of which are indices of other veteran specific or general charities), while Charity Choice lists 100 charities in their ex-services category and COBSEO (The Confederation of Service Charities) lists 92 members (of 201) in their 'veterans' category.

At a national level, the York report identified 17 separate 3rd sector organisations providing veteran specific accommodation across the UK, and there are many more which offer other kinds of support to former military personnel (including support which might be framed as directed towards prevention of homelessness, including skills and employment support). In light of this range of different interested organisations, COBSEO have made efforts to co-ordinate across the sector, and in London COBSEO list 2 homelessness charities – Chelsea Pensioners and Veteran's Aid, and a further 3 (The Poppy Factory, Stoll and Haig Housing) in their Housing cluster. However, there are 3rd sector organisations not represented through COBSEO, and, for example, Homeless Link provides information about 5 homeless charities providing support to veterans in London, including Stoll and Veterans Aid but also Evolve Housing Support in Croydon; The Queen Victoria Seaman's Rest in Poplar; and West London Mission's Big House in Camberwell. Appendix 1 sets out details of charities which provide specific support in London.

As Herman and Yarwood note, in a recent paper discussing the ways in which veterans with low support needs interact with military charities, despite attempts to improve information sharing and partnership working, it 'remains a confusing terrain of multiple organisations and changing relationships' (Herman and Yarwood 2015, 2641). While there is substantial joint working between these organisations, Herman and Yarwood also note that there can be tensions between 3rd sector veterans organisations because of their different aims and focuses. For example, the Chief Executive of Veterans Aid has published a paper criticising a tendency for veterans organisations to be influenced by 'trendy new initiatives from organisations that have little or no understanding of military life' (Milroy 2009, 345). He is also critical of the use of 'narratives of distress' by the press and third sector to attract interest and support (Jones & Milroy 2016, 58) leading to widespread public overassessment of the traumatic impact of service (Ashcroft 2014).

40 Allocation of Housing (Qualification Criteria for Armed Forces) (England) Regulations 2012/1869

41 S.166(1)(a) Housing Act 1996

42 See Royal British Legion Best Practice Guide to Community Covenants 2014

43 [www.gov.uk/government/collections/joint-service-housing-advice-office-jshao](http://www.gov.uk/government/collections/joint-service-housing-advice-office-jshao) (last accessed 16 October 2016)

44 [www.gov.uk/government/publications/mod-referral-scheme-a-guide/mod-referral-scheme-what-you-need-to-know](http://www.gov.uk/government/publications/mod-referral-scheme-a-guide/mod-referral-scheme-what-you-need-to-know) (last accessed 10 October 2016)

What is also unclear, and little discussed, is whether (and what level of) support from a veteran specific organisation might mean a local authority could lawfully decide an otherwise vulnerable veteran is not vulnerable, and the extent to which such support is taken into account when assessing vulnerability; and these are questions which require further research.

In addition to veteran specific 3rd sector organisations, there is advice and support from generic homelessness charities. Homeless Link is one example of such support, and Shelter also provide advice and information (including a summary of the Code of Guidance list as examples of the kinds of questions which applicants could be asked).

### Research: homelessness and local authority decision making

There is a growing body of research into the ways in which local authorities exercise their decision making responsibilities in relation to homelessness, but none of this research has focussed specifically on decision making in relation to veterans. Some references to this research are set out in a specific section of the bibliography at the end of this report.

In one example of this work, Bretherton, Hunter & Johnson examined previous research on the way in which vulnerability is assessed by local authorities. They highlight findings from previous research; including that there has been inconsistent application of the test, and that vulnerability is a key gatekeeping tool for local authority decision makers (Bretherton Hunter & Johnson 2013, 74). They then set out their own findings from a series of interviews with local authority decision makers, which focused primarily on the role of medical evidence, and among other findings, note that different boroughs adopted different approaches to collecting evidence, that first impressions and gut impressions in the interview were key, and that the applicant was seen as a conduit to other information, with little focus on their perspectives and opinions. In addition, they noted the way in which 'objective' information obtained from the internet overrode the views of applicants as a basis for decision making.

The implication of this research for veterans is that those able to easily and objectively evidence a disability will be in a better position than a veteran who does not have a medically evidenced disadvantage and who gives a first impression of being able to fend for themselves, as their account may weigh less than their ability to provide the decision maker with other sources of information. Critically, they discovered that applicants who had knowledge of the system and their rights were not deemed to be vulnerable (Bretherton Hunter & Johnson 2013, 80), and there is anecdotal evidence that being able to obtain legal representation has been treated by some local authorities as evidence that the applicant is not vulnerable.<sup>45</sup>

### Research: homeless veterans

The York report references a body of research into homelessness and summarises the findings of this research in a review of existing evidence (Jones et al 2014, Chapter 2). In addition, it provides a useful timeline of relevant policy papers and reports since 2001.

Key findings and themes from this body of research for the purposes of this report are that almost half of those leaving the Armed Services leave before 6 years and many are not eligible for resettlement packages. Some leavers face disadvantages in the housing market, related to low rates of home ownership, little experience of the housing market, and their relative youth (almost a quarter are under 25 years old). Early Service Leavers face particular difficulties, being least likely to receive housing support and advice. The triggers for homelessness amongst former members of the armed services are similar to the general population, with relationship breakdown the most common factor, and three themes are identified in most work which analyses the causes of homelessness: where homelessness is unrelated to military service; where it is related to factors which pre-existed service; and where it is linked to military service (see Jones et al 2014, 14 for a discussion of this research).

