**Appendix 3.4**

Hertfordshire Children’s Services to Housing Authority – ‘No Recourse to Public Funds’ – Transfer Protocol

**Background**

The following arrangements constitute an agreement and protocol between Hertfordshire County Council Children’s Services and the ten Hertfordshire District/Borough Council Housing Authorities on the transfer of ‘No Recourse To Public Funds’ (NRPF) family cases who receive status that enables them to access public funds and/or services and who are therefore eligible to present as homeless (‘Priority Need’ group).

**Monitoring**

Hertfordshire Children’s Services will notify each housing authority of all NRPF cases who are placed/living in the housing authority area and/or who may be deemed to have a ‘local connection’ in that authority area. This information will include the placement address and cost. Permission to share this information must be confirmed with the family. The information will be provided on a monthly basis by secure e-mail to the named contact within each housing authority area.

**Children’s Services Placements/Accommodation**

Wherever possible, all placements/accommodation costs should be within or close to, the Local Housing Allowance (LHA) rate for the given area and for the number of bedrooms the family requires. Where the placement/accommodation costs is within or close to the LHA rate, the housing authority may ‘take over’ the arrangement as part of their assessment/temporary accommodation process, this will be dependent on the homelessness assessment process and the rent being covered by the LHA rate, or by an additional small top-up from Discretionary Housing Payments (DHP’s). The granting of a DHP would be dependent on the circumstances of each individual case and would be subject to the agreement of the district/borough housing department and housing benefit department for the given area.

**Notification of being granted ‘Recourse to Public Funds and/or Services’**

Once a family has been granted a form of status/leave to remain that entitles them to public funds/services that can be verified by having documentation provided by the Home Office the following process will commence:

1. The named contact in the housing authority will be notified as soon as possible of the family receiving recourse to public funds/services;
2. The type, status and recourse entitlement will be verified by the housing authority;
3. The standard notification letters and referral form will be completed;
4. The two completed standard letters and the referral/notification form and copies of the Home Office documentation will be forwarded to the relevant housing authority (i.e. those with the local connection and/or where the family is placed/living);
5. The completed standard notice letter will be served on the family who will be told to contact the relevant housing authority and present the letter on that day or the subsequent day;
6. The Children’s Services officer will liaise with the relevant housing authority office regarding any additional information required;
7. Once the notification letters and paper work are served on the family and sent to the housing authority, the family will have a 56/28 day notice period to vacate the accommodation provided by Children’s Services (or for housing to take over the responsibility/funding of the accommodation) [up to 56 days, minimum 28 days];
8. At the point the family receive recourse to public funds consideration should be given to supporting the family to make a claim for Housing Benefit (LHA), this should be undertaken following liaison with the housing authority officer and local authority housing benefit team to ensure that the claim does not create any ‘occupancy rights’ which may delay the ‘notice’ period.

The housing authority will undertake such enquiries as they deem appropriate during the homelessness assessment process.

Housing authority options may include taking over funding the placement / accommodation arrangement, placing the family in to temporary accommodation, referring for social housing and/or identifying suitable private sector accommodation.

Wherever possible, the process should take no more than 30/60 days from the family obtaining their Home Office documentation to the cessation of Children’s Services funding. This allows for the initial liaison process and then the serving of the 28/56 day notice period [up to 56 days, minimum 28 days].

**Placements Outside of Hertfordshire**

Where a family is placed outside of Hertfordshire, Children’s Services will liaise with the local housing authority regarding the ‘local connection’ that the family will have with that area. When liaising with the housing authority, it will be important to demonstrate the networks, links and connections that the family has established in the given area (education, support, cultural, health etc.) and that the family would like to remain in that area.

**Management of the Protocol**

The NRPF Protocol will form an appendix of the Hertfordshire Joint Housing Protocol and will be overseen by the Strategic Partnership Accommodation Board (SPAB) and the Heads of Housing Group (HoH).

**Families Making Their Own Arrangements**

Families are able to present to any housing authority that they choose; it is for the housing authority to deem if they owe a responsibility to the family. Families should be made aware that they are likely to be owed a duty where they can demonstrate a ‘local connection’. It is for the family to take responsibility for their own housing needs once they have recourse to public funds/services.