

A guide to housing issues for ex-service personnel

Positive steps to prevent homelessness among ex-service personnel, and their families, and improve access to housing

September 2014





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Introduction

This guide has been developed to help local authorities in England, and their partners, in dealing with homelessness approaches by ex-service personnel and their families. It has been developed in the context of the government's commitment to prioritise armed forces personnel when accessing housing. This guide sets out current legislative obligations for local housing authorities and provides links to other useful sites. Links also provide details of practice developed to support service personnel in their transition to civilian life.

This guide is by no means exhaustive – it is intended as a starting point in assisting ex-service personnel and their families in the prevention of homelessness and gives links to relevant websites with in-depth advice and information.

Local authority and voluntary sector colleagues are encouraged to develop local actions that will assist in the prevention of homelessness. We recognise the vital role other local services play in meeting housing need and in alleviating homelessness and is part of local authority delivery plans to prevent and address homelessness for single people. Local authorities should seek to support all client groups – both the statutory and the non-statutory homeless. It is crucial that services are designed to deliver assistance to all clients, including 'irregular occupiers' who find themselves faced with homelessness or threatened with homelessness as a result of a relationship or marital breakdown.

This guide represents only the views of practitioners working with service personnel. Local authorities are encouraged to seek specific independent advice to satisfy themselves on any issues or questions raised.

All NHAS members, local authority frontline officers, voluntary agency members and CABx have access to the NHAS Consultancy Line to assist them with any advice issues relating to ex-service personnel and their families.

Consultancy line numbers can be found on our website:

[NHAS](#)

Other useful websites:

[Shelter](#)

[DCLG](#)

[The Ministry of Defence](#)



Government overview

The Department for Communities and Local Government is committed to ensuring that current and ex-service personnel receive appropriate advice and assistance in securing the accommodation that they and their families need.

Community covenant

The government has made a commitment to support ex service personnel. It is committed to ensuring that service personnel, veterans and their families have the support they need, and are treated with the dignity they deserve.

To deliver this commitment, the armed forces covenant, outlines the positive measures being taken by government to ensure that the armed forces community face no disadvantage compared to other citizens in the provision of public and commercial services.

It exists to redress the disadvantages that the Armed Forces community faces in comparison to other citizens, and to recognise sacrifices made. In some cases this will require special consideration, especially for those who are injured and/or bereaved.

Find out here if your local authority is signed up to a local covenant and what that means for you. You may also want to consider whether you are able to provide some additional support for personnel as they resettle, through the community covenant, for example taking the day of joining the armed forces as being the date of joining the housing waiting list. Find [community covenants by region here](#).

There is also a Covenant Grant Scheme which aims to financially support projects, at local level, which strengthen the ties and the mutual understanding between members of the armed forces community and the wider community in which they live. The Grant Scheme will consider applications for projects that deliver tangible results and meet the overall aims of the Community Covenant Scheme. An application for funding can be submitted by any part of the community. This might include volunteer groups, charities, and public bodies such as schools.

Find out more information about the [community covenant](#) including the LIBOR fund: successful projects page.



Legislation and statutory guidance

Allocation of social housing

The key legislation regulating the allocation of social housing is contained in part 6 of the Housing Act 1996.

Part 6 of the Housing Act 1996 regulates the allocation of social rented housing by local authorities. Part 6 has been amended by the Homelessness Act 2002, and, with effect from 18 June 2012, the Localism Act 2011. The Localism Act gave local authorities greater power to decide which categories of person they will allocate accommodation to.

In addition, the Allocation of Housing (Qualification Criteria for Armed Forces) (England) Regulations 2012 SI 2012/1869 allows service personnel (and bereaved spouses or civil partners of service personnel if the spouse/civil partner dies), to establish a 'local connection' with the area in which they are serving or have served to allow parity of treatment with civilians already living in the area with regards to accessing social housing. Before these regulations, residence in an area that was not 'of choice' could preclude having a local connection with it. This puts the armed forces on an equal footing to others when applying for social housing.

In the exercise of their functions local authorities must have regard to guidance issued by the secretary of state. The current Code of Guidance on the Allocation of Accommodation was issued on 29 June 2012, with additional guidance 'providing social housing for local people' added in December 2013. The key message (at paras 23–25) in the 2013 Code of Guidance is that serving members of the armed forces, their bereaved spouses and civil partners, and former serving members who have suffered serious illness or disability as a result of service should not be disadvantaged by any 'residence' criteria that a local authority may choose to adopt in its allocations policy.



Homelessness assistance

The key legislation regulating the provision of assistance to homeless people is contained in part 7 of the Housing Act 1996.