In addition to these generally larger scale pieces of research, there have been a series of smaller scale research projects carried out by UK academics and researchers which have touched on homelessness amongst veterans, and references to some of this work is made throughout this report (and see the references section at the end of the report). Much of this research emphasises the need to avoid polarising former veterans into two groups: those unaffected by their time in service, or 'hapless' former squaddies (Higate 2001) unable to adjust to civilian life. These researchers have spent many hours seeking to understand the post-service lives of these individuals, and often suggest there needs to be greater recognition of the complexities and nuance of lives of former members of the armed services. Their interviews and discussions engage with themes of loss and community, the role of skills, training and working practices (highly developed collectively deployed skills, which may not translate into civilian life) and the nature of identity.

Taken together, we suggest that this research demonstrates that unpicking accounts of this kind, and applying them to an already complex test of vulnerability, is an extremely difficult task.

At a more prosaic level, the Ashcroft Transition Review found anecdotal evidence that the rules on local connection are not always properly applied and some local authorities require ex-armed forces applicants to have a local connection in circumstances where legislation has provided them with an exemption (see Ashcroft 2014, 86).

Drawing on these insights, we turn in the next section to set out our findings.

45 See [www.hja.net/out-with-pereira-in-with-hotak-was-it-all-worth-it/](http://www.hja.net/out-with-pereira-in-with-hotak-was-it-all-worth-it/) (last accessed 7 October 2016)

# 3 THE RESEARCH AND FINDINGS

Our research focused on publicly available housing/homelessness strategy/policy documents for each local authority, as well as public facing pages linked to housing, homelessness and allocations. We searched these documents and sites for references to provision for veterans<sup>46</sup>, and compiled them borough by borough, before combing through and identifying key themes. We also explored documents linked to the Mayor of London.

We noted that a search for “[local authority name] homeless” produced search results which included the local authority’s homelessness information page at or very near the top, and this did not change if the search also included terms like ‘ex-forces’ ‘ex-army’ or ‘veteran’.

## The Armed Forces Covenant

There is no evidence online that there is an Armed Forces Champion in the GLA or the Mayor’s office, and many local authorities either do not have an Armed Forces Champion or have not published information about them online. In contrast, some local authorities (for example, Wandsworth), publicly announce their Armed Forces Champions, while indicating that they may not be the first point of contact but are available to assist members of the Armed Forces. The advantage of making such appointments publicly available is that it enables veterans to raise concerns. Additionally, the public announcement of Armed Forces Champions could enable better information sharing and cross-boundary working, including at a London-wide level.

### Recommendations:

- We recommend that every local authority and the Mayor appoint and publicly announce an Armed Forces Champion.
- We encourage these Champions to follow up on this report and seek to implement the recommendations in it where appropriate.

## Homelessness

In the context of considerable pressure on housing stock in Greater London, it is understandable that local authorities would emphasise the need to prevent homelessness, as well as the lack of accommodation and the likelihood of lengthy periods in temporary accommodation if successful. All of the public-facing information we reviewed made these pressures very clear. Potential applicants are encouraged to reflect on the low prospects of success if they were to apply and to seek accommodation elsewhere, particularly in the private sector.

This translates to approaches on the ground. In one example, City of Westminster encapsulate their approach to rough sleepers in the annual review of supply and allocation of social housing in 2013/14:

4.8.2 The first response to an individual rough sleeping is always to seek a diversion or reconnection to their last settled area or area where they have some service, employment or family ties. Day

centres and outreach teams give a “hard sell” on reconnection, where appropriate, and withdraw services in cases where they feel an individual is not taking up a reasonable option. Referring an individual to hostel accommodation in Westminster is in the main only considered in cases where a person has a longer rough sleeping history in Westminster, where they have no ties to any areas, or where they have a legitimate and documented reason why they cannot return to an area. ... Of the 2500 rough sleepers met in Westminster over 2011/2012, the majority were successfully given reconnection advice. ... In terms of institutional history: 40% of rough sleepers have been in prison in the past, 14% have a history in care and 6% in the armed forces (of this 6%, 2% are UK nationals).

## Armed forces and vulnerability

9 websites make specific reference to applicants being in priority need because of vulnerability linked to service in the armed forces: Camden, the Cities of London and Westminster, Haringey, Islington, Lewisham, Merton, Sutton, and Wandsworth. The other 24 London boroughs do not make any reference to priority need for ex-service personnel.<sup>47</sup> Many of these make no reference to any categories of priority need, while others refer to categories of vulnerable individuals without directly referring to service in the armed forces. Kensington & Chelsea, for example, state “Priority need: do you have children who live with you or are you pregnant? Are you vulnerable as a result of your health, age or for other reasons?”

Other local authorities provide links to external sources of information about the legal rules about their duties to the homeless. Both Haringey and Redbridge provide a link to the Shelter website stating there is more detailed information about the process there, while both Hillingdon and Kensington & Chelsea provide a link to the Code of Guidance.

Wandsworth informs applicants that ‘You should tell the housing department about the following ... If you have spent time in prison or the armed forces’ while Westminster’s data shows their officers do specifically ask about service (and it is recorded). It is unclear whether housing officers elsewhere always ask about military service, and on a national level the York report found that applicants were not necessarily asked if they had a Service history, and if they were, it was not always recorded (see Jones et al 2014, 65).

