

7-minute Learning

Safeguarding Adult Review (SAR) Homelessness – Yi

Newnham SAB, Islington SAB, City and Hackney SAB and Lambeth SAB¹

Case Summary

Yi was a man who came to the UK as an adult, secured employment and purchased his own home in 1999. He had limited or no contact with his wider family in the UK. He abandoned his home and started sleeping rough in 2006. At the same time, there were concerns about the condition of his property and the risk it posed to public health, and Yi stopped paying essential household bills. In 2008, he was diagnosed with schizophrenia and was seen briefly by secondary mental health services, which appeared to have no impact on his self-neglecting behaviour. For the next 4 years he continued to sleep rough and suffered a number of thefts, physical assaults and arrests.

In 2012, Yi was supported into an emergency shelter and secured accommodation in a homeless shelter. Whilst living here, Yi was assisted by specialist homeless medical services and referred to secondary mental health provision, which assessed him as needing active support from mental health and social services. An apparently isolated decision was made to withdraw housing benefit payments for Yi's sheltered accommodation because he owned a property. There is no clear picture about Yi's capacity to engage with services to address his health and social care needs or treat his self-neglecting behaviours.

He continued to be both victim and perpetrator of physical assaults and to come to the attention of the police. He suffered 2 brain injuries in 2014-15, which affected his functioning and in 2015, he was assessed unable to manage activities of daily living independently. Insufficient consideration was given to how this might impact on his capacity to manage his financial affairs and engage with services. Because of this and the earlier decision to stop housing benefit, considerable rent arrears built up, triggering his eviction from sheltered accommodation in September 2015.

Yi became street homeless again and was referred to another Local Authority and accommodated through their No Recourse to Public Funds Team. Although it was recognised that Yi needed support to manage his financial affairs, only partial support was offered. This was partly because he couldn't keep appointments, but also due to a perceived organisational risk that supporting him to manage his finances might impact on liability for future care costs given an ongoing dispute regarding his 'ordinary residence'.

¹ The RWSAB would like to acknowledge the SAR on Yi prepared by Fiona Bateman on behalf of Newnham SAB, Islington SAB, City and Hackney SAB and Lambeth SAB (Link to full report [Safeguarding Adult Reviews](#))

In 2016, Yi was re-admitted into hospital having suffered a subdural hemorrhage, further limiting his cognitive abilities. Upon discharge, support for his housing was withdrawn and he was directed to a third authority to request support under part 7 of the Housing Act. He was temporarily accommodated, but his application was quickly rejected on the basis that he owned property. That decision did not consider whether it was reasonable, given both his own disabilities and the condition of the property, to determine he could occupy this property.

Emergency accommodation was arranged in several Local Authorities at different points between 2016 and 2017, but there was little regard as to whether this accommodation was suitable for Yi, given his medical and physical needs. He was later referred for specialist mental health support to services in Local Authority 3's area. Dispute arose about which authority should be responsible for providing Yi's support and whether accommodation should be provided under the Housing Act 1996 or Care Act 2014. There was no assessment of his capacity to make an application for support under the Housing Act 1996 or adhere to the conditions of any accommodation. No thought was given to the duty to appoint an advocate, which should have been considered due to his cognitive impairments and the lack of support by friends and family.

He was evicted from the emergency homeless accommodation on the basis that he was 'not independent' and because his behaviour could place him or others at risk of harm in that environment. Hostel staff did not raise a safeguarding concern that an adult at risk was without necessary care and support. No information was shared about his health and social care needs, mental capacity or likely presentations. For example, although he was accommodated for one night, hostel staff were not advised of his brain injury and wrongly assumed he was drunk. He was not assessed by either authority for on-going support.

From 14 July 2017, Yi slept rough until he was taken into St Thomas' hospital in a confused state on 23 July 2017. Hospital staff undertook an assessment of his need for continuing healthcare and identified that he would require nursing support on discharge. An advocate was appointed to support him during the assessment and care planning process undertaken by social care staff from the fourth authority. That authority subsequently accommodated Yi in a nursing home and initiated a safeguarding enquiry under the category of 'neglect and acts of omission'. (This review arose out of a recommendation from that enquiry.)

Yi passed away in September 2018 and, whilst the cause of death was unconnected to the statutory failings, practitioners involved in the discussions felt it was important to recognise he experienced serious harm and that a SAR would help SABs, partner agencies and the wider statutory and voluntary sector to work more effectively with people experiencing, or at risk of, chronic homelessness.

Findings

Yi undoubtedly suffered abuse whilst sleeping rough. He was the victim of several assaults resulting in brain injuries. He also suffered neglect, both as a result of his own inability (likely linked to his cognitive impairment and mental health) to meet his daily living needs and as a result of the failings by statutory services to intervene in line with their legal powers and duties to provide necessary accommodation-based support.

Yi's conditions and resulting behaviours, coupled the complexity of the legal framework, impact of austerity and lack of organisational support impeded practitioners' ability to carry out their functions. However, his legal rights to be appropriately assessed for support to meet his housing and social care needs were also repeatedly ignored by a number of statutory agencies and as a consequence his health and wellbeing deteriorated. The SABs and partner agencies involved may wish to reflect on what actions are required to ensure staff adhere to legal obligations and protect adults at risk experiencing, or at risk, of chronic homelessness.

Questions for consideration and feedback

- 1. How can you use this SAR to improve practice in your team/organisation?*
- 2. What could the RWSAB do to help your organisation achieve this?*