Part 7 of the Housing Act 1996 allows local authorities to provide assistance, in the form of temporary accommodation, to applicants who are homeless, eligible, in priority need, not intentionally homeless, and who have a local connection with the area in question.

As with allocations, local authorities must have regard to the relevant Code of Guidance, in this case the Code of Guidance on Homelessness 2006, when carrying out its duties under the act.

Priority need

Under the Homelessness (Priority Need for Accommodation) (England) Order 2002 SI 2012/2051, armed forces personnel applying for assistance in England are in priority need if they are 'vulnerable' as a result of having been in the services. Being vulnerable has a specific legal meaning, but basically a vulnerable person is one who is at higher risk of injury or other bad consequence when they are homeless than an 'ordinary' homeless person.

With regard to armed forces personnel and their families, the Homelessness Code of Guidance states that the following will be considered when deciding if an applicant is vulnerable:

- How long the person has been in the armed forces
 - Type of service
 - Any time spent in military hospital
 - Whether the forces medical and/or welfare advisers consider the person vulnerable
 - How long it has been since the person left the forces
 - What support networks are available
-

Local connection

From 1 December 2008, service personnel in England (and bereaved spouses or civil partners of service personnel if the spouse/civil partner dies) can establish a 'local connection' with the area in which they are serving or have served, regardless of the fact that they may not be living there 'out of choice'. The same applies to applications made to Welsh authorities from 30 March 2009.



What happens when service comes to an end?

Six months prior to the end of a service, members of the armed forces are issued with a certificate of cessation of entitlement to occupy service living accommodation. During this time they and their families should explore a range of solutions to their forthcoming housing need, which includes registering for social housing.

These certificates indicate the date on which entitlement to occupy service accommodation ends, and the secretary of state considers that housing authorities should not insist upon a court order for possession to establish that entitlement to occupy has ended.

Authorities should take advantage of the six-month period of notice of discharge to ensure that service personnel receive timely and comprehensive advice on the housing options available to them when they leave the armed forces, or, where a relationship fails, the options available to the estranged partners and the children. During this period, where an approach is made to the local housing authority for assistance, frontline officers and their teams should be proactive in assisting households to access a range of services. These options could include assisting with the private rented sector through various local initiatives, registering on the waiting list, or accessing shared-ownership schemes.

Prevention is key and housing officers should not delay assistance simply because serving personnel have more than the statutory 28 days' notice to quit. Local authorities are reminded that they should make full use of the cessation period to assist anyone who makes an approach for housing assistance or applies as homeless. Local authorities have a duty to provide advice and assistance to anyone in housing need and we recommend linking to existing networks with the armed forces to ensure comprehensive advice is provided and informed choices can then be made by the armed forces personnel or their estranged family



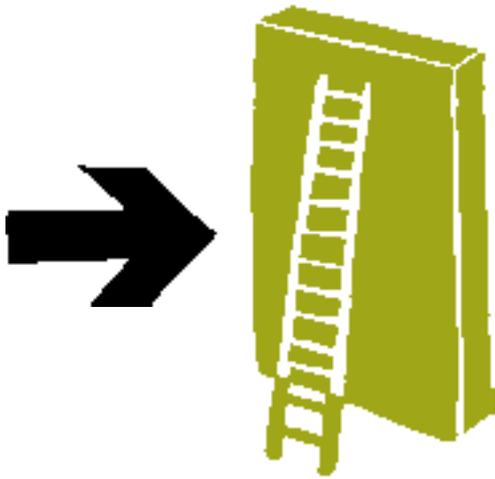
Preventing homelessness: what can local authorities do?

There is a body of evidence that demonstrates investment in local homelessness prevention services saves significant amounts of public money across statutory agencies including housing, health, criminal justice and community safety. The government has recently published a report bringing together the costs of homelessness which can be downloaded using [this link](#).

When seeking to make the case for future investment in frontline homelessness services, local housing authorities are encouraged to liaise with the National Practitioner Specialist Service (NPSS) generalenquiries@practitionersupport.org

As with all other cases of homelessness prevention, early intervention is often key and we therefore suggest you review your current services to ensure service personnel are not disadvantaged as a result of being in the forces.

Local authorities who have barracks in their area may be more likely to see greater numbers of ex-service personnel and their families approaching with requests for advice and assistance than areas which do not, and it might be helpful, if you have not already done so, to make contact with your local MOD site. Each base has a welfare team and someone who is responsible for housing issues.



Irregular occupiers

Irregular occupancy is not commonly discussed within the services unless someone finds themselves in the unfortunate situation of a marital breakdown, or is just at the end of their service.