### Recommendations:

- All local authorities should state that former members of the armed services will be in priority need if they are vulnerable as a result of having served in the regular armed forces.
- All local authorities should clearly inform applicants that if they have served in the armed forces they should include this information in their application.
- All housing officers should ask applicants if they have a Service history and this should be recorded.

<sup>46</sup> And linked terms: ‘military’ ‘armed services’ ‘HM Forces’ ‘armed forces’

<sup>47</sup> Enfield and Southwark have an online housing options system which cannot be accessed without registering and giving details and which may provide some information for vulnerable veterans once accessed.

### The test for vulnerability

In relation to the legal test for vulnerability, where references to the law are made, many policies and other published materials (including websites) do not explain the test which will be applied. For example, City of London refers to 'a particular legal test which the Courts have developed', while Merton state 'To decide whether you are vulnerable we have to apply a specific legal test that has been established in homelessness case law that defines vulnerability.' Others reflect the legal position pre-Hotak, with references to being unable to 'fend for yourself' (see for example, Westminster).

#### Recommendations:

- Clarity is needed on the way to apply the test for vulnerability.
- National Government should consider whether the test is fit for purpose and can be properly applied by local authorities. This should include consideration of whether the duty should be expanded to include reservists, given the growing numbers of individuals in reserve forces.
- The Mayor of London and London Councils should explore whether a cross-London approach could be agreed to ensure consistent application of the test.
- Applicants need to be provided with more information about how the test will be applied, including what questions they may be asked, and local authorities should ensure that individuals who are able to explain why they are vulnerable, have some knowledge of the test or have sought help are not penalised.

### Documentary evidence

No London local authority refers explicitly to documents which former members of the Armed Services might provide to a homelessness advisor to assist with their application. Some have quite comprehensive lists of documents which applicants should bring, making specific reference to documents relevant to other categories of vulnerable individual but do not mention specific armed forces documents. Richmond, for example, states: "You will need to bring the following documents with you (if applicable): Identification (for each person on your homelessness application). Proof of homelessness. Proof of residence. Proof of priority need (for example pregnancy certificate, GP/hospital letter, child benefit book). Proof of employment, income, benefits and savings." However, "priority need" is not explained, so an applicant would not necessarily know what proof was needed to establish it.

Some local authorities provide more detail in relation to documents needed to join the allocations system, including Croydon and Havering. Havering, for example, state that an Original Certificate of Cessation of Entitlement to Occupy Service Living Accommodation will need to be

provided and service with the armed forces will be confirmed with the Royal British Legion. In relation to demonstrating housing need, they provide that a certificate of discharge/service (Army form 108 or equivalent) or a statement of service from the British Armed Forces (if applicable) will be needed.

No other local authority states how they check whether or not an applicant is a former member of the Armed Services, and this information is not available in the Code of Guidance, so it is unclear whether local authority decision makers are aware that the appropriate place to check service history is via the 'How to apply for service personnel records' process at Veterans UK. It should be noted that in communication with the authors of this report, the Royal British Legion stated they were unable to check service history.

#### Recommendations:

- All local authorities should provide clear information online about what information might assist a homeless application by a former member of the armed services. This might include a request that if they have them in their possession applicants bring along relevant documents (including for example certificates of discharge, statements of service, medical history release forms and other medical records) but should state explicitly that success in their application is not dependent on their ability to produce these documents.
- All local authorities should ensure that housing officers know how to check for service records, using the forms at Veterans UK.

### Third sector support

Sutton is the only London local authority which includes details of veteran specific sources of support on their homelessness information pages<sup>48</sup> although 20 other local authorities<sup>49</sup> refer to other sources of third sector support while 12 make no reference to 3rd sector sources of support. Where they do refer to support, some refer only to Shelter while others list a range of possible sources of support. Others provide an extensive local community information directory (see, for example, Camden's extensive Cindex directory, which has over 4000 entries but does not include specific filters for ex-services personnel and does not return any results in a search for "homeless" and "veteran" or "armed forces").

#### Recommendation:

- Local authorities should consider whether and how to provide improved signposting to third sector sources of support for veterans as part of their online public facing homelessness information (see organisations listed in Appendix 1).

48 Although some provide information elsewhere, for example, Croydon provide details of Veterans Aid and Oswald Stoll Foundation in a list of Direct Access shelters in a generic Advice and Assistance Pack and also details local Armed Forces organisations in relation to the Community Covenant.

49 They are: Barking & Dagenham; Brent; Bromley; Camden; City of London; Enfield; Greenwich; Hackney; Hammersmith & Fulham; Haringey; Havering; Hillingdon; Islington; Kingston upon Thames; Lambeth; Lewisham; Merton; Southwark; Waltham Forest; Wandsworth.

## 3 THE RESEARCH AND FINDINGS (CONT)

### Homelessness Strategies

Appendix 3 sets out a summary of the homelessness (or combined housing/homelessness) strategies for local authorities across London.<sup>50</sup> Some local authorities also publish an evidence base for their homelessness strategies, and some local authorities referred to a link between leaving the Armed Services and homelessness in their areas in older versions of their Homelessness Strategies, but not in the most recent iteration (see, for example, the current Homelessness Strategies for Bromley and Hackney, and contrast Hackney's 2007-2011 strategy. Bromley's 2008-12 strategy is no longer available online).

All the strategies refer to the need to protect vulnerable individuals, but many do not break down how this will be defined.

