



Homelessness Reduction Act 2017 Duty to Refer

- On 1 October 2018, the Homelessness Reduction Act 2017 introduced new legal duties in England through significant amendments to the primary legislation, the Housing Act 1996. The Act introduced a duty to some named NHS services to refer patients who they think may be homeless or threatened with homelessness to local authority homelessness teams.
- Local authorities' homelessness services have a duty to help the person who is homeless, or at risk of homelessness within 56 days, to find suitable accommodation.
- In the NHS the duty to refer applies to
 - Accident and emergency services
 - Urgent treatment centres, and
 - Hospital in-patient treatment wards
- These NHS services have a legal duty to support people who are homeless or threatened with homelessness by offering them an opportunity to be referred to a local housing authority.
- Other NHS settings don't have the legal duty to refer but are able to use the same process to make referrals to the local housing authority.
- In order to make a referral you must ask the patient for
 - Their agreement for you to make the referral (that is, do they consent)?
 - Their name
 - Their contact details (including email, phone number and any other contact details such as a trusted friend, or a trusted service they use).
 - What is their housing status – are they currently homeless or threatened with homelessness?
- This is the minimum information that is needed for a referral, but you can add more if it's relevant and the person is happy for you to do so.
- Check your organisation's intranet by searching under "Homelessness" or "Homelessness Reduction Act" to see if your organisation has agreed how referrals should be made.
- However, if you can't find any instructions then you can email a referral to [dutytorefer@\[insertlocalauthorityname\].gov.uk](mailto:dutytorefer@[insertlocalauthorityname].gov.uk)
- A list of all the Local Housing Authorities can be found [here](#)
- When you've completed the referral, you should save a copy of the referral form on the person's clinical record, including which local housing authority you sent it to.

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- If you are able to, please print a copy of the referral and give it to the person letting them know which local housing authority you sent it to.
- If the person has asked for the referral to be copied to someone they trust, please do this too if you are able. Or give an additional printed copy to them so that they can give it to their key worker or any other person who is supporting them.
- On every occasion that you or your services are faced with the decision to discharge someone who may have symptoms of COVID-19 or be known to be positive for the virus and has no safe place to sleep or live, you must consider their safeguarding needs and discuss these with your service managers. Safeguarding duties are paramount in circumstances where people are returning to living on the street.
- Please refer to the advice on [Management of homeless on discharge from hospital](#) and the [referral form](#) to access the GLA hotels transfer as well as the information on how to refer from emergency departments directly to the COVID Care facility. Details are available on the Healthy London Partnership website <https://www.healthy london.org/resource/homeless-health-during-covid-19/>
- NHS staff who are not familiar with the 'duty to refer' process: Health Education England's recently launched e-learning tool is a useful resource. Search for "Duty to Refer for Frontline NHS staff" on <https://portal.e-lfh.org.uk>