Below sets out a brief summary of the main circumstances and timings involved when occupants are required to move out of a married quarter. In all cases it is the local Housing Allocations Service Centre (HASC) that issues the Notice to Vacate (NTV) and local authority housing teams might want to consider how they can work in partnership with their [HASC](#).

- In the case of marriage or civil partnership breakdown, the NTV will be 93 days from the day the HASC is notified of the change in marital status.
- In the case of a standard discharge or retirement from the Services, an occupant is required to give the HASC at least four months' notice of last day of service. ninety-three days 'notice to vacate' will then be given to coincide with the discharge date. If less notice is given, then the NTV period will be reduced accordingly. In areas where Service Family Accommodation (SFA) availability is good it may be possible for officers to apply to remain in a quarter past their leaving date on a 'surplus' basis. Market rate is charged for the rental of the property and a maximum occupation period of six months is permitted.
- In cases of medical discharge, 93 days NTV is given from the last day of service and quartering charges will be at service rates for 93 days after discharge.
- Discharge on disciplinary grounds gives only 28 days NTV.

Local authorities are advised to work with the MOD and the serving officer (and family members in cases of relationship breakdown) during their NTV period to explore a range of options which will address housing need, along with any necessary support, to avoid any period of homelessness or unnecessary periods in unsuitable accommodation.

In cases of marital or relationship breakdown and where the main carer is not the serving officer, you may be approached by both the family and the serving officer as homeless and should deal with these cases in the usual way, in the light of current legislation.



Support from MOD prior to leaving services

Joint Service Housing Advice Office (JSHAO)

The [JSHAO](#) has been set up by MOD to provide service personnel and their families with information and advice on the range of civilian housing options. The JSHAO provides a focal point for housing information and advice to all service personnel and their families, in particular those about to return to civilian life, and to ex-service personnel and their families who are still in Service Families Accommodation.

JSHAO 'Housing the Options' all day briefings are carried out around the country (and some abroad) on a regular basis and MOD are happy for the local housing authority to attend those. We would encourage you to do so, particularly if you are in an area with military base/s and need to be more aware of service personnel approaching you for assistance

Details of these briefings and other useful information can be found on the [MOD website](#)

Joint Service Housing Advice Office

Bldg 183, Trenchard Lines

Upavon, Pewsey

Wiltshire SN9 6BE

T: **01980 618925**

E: aws-jshao-mailbox@mod.uk

The JSHAO has produced a booklet *Civilian Housing Options – Your Transition to Civilian Housing Starts Here*. To obtain copies contact details as above or follow [this link](#).

Service personnel are also entitled to a number of schemes which support housing purchases and access to registered providers further details of which can be found on the MOD website under service community/housing by following [this link](#).



Council tax relief

Service personnel on designated operational deployments can claim Council tax relief (CTR) from MOD in accordance with JSP 754 Chapter 9 Section 11. This includes private properties in England, Scotland, Wales or NI as well as SFA. CTR is claimed direct from MOD, on return from operational deployment, and not the local authority.

Individuals can ask their local authority for a council tax reduction when serving overseas. However this is a matter for the local authority to consider on individual applications, which may take into consideration the length of time of posting and whether the individual intends to return to live full-time in the property.



Other support services for ex-service personnel

As part of your advice and assistance to veterans you may wish to be aware of some of the other support services and agencies dedicated to anyone who has served in the armed forces. These specialist sites offer comprehensive advice and information. They are listed in alphabetical order.

AFF

Army Families Federation is the voice of the army family.

It empowers, acts as an advocate and an expert witness to promote a quality of life which reflects the Armed Forces Covenant.

www.aff.org.uk

Blind Veterans UK

Help blind ex-service men and women lead independent and fulfilling lives by supporting them with their expertise, experience and full range of services.

They give veterans much-needed support to adjust to sight loss, overcome the challenges of blindness and enjoy daily life.

blindveterans.org.uk

MoD Oracle

Works alongside each of the three services and related organisations linking in to their personal, specialist and dedicated sites wherever possible, thus giving equal weight to each service as well as single service news and information. MoD Oracle is independent of the UK Ministry of Defence. This resource is Internet based to ensure that it is up to date, relevant and allows personnel to search for information in an interactive manner. Users can access information about resettlement courses, find assistance with personal and career development, reunions, military events, honours and awards lists, service welfare provision and much more. All the services available to military organisations through MoD Oracle are free of charge.

modoracle.com

SPACES

Single Persons Accommodation Centre for the ex-services, SPACES, is designed to help single ex-regulars find appropriate accommodation when they leave the services. Through this service the project reduces the likelihood of ex-service personnel becoming homeless or sleeping rough after discharge.