The York report recommends that a UK-wide set of strategies should be developed, with specific requirements on local authorities to collect information and better systems of information provision between local authorities and other organisations, including the MoD (see Jones et al, xxiii).

The legislation gives local authorities the power to devise their own strategies but requires that they ensure that 'a new homelessness strategy for their district is published within the period of five years beginning with the day on which their last homelessness strategy was published'<sup>51</sup> and some local authorities appear to be in breach of this provision.

#### Recommendations:

- Local authorities should review (and where necessary, update) their homelessness strategies, including specific consideration of homelessness amongst veterans.
- Building on the recommendation of the York report (Jones et al 2014 xxiii) that there needs to be an improvement in the collection of information about veterans, every local authority should review the information it collects about veterans (in relation to homeless and allocations), and seek to improve the collection and publication of information about the provision of housing for veterans. To achieve consistency in data collection, the Mayor, working together with London Councils, could coordinate this effort (including, for example, taking into account military discharges as directed by the Code of Guidance) and consider whether other cross-boundary strategic approaches could be implemented, including the possibility of specialist London-wide Armed Forces Housing Officers.

### Code of Guidance

The Code of Guidance is now a decade old, and needs to be updated to ensure it remains fit for purpose.

#### Recommendations:

- National Government should update the Code of Guidance.
- All local authorities should ensure that staff are aware of the up to date law, including the changes in relation to vulnerability and local connection, and do not rely on the outdated Code of Guidance.

### Best practice

As noted above, Wandsworth's website specifically advises applicants to tell the advisor if they spent time in the armed forces and Westminster record contacts with homeless former service personnel (from the UK and elsewhere). Bromley provide a short leaflet on the process, which is clear and concise, and could be easily amended to include some veteran specific details while Croydon include details for Veteran's Aid and Stoll in a generic information pack. Richmond's Homelessness Strategy (2012-2016, para 8.9, p 18) excludes ex-service personnel from discharge into the private rented sector. Sutton's webpage 'Are you homeless now or think you will be soon?' states:

Accommodation for single homeless veterans

Our organisation, Amicus Trust Limited, currently has vacancies in our Central Bedfordshire supported accommodation for single homeless veterans.

If you would like further information please contact Jackie Park on 07702807212 or contact the head office on 01234 358478

#### Recommendation:

- Local authorities should review the practice of other authorities and reflect on how they could improve the discharge of their homelessness duties towards veterans.

### Allocation

Lord Ashcroft's Transition Review (2014) notes that there is a lack of information available about the allocation of social housing. To assist applicants from the armed services at Appendix 2 we include a list of local authorities with links to their allocation policies and their application website.

50 And some include relevant information elsewhere, see Camden's detailed consideration of housing needs and responsibilities towards ex-services in Strategic Housing Market Assessment (2014-15).

51 s.1(4) Homelessness Act 2002.

In contrast to the general lack of information available in respect of homeless duties, there is a considerable amount on every London local authority's website about allocation, and all make reference to their responsibility towards former members of the armed services. Some appear to have made efforts to shift the way in which they respond to members of the armed services from homeless provision to allocations, with references in strategy documents to the impact on homeless veterans of changes in allocations schemes (see, for example, the housing or homelessness strategies for Greenwich, Hackney, Harrow, Kensington & Chelsea, Merton, and Redbridge, cited in Appendix 3). Croydon's 2011-2015 Housing Strategy explicitly sets out their policy to revise the housing allocations scheme to "tighten up qualification for housing, increase priority for working households, volunteers and members of the armed forces, deprioritise homelessness and reassess our application of reasonable preference for housing."

### Online applications

Some local authorities have a vetting system which applicants have to go through before they are able to apply to join the list. Some of these online questionnaires, for example, Islington and Kensington & Chelsea, ask whether applicants have a local connection (eg, lived in the borough for 3 of the past 5 years, or lived in the borough for 3 years continuously). If the applicant answers no, they are told they are not entitled to apply. The effect of this is that unless the veteran applicant is aware of the exception which applies to them but which is not stated anywhere, they are excluded at the very start of the process.

Other local authorities have a closed system which requires registration before it is possible to make an application to join the housing register, and it is not possible in these cases to check whether exceptions for veterans are fully explained to applicants.

Waltham Forest has a lengthy online form to complete, which makes no reference to services in the Armed Forces, and suggests that an applicant may be unlikely to get any preference as a result. If an applicant clicks on the option stating they are 'homeless' then they are redirected to another page but the link is broken.

#### Recommendation:

- All local authorities should review their online systems to ensure that they are fit for purpose and applicants to join the housing register are not given incorrect information or unfairly excluded from applying at a pre-application stage. Islington, Kensington & Chelsea and Waltham Forest should amend their systems.

### Allocation policies and veterans

Most local authorities have produced allocation policies which are compliant with the legal requirements.<sup>52</sup> However, there are two instances of allocations policies which do not appear to be compliant.

