

Dual Housing Support Fund- Residential Rehab



Overview:

The purpose of this fund is to provide immediate support to individuals who want to keep their tenancies whilst in rehab services which are funded by social security payments. Under current [Housing Benefit Regulations](#), Dual Housing Benefit cannot be paid for residential rehab. When somebody goes into rehab which is funded by social security payments the housing benefit on their core tenancy stops. This either stops people accessing rehab in the first place or creates a risk of rent arrears and potential eviction. The funding- which will be drawn from the Recovery Fund- will mean that payment of rent costs for an individual's core tenancy can be sustained if the housing benefit or universal credit is diverted to the rehab as a 'supported exempt accommodation'.

In the case of a Universal Credit claimant, paragraph 9 of schedule 3 of the [Universal Credit Regulations 2013](#) states that a claimant is 'to be treated as no longer occupying accommodation from which they are temporarily absent when the absence exceeds or is expected to exceed 6 months. UC payments will only cease after 6 months of temporary non-occupancy. In this circumstance, the local authority where the drug rehab service is would pay Housing Benefit for the temporary tenancy at the rehab but the claimant should still get UC housing costs for their core tenancy. Therefore there should be no need for them to get grant funding from Scottish government to cover the costs unless the rehab stretches beyond the 6 month limit in the regulations. Whilst this protocol is developing we want to ensure that nobody falls through the gaps, therefore the fund is available for UC claimants to access if there are barriers to applying this 6 month dual payment or if the rehab programme is longer than 6 months.

Process:

Step 1- Identification

- a) During pre-admission assessment the rehab provider identifies that the individual who is due to be in receipt of Housing benefit in their supported exempt accommodation (rehab) also has a tenancy funded by Housing benefit or Universal Credit that they'd like to retain.

Step 2- Communication

- a) The Rehab provider contacts the Local Authority (LA) in their area to highlight the case along with their claim for Housing Benefit/ Universal Credit to be paid for the rehab placement.
- b) The LA where the rehab is based contacts LA where the individual's core residence is based (if different) to notify them that the tenant will be away from home and gets details of the housing provider for payment.
- c) *[For claimants with Universal Credit housing costs]* The claimant should update their UC journal to provide notification that they are entering into rehab and leaving their core residence. The LA should then check that they have been given a 6 month extension of Universal Credit housing costs to sustain their core tenancy. If this has not been granted the LA should proceed with a referral.
- d) *[For individuals on Housing Benefit who are moving across LA boundaries]* If the case involves more than one LA, the LA where the core tenancy is based should confirm if the individual will need to apply to Universal Credit on their exit from rehab due to a new claim to Housing Benefit not being possible. An application to Universal Credit for their return should be processed in a timely way.

Step 3- Referral

- a) The LA where the core residence is based and with the duty to provide housing should contact SG at AlcoholAndDrugsImprovement@gov.scot for a copy of the referral form to complete. As part of the form, SG will require evidence to support funding being released to pay for an individual's rent. The information **on the form** includes:

- **The initials and date of birth of the individual.** Please do not provide the individual's full name in the form or the email correspondence. This is to ensure compliance with UKGDPR principles.
- **Start/ end dates for the rehab placement.** Finance will not be released until the rehab placement has been confirmed. The end date can be a projected end date.
- **Cost of rent at the core residence and anticipated payment schedule.**
- **Contact information for the rehab provider and the housing provider.** All three parties (rehab, LA, housing provider) should be cc'd to the referral email.

Step 4- Confirmation and Payment

- a) Once approved, the Scottish Government will issue a "grant letter" with the housing provider as the grant recipient. Funding will not be released ahead of need. The housing provider needs to claim the money at 3 month intervals from the Recovery Fund via a grant letter form sent to drugsmissondeliveryteam@gov.scot. Payment will normally be issued within 7 working days

Step 5- 3 month notification

- a) Depending on the duration of rehab programme, after three months, the rehab provider should notify the housing provider that the individual remains in their placement. This is to enable housing providers to consider maintenance and security of the property so that the tenant has a safe home to return to.

