

Mr M Bricknell  
HM Senior Coroner - Herefordshire  
Town Hall  
St Owens Street  
HEREFORD  
HR1 2PJ

[REDACTED]

Dear Mr Bricknell

**SAM MALCOLM TAYLOR**

I write in response to the Regulation 28 report to Prevent Future Deaths dated 30 June 2023.

Whilst I note that you have raised a number of concerns, which I have addressed separately below, I can offer my assurances that owing to a full review of this service that has recently taken place, which I must add took place not as a direct result of Mr Taylor's sad death, substantial changes have been made to the structure, processes and practice within the service. These steps have been taken to ensure that such an incident should never happen again.

1) **A prevention duty was owed to the deceased and due to Herefordshire Council communication process failure, contact was not made with him or those with whom he had approved contacts prior to his death.**

When a local authority has reason to believe that a person might be threatened with homelessness, it must accept a homeless application and make inquiries into what duties it might owe them.

Following Mr Taylor's initial contact with Herefordshire Council on 6 July 2022, and based on what information was known to the council and shared by Mr Taylor, a Prevention duty was owed as Mr Taylor was at risk of becoming homeless. He was not, at the point of contact, homeless.

Whilst it is accepted that a Prevention Duty was owed to Mr Taylor, it should be clarified that this duty under s.195(1) Housing Act 1996, as substituted by s.4(2) Homelessness Reduction Act 2017, exists to help find a solution to the individual's housing situation. This includes taking all reasonable and practicable steps to prevent the individual from becoming homeless, assisting them to remain in the current accommodation or indeed helping them find a new place to live.

This duty continues for 56 days or ends sooner if circumstances change. If, during that 56 days, all efforts result in no change and cannot prevent someone from being made homeless, a Relief Duty then becomes owed which provides a duty for the Local Authority to seek suitable accommodation.

In Mr Taylor's case, a Prevention duty was owed to him because at the time of his contact with the council, he was at risk of being made homeless, having told the duty officer that he was required to leave his accommodation on 11 July 2022. As a result of this conversation on 6 July 2022, the duty officer entered his case into the council's CRM system and his application for housing was also opened on the Home Point system. However, as

acknowledged, his case was not progressed in a timely manner within the system and his case was not duly actioned and allocated. Had his case been triaged correctly, it would have been allocated to an officer, who would have taken practical and all reasonable steps to prevent Mr Taylor from being homeless. This could have included speaking with his landlady and attempting to find a solution that would have allowed him to remain. If all steps had failed, it is likely a Relief duty would then become owed.

A fundamental review of the Council's housing responsibilities, services, resources and management was instigated by the Corporate Director, Community Wellbeing in January 2023 and led by an independent investigator. This review was undertaken due to concerns about the structure of housing being split between functions within the directorate and on the back of concerns expressed by the workforce.

The review concluded at the end of March 2023 and made the following recommendations:

1. A new management and staffing structure is proposed, bringing together all specific housing services under a single management team, led by a new Head of Housing reporting directly to the Corporate Director.
2. A new overall approach to housing services design and delivery is proposed, incorporating strategic objectives, principles, values, service development themes and a more comprehensive performance reporting regime.
3. A series of key priorities is identified for service improvement and development. These range from the housing front door and assessment, through the housing register and various forms of homeless prevention and intervention to accommodation strategy and capital housing development projects.
4. A significant overhaul of systems, procedures and operating practices is required.
5. A series of management practice improvements is recommended in relation to training, recruitment, overtime, staff communications, supervision and working practices, in promotion of a positive and effective organisational culture and best use of resources.
6. There are proposals for sustaining and enhancing partnership and collaborative arrangements including strategic, development and operational forums and a re-constituted Housing Board.