**Kensington & Chelsea's Allocation Scheme** (February 2014) provides for additional priority for veterans and their families as required. However, in relation to the local residence test, it provides that individuals must have been living in the borough for three continuous years before they can be accepted onto the housing register, and those excluded from this include 'Those with no immediate local residence due to service overseas with the British Armed Forces, but with strong family connections to the borough' (our emphasis added). The legislation provides that a local authority is not permitted to use a local connection criterion where the applicant is a relevant person – ie, a veteran, former veteran, injured reservists or dependent.<sup>53</sup> Kensington & Chelsea's formulation would not cover all such individuals. Additionally, in relation to those might lack a local connection due to service overseas, while the 'strong family connection' criterion may have been created in order to grant exclusion from the local connection rules for serving or former HM forces personnel, it has the effect of imposing a local connection criterion where legislation has ordered that no such criterion should be applied.<sup>54</sup>

**Barnet's Allocation Scheme** (June 2016) does not appear to comply with either of the 2012 changes in the law relating to veterans. It does not make reference to a duty to provide additional preference for certain categories of veterans and associated others (instead only citing a discretion to provide additional preference), and does not appear to provide additional preference for all those covered by the 2012 changes. It provides for those who have been injured in service and need a specially adapted property to be in Band 1. Otherwise it provides that:

Applicants or their partner, who have served in the British Armed Forces and lived in Barnet for at least 6 months immediately prior to enlisting, will qualify for a community contribution award automatically, with the exception of those who have been dishonourably discharged. This includes people who have served in the Royal Navy, Royal Air Force and British Army. Service with the armed forces will be confirmed with the Royal British Legion.

The community contribution award places applicants in Band Two of the allocations scheme, but may not cover all those in the legislation – for example, it does not appear to cover bereaved spouses who have to leave service accommodation because of the death of a partner. It also requires a pre-enlistment residence of 6 months. While the statute

<sup>52</sup> At the time of writing, Ealing's Allocation policy was under review and a new policy is not yet finalised. We considered a draft copy, which included reference to the local connection rule.

<sup>53</sup> Allocation of Housing (Qualification Criteria for Armed Forces) (England) Regulations 2012/1869

<sup>54</sup> See, in relation to the unlawfulness of creating excluded sub-groups within categories of those given reasonable preference, *R (on the application of Alemi) v Westminster City Council* [2015] EWHC 1765 (Admin)

## 3 THE RESEARCH AND FINDINGS (CONT)

permits a local connection to be taken into account in determining priorities between applicants, and so an allocations policy could contain additional priority in favour of those who met the test, it must still provide additional preference for those who do not, and the Barnet policy does not provide for this<sup>55</sup>. Similarly, the allocations policy states individuals with no local residence connection will not normally qualify for a place in their allocations system (although discretion can be exercised in exceptional cases<sup>56</sup>). Residential connection is generally defined as 5 years continuous residence in Barnet, and there is no reference to the exception for serving or former armed services personnel. Finally, as noted above, the Royal British Legion have stated that they cannot confirm service.

### Best practice

Some local authorities make the rules clear to applicants before they need to download or complete housing applications. In two examples, Redbridge makes the local connection exception clear on their website, while Wandsworth include a specific reference to ex-armed forces in their online housing options form.

There are examples of local authorities using their discretion to give advantages to former members of the armed services:

- Newham prioritise members of the armed forces (and their spouses) and former members of the armed forces above all other applicants on the Housing Register.
- Barnet state that while they will generally offer 'flexible' tenancies to tenants are allowed to succeed (take over) tenancies of their relatives when they pass away, they offer lifetime tenancies to some categories of applicant, including former members of the armed services.
- Richmond offer a quota for former members of the armed services.
- Havering and Croydon provide that compensation for injuries sustained on active service will be disregarded from any financial assessment.
- Croydon extend additional preference to former members of the Reserve Forces who have served for 6 years and have a nominated housing officer to deal with enquiries from the Armed Forces community (according to the Royal British Legion/Local Government Association Best Practice Guide to Community Covenants, 2014, 33).

### Recommendations:

- All local authorities are encouraged to consider whether there are other ways they can offer assistance to veterans in their allocations policy and procedures, drawing on best practice from other local authorities.
- Barnet and Kensington & Chelsea are recommended to revise their allocations policies to comply with the 2012 legislative requirements, and Islington are recommended to publish their housing allocations policy online.

### Collected recommendations

- 1 We recommend that every local authority and the Mayor & GLA appoint and publicly announce an Armed Forces Champion.
- 2 We encourage these Champions to follow up on this report and seek to implement the recommendations in it where appropriate.
- 3 All local authorities should state that former members of the armed services will be in priority need if they are vulnerable as a result of having served in the regular armed forces.
- 4 All local authorities should clearly inform applicants that if they have served in the armed forces they should include this information in their application.
- 5 All housing officers should ask applicants if they have a Service history and this should be recorded.
- 6 Clarity is needed on the way to apply the test for vulnerability.
- 7 National Government should consider whether the test is fit for purpose and can be properly applied by local authorities. This should include consideration of whether the duty should be expanded to include reservists, given the growing numbers of individuals in reserve forces.
- 8 The Mayor of London and London Councils should explore whether a cross-London approach could be agreed to ensure consistent application of the test.
- 9 Applicants need to be provided with more information about how the test will be applied, including what questions they may be asked, and local authorities should ensure that individuals who are able to explain why they are vulnerable, have some knowledge of the test or have sought help are not penalised (as research suggests may happen at the moment).

<sup>55</sup> for example, an applicant who left the Armed Services two years ago and lived in Barnet for two years with his or her family in an overcrowded property and so was entitled to both reasonable preference and additional preference under the statute (s.166A(3)(c)) but who did not meet the criteria in Barnet's policy (including the six month pre-service residence test) does not appear to be provided with any preference (he or she would be excluded from Band 2 and would not appear to be included in Band 3, which applies to those who have a reasonable preference but no Community Contribution and residential connection falling within s.166A(3)(a) or Band 4, which applies to Applicants owed Reasonable Preference but who have been given reduced priority but are owed, or are likely to be owed, the main homelessness duty under Housing Act 1996 Part VIII) 193(2)).