Step 6- Exit Planning

- a) As part of exit planning the rehab provider should discuss housing options with the individual.
- b) If the individual indicates that they would like to return to their core residence, the rehab provider notifies the LA where the core residence is based and the housing provider as soon as this decision is made so that they can make preparations for the individual's return.
- c) [*For claimants with Universal Credit housing costs*] The claimant should update their journal to provide notification that they are leaving rehab and intend to return to their core residence.

Step 7- Discharge

- a) The LA where the core residence is based completes a discharge form and sends to drugsmissondeliveryteam@gov.scot. As part of the form, SG will require evidence to support the closing of the grant claim case after which the housing provider will no longer be able to submit claims for repayment to sustain the rent. Therefore, SG need to be reassured what the exit planning decision was and that the housing benefit/ universal credit payments will resume at the core residence allowing the individual to return home.
- b) If the individual chooses not to return to their core residence but to apply for the Housing First scheme this should be recorded in the discharge form.

Step 8- Monitoring Outcomes

- a) Once the discharge form has been approved and the final claim received from the housing provider the SG will issue a confirmation email to the rehab, housing provider and LA to say that payments from the Recovery Fund will cease.

Note on legal basis for data sharing:

The purpose of this protocol is to ensure continuity of housing and wider care support for people going into rehab so there is an imperative for multiple services to be made aware in the referral process. Article 6 of UKGDPR- Public task/ performance of task in public interest provides the legal basis for data sharing between LAs, rehabs and housing providers. We have tried to ensure that minimal personal data is required to confirm case for financial tracking and using contact information for services.

Section 1(3) of the Housing (S) Act 1988 provides the appropriate legislative power to allow Scottish Ministers to make payments of this nature to the housing provider. In particular section 1(3)(a) which

states Scottish Ministers shall have the general functions of: “providing, and assisting in the provision of, finance to persons or bodies intending to provide, improve, repair, maintain or manage housing”.

Additional support & guidance:

Please find links to relevant guidance below

Health Protection Scotland: COVID-19 page (all updated guidance documents)

https://hpspubsrepo.blob.core.windows.net/hps-website/nss/3156/documents/1_covid-19-homelessness-sector-guidance.pdf

Health Protection Scotland: Care Home guidance

<https://www.hps.scot.nhs.uk/web-resources-container/covid-19-information-and-guidance-for-care-home-settings/>

Health Protection Scotland: Other Residential settings

<https://www.hps.scot.nhs.uk/web-resources-container/covid-19-information-and-guidance-for-social-community-and-residential-care-settings/>

Scottish Drugs Forum: Contingency planning for PWUD

<http://www.sdf.org.uk/wp-content/uploads/2020/05/Guidance-on-Contingency-Planning-for-PWUD-and-COVID19-V2.0-May-2020.pdf>

Scottish Health Action on Alcohol Problems- Contingency planning- Alcohol

<https://shaap.org.uk/images/shaap-covid-pamphlet-web.pdf>

Scottish Families Affected by Drugs- Take Home Naloxone

<https://www.sfad.org.uk/support-services/take-home-naloxone>

Overview

This form should be completed by the Local Authority and this form is to be used to send information to the Scottish Government about the placement.

Notification

Service details:			
Rehab Service:		Key contact:	
			Email:
Housing Provider:		Key contact:	
			Email:
Local Authority		Key contact:	
			Email:

Personal details: <i>rehab service to provide minimal information about person & placement</i>			
Initials of person:			
DOB:			
Rehab start date:		Rehab end date:	

Finance: <i>core residence rent costs to SG</i>	
Cost of rent pcm:	
Duration of stay in rehab (for forecasting purposes only)	
Total anticipated claim	
Anticipated payment schedule	