



# **BRISTOL CITY COUNCIL EVICTION PROTOCOL**

**Between  
Housing Support Register Accommodation Providers  
and  
BCC Housing Options**

April 2022

## Introduction

1. Bristol has a wide range of agencies providing housing and support to some of the most vulnerable people in the city. Access to vacancies in these places is through the Housing Support Register (HSR), which aims to ensure that supported accommodation is allocated to those in most need.
2. Not all supported housing licences and tenancies are sustainable. Regrettably in some cases, providers have no choice but to commence possession proceedings. Where this is unavoidable, providers should follow this protocol to minimise evictions, and also to ensure that the impact on the evictee is kept to a minimum.
3. The aim of this protocol is to ensure that a consistent approach is taken by all parties to ensure that a fair and equitable service is provided to supported housing providers and residents alike. The aim of this protocol is to prevent homelessness by having in place a structured response to residents facing eviction whether imminent, medium or long term. The protocol should be followed to allow a maximum possible time for alternative solutions to be found. There are four central principles underpinning this protocol:
  - a) Eviction should be a last resort, following extensive prevention work, in partnership with other agencies in the sector;
  - b) Where eviction is inevitable, there should be adequate time for the evictee and the relevant teams to find alternative accommodation to prevent a return to homelessness;
  - c) Full details of the incident or behaviour leading to eviction should be updated on the HSR and a risk assessment completed immediately by updating the HSR Referral Form;
  - d) Where eviction is experienced, the process should be consistent across all HSR accommodation providers.
4. To be workable, this protocol requires agreement and commitment from all relevant accommodation providers, Bristol Supported Housing Forum, Bristol's Homelessness Agencies Meeting, BCC's Housing Options and BCC's Homelessness Contracts and Commissioning Team.
5. The protocol covers procedures that must be followed when a supported housing provider intends to instigate possession proceedings. It is recognised that the supported housing provider concerned retains the right to commence proceeding where breaches of a tenancy/licence agreement have occurred. This protocol is not intended to undermine that right, rather to mitigate the effects on the individual concerned. In some cases, this may mean that the person is not evicted (with additional support where necessary) or that a client is found suitable alternative accommodation.

## The Protocol

6. Where there are problems regarding a client breaching the licence agreement, eviction should be a last resort when other attempts to resolve the situation have not worked.
7. When a supported housing provider issues a resident with a notice to quit their accommodation (NTQ), **the HSR Referral Form should be updated immediately** with details about the incident/behaviour which led to the notice plus any prevention work prior to the notice being issued. There should be consideration of whether alternative accommodation through the HSR would be more appropriate.
8. **If a referral to alternative HSR accommodation is appropriate:**
  - 8.1. With the consent of the resident, HSR referrals should be completed, and the appropriate priority awarded. This will most likely be a priority two (for further information, contact the Interim and Supported Accommodation Team for advice re the HSR). This should be

completed on the same day as the NTQ is issued, or as soon as possible afterwards, regardless of whether there is a possibility that the NTQ will be rescinded. Some providers use NTQs a lot more regularly than others – if there is no intention to follow up the NTQ with eviction referrals do not need to be made but the HSR forms, especially the risk assessment, should still be updated. This should be followed in every case.

8.2. Sometimes an HSR referral will have been completed, but no place will be offered even though eviction is imminent. Where this happens, and the eviction will take place in the within seven days, an online agencies referral form to the Homelessness Advice Team need to be completed. This can be found here [Homelessness prevention referral from agencies](#). A Housing Advisor will then arrange to see the evictee. The Housing Advisor will endeavour to find alternative accommodation. In some cases, this may involve a referral for emergency accommodation, or may involve an application for assistance under Part 7 of the Housing Act 1996 (as amended).

## 9. If a referral to alternative HSR accommodation is not appropriate:

9.1. **The HSR Referral Form should still be updated as above.** A referral should then be made to the HPT. This is done via an online agencies referral form to the Homelessness Advice Team. This can be found here [Homelessness prevention referral from agencies](#). Before the referral is made, ensure that the client's permission has been obtained. Any relevant paperwork, such as notice determining the licence, possession order or bailiff's warrant should also be included at this stage.

9.2. The referral to the HPT should be made on the same day that the NTQ is issued, even where there is a possibility of the NTQ being rescinded. This will mean that proper planning takes place for the possibility that the NTQ leads to eviction.

9.3. When a referral has been received, a BCC Housing Adviser will contact the provider and make arrangements to interview the client in question. Before any visit takes place, a risk assessment will be undertaken, taking into account information supplied by the client and the supported housing provider on the HSR when the notice was issued. The purpose of the interview will be to gain further information about the circumstances and situation of the evictee, try and secure any future accommodation options and determine if there may be a statutory duty on BCC when the person is evicted.

## 10. If it has not been possible to obtain the consent of the evictee:

10.1. Every attempt should be made to engage the evictee and refer them on for alternative accommodation or advice, even if the relationship has broken down. It is also vital to update the HSR with full information, including anything related to risk and this can be done without the applicant's consent if there is a risk of harm to themselves or to others. If consent to refer onwards for alternative accommodation is not given then the evictee should be given information about where to seek advice themselves if it is needed in the future.

## 11. Risk of rough sleeping

11.1. Where there is a risk that the evictee is not likely to secure alternative accommodation then the Outreach team must be notified to allow them to effectively engage with the evictee and seek to prevent rough sleeping, minimise the length of time on the streets and to ensure they are aware of any risks in engaging with the client. Other Voluntary, Community and Social Enterprise organisations that provide support such as In Hope (Wild Goose Café) and Julian Trust should also be notified.