<sup>56</sup> Although see *R. (on the application of HA) v Ealing LBC* [2015] EWHC 2375 (Admin) in relation to the unlawfulness of dealing with those with reasonable preference through an exceptional category.

- 10 All local authorities should provide clear information online about what information might assist a homeless application by a former member of the armed services. This might include a request that if they have them in their possession applicants bring along relevant documents (including for example certificates of discharge, statements of service, medical history release forms and other medical records) but should state explicitly that success in their application is not dependent on their ability to produce these documents.
- 11 All local authorities should ensure that housing officers know how to check for service records, using the forms at Veterans UK.
- 12 Local authorities should consider whether and how to provide improved signposting to third sector sources of support for veterans as part of their online public facing homelessness information (see organisations listed in Appendix 1).
- 13 Local authorities should review (and where necessary, update) their homelessness strategies, including specific consideration of homelessness amongst veterans.
- 14 Building on the recommendation of the York report (Jones et al 2014 xxiii) that there needs to be an improvement in the collection of information about veterans, every local authority should review the information it collects about veterans (in relation to homeless and allocations), and seek to improve the collection and publication of information about the provision of housing for veterans. To achieve consistency in data collection, the Mayor, working together with London Councils, could coordinate this effort (including, for example, taking into account military discharges as directed by the Code of Guidance) and consider whether other cross-boundary strategic approaches could be implemented, including the possibility of specialist London-wide Armed Forces Housing Officers.
- 15 National Government should update the Code of Guidance.
- 16 We recommend the Codes of Practice envisaged by the Homelessness Reduction Bill include specific provision for former members of the armed services; to include ensuring that they are asked about their service upon presentation at a local authority.
- 17 All local authorities should ensure that staff are aware of the up to date law, including the changes in relation to vulnerability and local connection, and do not rely on the Code of Guidance.
- 18 Local authorities should review the practice of other authorities and reflect on how they could improve the discharge of their homelessness duties towards veterans.
- 19 In relation to allocations procedures, all local authorities should review their online systems to ensure that they are fit for purpose and applicants to join the housing register are not given incorrect information or unfairly excluded from applying at a pre-application stage. Islington, Kensington & Chelsea and Waltham Forest should amend their systems.

- 20 All local authorities are encouraged to consider whether there are other ways they can offer assistance to veterans in their allocations policy and procedures, drawing on best practice from other local authorities.
- 21 Barnet and Kensington & Chelsea are recommended to revise their allocations policies to comply with the 2012 legislative requirements, and Islington are recommended to publish their housing allocations policy online.

### Further questions for research

- Given there have been no reported cases involving veterans, what experience do homelessness solicitors and caseworkers have of homeless veterans?
- How do individual housing officers decide whether a homeless veteran is vulnerable? How is causation of vulnerability established in such cases? What impact has the Hotak case had on approaches? What is the role of medical evidence and other evidence in these decisions? Do housing officers use the Code of Guidance, and if so, how? What weight is given to an assumption that longer service and 'institutionalisation' is likely to equate to a greater degree of vulnerability?
- How do veterans view the vulnerability test?
- How do local authorities use the local connection test in relation to veterans?
- Do housing officers redirect/refer veterans to the 3<sup>rd</sup> sector? If so, how does this happen? Are there consistent principles in place in relation to referrals? Are there any cross-boundary approaches in place?
- How do housing officers establish service?
- Do decision makers in local authorities examine whether support from charities might render an otherwise vulnerable veteran not vulnerable, following the decision in Hotak? To what extent might local authorities consider this?

# APPENDIX 1

## **Other sources of support for homeless veterans in London (includes national provision)**

Some charities who offer accommodation and support:

- Amicus Trust, [info@amicustrust.org](mailto:info@amicustrust.org),  
Tel: 01234 358478
- Haig Housing, [enquiries@haighousing.org.uk](mailto:enquiries@haighousing.org.uk),  
Tel: 020 8685 5777
- Queen Victoria Seaman's Rest download referral form  
<http://www.qvsr.org.uk/wp/wp-content/uploads/2011/09/8.4-Referral-Form-2011.doc>  
Tel: 020 7987 5466, [welfare@qvsr.org.uk](mailto:welfare@qvsr.org.uk)
- Stoll – [www.stoll.org.uk/i-need-help/i-need-a-home/](http://www.stoll.org.uk/i-need-help/i-need-a-home/)
- Veteran's Aid, [info@veterans-aid.net](mailto:info@veterans-aid.net)  
Tel: 0800 012 6867 (or 0207 828 2468)

Other sources of advice:

- SPACES, Single Persons Accommodation Centre for the Ex Services, [spaces@riverside.org.uk](mailto:spaces@riverside.org.uk),  
Tel: 01748 833797, 01748 872940, 01748 830191
- SSAFA, Tel: 020 7828 2468
- Royal British Legion Tel: 0808 802 8080  
(8am-8pm seven days)
- Veterans UK Tel: 0808 1914 2 18, and the Veterans Welfare Service; Centurion office (London, SE and SW England), Tel: 02392 702232  
[veterans-uk-vws-south@mod.uk](mailto:veterans-uk-vws-south@mod.uk)
- Shelter Tel: 0808 800 4444
- Homeless Link (online directory of homelessness services)
- Streetlink (support and advice for rough sleepers)  
Tel: 0300 500 0914

# APPENDIX 2

## Links to allocation policies and application sites

Clicking on the date will download the allocations policy. Clicking on 'apply here' takes you to the website to apply for social housing in that local authority. Allocations policies are regularly updated and the Ealing policy is currently only available in draft on request, while Richmond and Hounslow have new schemes currently under consultation. For your ease, all allocation policies and sites are hyperlinked, but we cannot guarantee the validity of these links after this report is published.

