



# Homelessness Reduction Act 2017

## 2017 CHAPTER 13

### *Codes of practice*

#### **11 Codes of practice**

After section 214 of the Housing Act 1996 insert—

##### **“214A Codes of practice**

- (1) The Secretary of State may from time to time issue one or more codes of practice dealing with the functions of a local housing authority in England relating to homelessness or the prevention of homelessness.
- (2) The provision that may be made by a code of practice under this section includes, in particular, provision about—
  - (a) the exercise by a local housing authority of functions under this Part;
  - (b) the training of an authority’s staff in relation to the exercise of those functions;
  - (c) the monitoring by an authority of the exercise of those functions.
- (3) A code of practice may—
  - (a) apply to all local housing authorities or to the local housing authorities specified or described in the code;
  - (b) contain different provision for different kinds of local housing authority.
- (4) The Secretary of State may issue a code of practice under this section only in accordance with subsections (5) and (6).
- (5) Before issuing the code of practice, the Secretary of State must lay a draft of the code before Parliament.
- (6) If—
  - (a) the Secretary of State lays a draft of the code before Parliament, and
  - (b) no negative resolution is made within the 40-day period,

the Secretary of State may issue the code in the form of the draft.

- (7) For the purposes of subsection (6)—
- (a) a “negative resolution” means a resolution of either House of Parliament not to approve the draft of the code, and
  - (b) “the 40-day period” means the period of 40 days beginning with the day on which the draft of the code is laid before Parliament (or, if it is not laid before each House of Parliament on the same day, the later of the two days on which it is laid).
- (8) In calculating the 40-day period, no account is to be taken of any period during which—
- (a) Parliament is dissolved or prorogued, or
  - (b) both Houses are adjourned for more than four days.
- (9) The Secretary of State may—
- (a) from time to time revise and reissue a code of practice under this section;
  - (b) revoke a code of practice under this section.
- (10) Subsections (4) to (6) do not apply to the reissue of a code of practice under this section.
- (11) The Secretary of State must publish the current version of each code of practice under this section in whatever manner the Secretary of State thinks fit.
- (12) A local housing authority must have regard to a code of practice under this section in exercising their functions.”