These recommendations have led to the development of a comprehensive implementation plan and in terms of progress to date against the plan, I can confirm that:

- The new structure is in place which brings together all specific housing services under a newly created post of Head of Housing. This post is being delivered through an acting up arrangement by an existing very experienced senior manager to deliver the immediate improvements identified through the review. Permanent recruitment to the post will take place by the end of December.
- An experienced interim service manager has been in post since April 2023 and is leading the service improvement and development work which has already delivered strengthened processes, from first point of contact through to decision making, reviewed housing procedures to ensure they align with the Homelessness Reduction Act and is providing ongoing comprehensive management guidance and support to front line officers. Additional experienced interim capacity has also been brought into the service at the front line to support the embedding of the changes.

- The overhaul of systems, procedures and operating practices is in progress and is expected to be fully delivered by October 2023, alongside a comprehensive training programme for officers.

The wider recommendations in relation to partnership working will roll out from January 2024. This will specifically include working with health colleagues in relation to ensuring that relevant information is shared to feed into any decision making processes.

I can confirm that the Corporate Director reviews progress on a weekly basis with the Head of Service and Service Manager.

**2) Evidence suggests that in reality Mr Taylor would have met the threshold for vulnerability set out in the Housing Act 1996 but the failure to progress the application resulted in this never being established.**

At the point at which Mr Taylor contacted the service, he was not homeless in line with relevant legislation and it was not anticipated that he would be homeless until after the weekend; hence he was owed a Prevention duty at the time of contact with the service. He was made aware that should his circumstances change, then a Relief duty would be owed.

Following his conversation with the duty officer on 6<sup>th</sup> July 2022, Mr Taylor's application was commenced. He was set up on the Home Point system to enable him to register for social housing. We are aware that he subsequently accessed the system that evening (as evidenced by case log) to commence his application but had not completed the online application as was required to submit further documentation.

As noted above, it is accepted that his case was not actively progressed in a timely manner through the internal triage system which would have prompted officers to have attempted to engage with him at an earlier stage. His case was left without being progressed which meant that no officer had oversight of his case. Once his case was triaged on 26<sup>th</sup> July 2022 (albeit 20 days after his initial approach to the council) and then allocated to a Housing Solutions officer on 3rd August 2022, officers then attempted to make contact. However, sadly, this was all too late as Mr Taylor passed away on/or prior to 17<sup>th</sup> July 2022.

As Mr Taylor was not homeless at the initial point of contact and was owed a Prevention Duty, the homeless vulnerability tests were not carried out at the initial interview. The need to carry out such a test does not apply until an individual is owed a Relief duty owing to them being homeless, eligible in priority need and the Local Authority is considering whether it has a duty to secure accommodation for the applicant.

Subsequent events and additional information which was unknown to the Council at the time of Mr Taylor's approach, has since suggested that he was more vulnerable than was first understood. This appears to be in part owing to his admission into hospital on 7 July 2022. The details and the reason for his admission to hospital, which happened after his initial approach to the council, were not subsequently shared with the Council.

The implementation plan referred to in point 1 above includes ensuring our processes are robust and working more proactively with partners, particularly around duty to refer obligations. Had Mr Taylor's case been progressed through the initial triage process at an earlier stage, and the service had become aware of his admission to hospital, it is likely that his case would have been duly reviewed and consideration given to the potential of a Relief Duty, which would have formally prompted a vulnerability test to have been undertaken.

**3) A system for identifying process failure should be in place & effective**

Herefordshire Council can confirm that a system for identifying any process failure is now in place and operating. The system covers:

- Regular supervision of individual officers by their line managers which covers caseload reviews.
- Daily management oversight of the CRM system, specifically focused on those cases in triage.
- Weekly reviews of each case at different stages of the process by the service managers with teams leaders, to ensure that they are being progressed in a timely manner.

A programme of case auditing is also being developed in line with the directorate's overall quality assurance framework which will roll out from October 2023.

I trust that this response satisfactorily addresses the concerns raised in your letter but please do not hesitate to get in touch if further clarity on any point is required.

Yours sincerely

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**CHIEF EXECUTIVE**