To access these hyperlinks, please go to the online version of this report, available at [www.kent.ac.uk/law/research/homelessveterans.html](http://www.kent.ac.uk/law/research/homelessveterans.html)

(the list was accurate as of 21 October 2016)

- 1 Barking and Dagenham 2015 – apply here
- 2 Barnet 2016 – apply here
- 3 Bexley 2013 (but note changes implemented in 2016) – apply here to go on the register
- 4 Brent 2015 – apply here
- 5 Bromley 2015 – apply here
- 6 Camden 2016 – apply here
- 7 City of London 2015 – apply here
- 8 City of Westminster 2014 – apply here
- 9 Croydon 2014 – apply here to go on the register (provides more information, you have to go to 'Apply for It' and sign up for an account to apply).
- 10 Ealing here or here (policy under review, copy available on request from [locatahelp@ealing.gov.uk](mailto:locatahelp@ealing.gov.uk))
- 11 Enfield 2012-17 – apply here
- 12 Greenwich 2015 – apply here
- 13 Hackney 2016 – apply here
- 14 Hammersmith and Fulham 2015 – apply here
- 15 Haringey 2015 – apply here
- 16 Harrow 2015 – apply here and here
- 17 Havering 2016 – apply here
- 18 Hillingdon 2013 – apply here
- 19 Hounslow 2013 (and draft policy 2016) – apply here and here
- 20 Islington (full allocation policy not on website, undated summary available here) – apply here
- 21 Kensington and Chelsea 2014 – apply here
- 22 Kingston upon Thames 2014 – apply here
- 23 Lambeth 2013 – apply here
- 24 Lewisham 2012 – apply here
- 25 Merton 2012 – apply here
- 26 Newham 2016 – apply here
- 27 Redbridge 2014 – apply here
- 28 Richmond upon Thames 2013 but consultation on new scheme in 2016) – apply here
- 29 Southwark 2013 – apply here
- 30 Sutton 2015 – apply here
- 31 Tower Hamlets 2013 – apply here
- 32 Waltham Forest 2013 – apply here
- 33 Wandsworth 2015 – apply here

# APPENDIX 3

No reference to veterans	Some reference to veterans
Barking & Dagenham (2012-17) – Housing Strategy. No Homelessness Strategy available online.	Bexley (2013) – evidence base (2013) notes that 1% of those who have lost accommodation in Bexley have left Armed forces, and 0% of applicants accepted on basis of vulnerability linked to Armed forces service.
Barnet (2015-25)	Brent (2008-2013) – discharge from Armed forces one cause of homelessness in Brent, but no cases accepted on that basis in statistics. Plan of action put in place to improve quality of services and reduce costs.
Bromley (2012-17)	Greenwich (2014-2019) – notes that only one former armed forces applicant was accepted in 2013/14, and ‘changes to the Allocations Scheme should prevent future homelessness from these residents.’ (para 5.4, pg 24, RB Greenwich Homeless Review and Strategy 2014-2019)
Camden (2003-2008)	Hackney (2007-2011) – ex-forces personnel is cited as one of the main causes of homelessness in Hackney. But latest (2015-2018) – no specific reference to veterans, except to include a very small number of acceptances on the basis of having left the Armed Forces. Although 2014-15 Strategic Housing Market assessment states changes in Armed Forces (reduction in personnel) might be reason for greater demand for housing in local market.
Croydon (2008) (but see 2011-15 Housing Strategy)	Harrow (2013-18) – sets out priority need categories in an appendix, and refers explicitly to ex-armed forces personnel, and highlights additional preference given under Allocations Scheme
City of London (2016-2019)	Kensington & Chelsea (2013-2017) – Housing Strategy; only reference to ex-armed forces is to increased priority in allocation.
City of Westminster (2003-8, and updates, most recent 2008-2010)	Lewisham (2009-2014) – notes applicants accepted (4 between 2005/6-2007/8) on basis of vulnerability linked to service in armed forces.
Ealing (2014-2019)	Merton (2008-13) – no applicants accepted on basis of vulnerability linked to service in armed forces in 2007/8. Housing Strategy (2012-15) discusses allocations changes, no other reference to veterans.
Enfield (2013-2018)	Redbridge (2013-18) – emphasises allocation changes. Draft Homelessness Review states accepted 61 applications from members of the Armed Services between 2008-2010 (draft Preventing Homelessness Review 2013)
Haringey (2012-14)	Richmond (2012-2016) – excludes ex-service personnel from discharge into the PRS (para 8.9, p 18). Homeless Strategy also makes specific reference: “The Council is committed to address the needs of ex-armed forces personnel who are vulnerable due to disability and have been discharged and who have a local connection with the borough. Our new allocations policy will include a quota for ex-service personnel.” (p.12, para 6.10)

