

Advice and Information from Local Authorities (*ref 21*)

- 1.** The White Paper *Valuing People* refers in *para 7.14 on Housing* to a duty on housing authorities to provide assistance to people including those with learning disabilities who need help when applying for and obtaining social housing.
- 2.** It also suggests that Partnership Boards will be expected to ensure that they set out plans for the provision of information, advice and advocacy services for individuals needs including housing.
- 3.** The White Paper says that carers need better information and have funded Mencap to provide a national advice and information service for them.
- 4.** The *Housing Act 1996* deals in *Part VI* with allocations and priority needs and the operation of the housing register and homelessness in *Part VII*. The *Code of Guidance on Parts VI and VIII of the Housing Act 1996* says they are required to provide information about their allocations scheme. The information about the allocation scheme should set out the priority categories for housing applicants and households with additional preference for someone with a need for settled accommodation on health or welfare grounds including (*para 5.10* those who are vulnerable for reasons of old age, physical or mental illness, learning or physical disability).
- 5.** The *Housing Act 1996, S179*, says local authorities have a duty to secure that advice and information about homelessness is available and free of charge. It allows authorities to do this themselves or secure this from or with another organisation. They can pay grants or assistance to anyone doing this on their behalf. There is a DoE publication *Models of Practice in Housing Advice Services*.
- 6.** Advice and information are not defined in the Act but the Code of Guidance says they should include
 - setting out individual options
 - how to get information from other sources
 - help with forms
 - referral to specialist advice centres or service
- 7.** The Code says advice and information might be needed on: housing options, registers and allocations policies, security and housing rights, benefits and housing benefit, local authority duties and homelessness, grants and repairs.
- 8.** There is a duty to provide advice and assistance to homeless applicants (*para 9.17*)
- 9.** The *Homelessness Act 2002* abolishes the duty to maintain a housing register (*S14*) so the requirement to provide information (*S15*) now refers to information to housing applicants and that assistance must be offered free of charge to those who might have difficulty in making an application. *S16(4)* also requires the local authority to give certain details about the treatment of any application for housing.
- 10.** The *NHS and Community Care Act 1990* doesn't say anything about the provision of information but the White Paper that came with it said local authorities will need to have published information accessible to all potential service users and carers setting out the type of services available, criteria for provision of services, assessment procedures and care management standards.
- 11.** KPMG in 1993 found gaps in information provided on eligibility, charging, service standards and choice. The *SSI 1991 Getting the Message Across* gave guidance on clarity and language promoting informed choice.

12. The *Chronically Sick and Disabled Persons Act 1970* places duties on local authorities to provide information about welfare services. The information should cover residential homes, and other community care facilities. Practice guidance from the *SSI in 1991* said that information should include the type of services available and the range of needs for which they cater. There is also a strong direction in *S1* to tell service users about other relevant services. Directions under the *National Assistance Act 1948, S29* state a duty to provide advice and support to disabled people. Want to know more about this? Go to *Quick Brief Social Service Duties to Provide Housing (ref 19)*.

If you require further information or have other queries contact Housing Options.

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