SPACES is a project based within The Beacon at Catterick, North Yorkshire. It provides an accommodation placement service for single personnel being discharged from all three services and is managed by Riverside ECHG, part of the Riverside group, working with the Joint Service Housing Advice Office.

The overall aims and objectives of the project are to assist single service leavers to secure appropriate accommodation as they leave the armed forces. Single service leavers can be vulnerable to homelessness as a result of a combination of factors: having no home to return to after service, little understanding of how to secure rented accommodation and current legislation, little or no experience of budgeting and setting up home.

spaces.org.uk

In addition to SPACES Riverside ECHG also manages Mike Jackson House which also provides Supported accommodation in Aldershot for single ex-service personnel at risk of homelessness. It provides short-term housing through 25 fully furnished one-bedroom flats, education, training and employment opportunities are also provided.

riverside.org.uk

SSAFA Forces Help – The Soldiers, Sailors, Airmen and Families Association – Forces Help

The national charity supporting those who serve in our armed forces those who used to serve and the families of both.

ssafa.org.uk

Stoll

Assists vulnerable ex-servicemen and women including those with housing requirements, previously known as the Sir Oswald Stoll Foundation.

oswaldstoll.org.uk

The RAF Benevolent Fund

Is the RAF's leading welfare charity. The Royal Air Force provides a spectrum of care, supporting everyone from children growing up on RAF stations, to those serving today to keep our skies safe, to the veterans who fought for our freedom.

Royal Air Force Benevolent Fund Helpline: **0800 169 2942**

rafbf.org



The Royal British Legion RBL

The UK's leading service charity providing practical care and support services to serving members, veterans and their families.

Helpline launched for armed forces community

The Royal British Legion has recently launched three new ways to reach out and help service personnel, veterans and their families:

Online, via an improved digital information base, interactive assistance and web chat accessible from the Legion's website:

britishlegion.org.uk

By phone or email via a new dedicated contact centre with trained advisers, which is open from 8am to 8pm, 7 days a week. Calls to this number – **0808 802 8080** – are free from all landlines and most mobile networks.

Face to face, through 16 new 'pop-in' advice and information centres to be opened on high streets in major towns and cities across the UK in the coming year. The Legion is also introducing new community outreach in areas, where there is known beneficiary demand.

Benefits and Money Advice

Service: 0808 802 8080

Legion line: **08457 725 725**

(Monday to Friday, 9am to 4pm)

britishlegion.org.uk including Civvy Street, the website for serving and former members of the UK armed services and their dependants, which offers free information and advice about re-settlement into civilian life, learning and work.

Veterans-UK

Now the first stop for veterans.

The [website](#), e-mail advice

point veterans.help@spva.gsi.gov.uk and helpline **0808**

1914 218 provide information

on services from lots of different

organisations – all in one place.

veterans-uk

Other suggested websites and resources

crisis.org.uk

homelesslink.co.uk

shelter.org.uk

NHAS.org.uk

(see also our fact sheet relating to single-accommodation room-rate exemptions)



Examples of positive practice

There are a number of ways in which local authorities are developing their responses to requests for assistance from former service personnel for example:

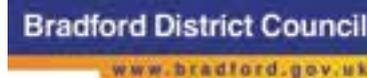
Hull City Council

has developed a [Veterans' Charter](#) which has a Housing Pathway and as well as adaptations or additions to a home they will award additional points on choice based lettings. Their Housing Advice Module (HAM) has a specific question – 'have you ever been in the armed forces?' – and their outreach worker is also trained to ask the question to ensure they get the right advice and assistance on what is available to them. This includes access to money advice, training and education as well as the housing elements (see presentations in link above and for more information contact Dave Barnett on dave.barnett@hullcc.gov.uk



Bradford City Council

has recognised that there is a growing need from ex-service personnel and have developed a small partnership group who are working with partners, such as SAFFA and the Royal British Legion as well as leading faith groups and the MOD to identify current and future issues as part of the development of their community covenant, looking at what specific services are needed. They will then consider developing specific pilot work around prevention and accommodation to prevent rough sleeping. Main age groups seem to be the younger under 25s and those between the ages of 35 and 60. For further information on this work contact Jed Din on jeddin@bradfordccp.com



Birmingham City Council

are working with partners and the MOD in their new build development plans and are seeking to identify demand for accommodation and type which they will endeavour to include in their development plans. They have a leaving armed forces leaflet, housing advice for people leaving the armed forces. For more information see their [website](#).





**For further information and assistance
in relation to this guide please contact:**

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Shelter