No reference to veterans	Some reference to veterans
Havering (2014-17) – includes Homelessness sub-strategy	Southwark (2014) – Review of Homelessness, shows that Southwark did not accept any applicants on the basis that they were vulnerable ex-Forces between 2009-2014. No other specific mention of veterans.
Hounslow (2014-2018) – joint Housing & Homelessness Strategy	Tower Hamlets (2013-2017) – notes that individuals can be in priority need as a result of being ‘military personnel’. No other specific discussion of ex-Forces.
Hillingdon Housing Strategy (2012-2015) does not make any specific reference to former armed services personnel in a discussion of other vulnerable groups.	
Islington (2012-2014)	
Kingston upon Thames (2015-2020) – Housing Strategy. Also carried out a specific ‘older and vulnerable people’ strategic review in 2014, which refers to a range of vulnerable groups but does not include veterans.	
Lambeth (2012-16)	
Newham (2008-2013)	
Sutton (2015/16)	
Waltham Forest (2013-18)	
Wandsworth (2015)	

No Homelessness Strategy available online for Hammersmith & Fulham.

# APPENDIX 4

## Examples of documents which applicants are requested to bring to interview

Bexley states applicants should bring: Proof of your identity (for example your passport or birth certificate); Proof of your income (for example your benefit books and/or most recent payslips); Proof of your children's identity (their birth certificates); Proof of any tenancies or licence agreements you may have or used to have and letters from your landlord/agent such as notice to quit; Proof of any illness or disability you may have (your medicines and letters from your GP or hospital doctor)

Hackney says bring documents to prove identity, residence at current address and current housing situation.

City of Westminster states, please bring: proof of identity; full birth certificates or passports for all the people in your household; documents concerning the loss of your housing, for example: letters from your landlord or the court informing you that you must leave; proof of income, for example: wage slips, benefit books, P45, bank statements and savings books; details of where you have lived for the last five years, such as: tenancy agreements, rent books or receipts for rent, postmarked letters, bills, bank statements, medical cards; if relevant, documents confirming: you are married or divorced, you have custody of children, you are pregnant. Islington lists an identical set of documents.

Hounslow request applicants bring documents which prove: your identity; you are threatened with homelessness; you live in Hounslow; you are in priority need which means you either have children who live with you or you are pregnant, or you are vulnerable because of your health, age or another reason; your employment, income (including benefits) and savings. As well as documents providing proof of priority need, for example: maternity certificate; hospital ante-natal card; doctor's letters or reports; residence order for children in your care; full birth certificates of children and letter from the school/college; pension book; social worker's report; or probation officer's report.

Kensington & Chelsea state 'We will need to see certain documents to fully assess your application, for example we need to know what your nationality is and if applicable, what your status is in the UK. Try to bring as many of these with you as you can: Identification for all family members: full birth certificates, passport, European identity cards, Home Office immigration papers; proof of pregnancy (if applicable); proof of residency for the last five years; tenancy agreement, notice to quit, possession summons/order, bailiff's warrant; letter from parents, relative or friend saying they can no longer accommodate you; rent book, receipts or any other proof of rent; marriage certificate, divorce papers (if applicable); injunction orders, custody orders (if applicable); contract of employment, letter terminating employment (if applicable); wage slips, benefit books, bank statements, savings accounts.

Merton states 'It would be helpful if you could bring to your interview any letters or documents that relates to your homelessness, to your health or to your financial circumstances and identity.' In a separate leaflet on What to expect at your housing interview, Merton states 'To help us help you as quickly as possible, please try and bring as many of the following documents with you to your appointment – Proof of your identity (for example your passport or birth certificate, national insurance card, proof of immigration status). Proof of your income (for example your benefit books and/or most recent payslips). Proof of your children's identity (their full birth certificates). Proof of any tenancies or licence agreements you may have or used to have and letters from your landlord/agent such as a Notice to Quit. Proof of any illness or disability you may have (your medicines and letters from your G.P or hospital doctor). Crime number or copies of relevant police reports (for example, if you are leaving home because of violence or harassment). Letter from parents/friends/relations saying you have to leave, repossession letter from mortgage lender, eviction documents from the court.'

Newham states: 'When you visit the East Ham Town Hall Annexe you should bring the following documents with you: proof of your identity and the identities of everyone to be included as part of your household, such as birth certificates, passports, immigration documents. Proof of your income and any savings or investments you have, such as wage slips, bank statements, benefit books, savings books, share certificates. Your current tenancy agreement and any previous tenancy agreements you have for other homes you have previously lived in. Evidence that you are threatened with homelessness, such as a notice seeking possession, claim for possession, possession order or bailiffs' warrant. Confirmation in writing that you are being made homeless if friends or family are asking you to leave. Proof of your previous addresses for the last five years, such as medical cards, bank statements, post marked envelopes. Evidence of any serious illness or disability that you or any member of your household have, such as letters from your GP, hospital consultant, details of any prescribed medication.'

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## Acknowledgments

Many thanks to Maya Athanadou for research assistance, to the Veterans Advisory and Pensions Committee (London region) for support and encouragement, and to Professor David Cowan (Bristol) and Vivien Gambling (KLS) for their comments on an earlier draft. Any mistakes made are our own.

For further information about the study, including details of all project publications, please see: [www.kent.ac.uk/law/research/homelessveterans.html](http://www.kent.ac.uk/law/research/homelessveterans.html)

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