



The Scottish Parliament  
Pàrlamaid na h-Alba

## **Infrastructure and Capital Investment Committee**

**2nd Report, 2012 (Session 4)**

### **Homelessness in Scotland: the 2012 Commitment**

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## **Infrastructure and Capital Investment Committee**

### **2nd Report, 2012 (Session 4)**

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The Scottish Parliament  
Pàrlamaid na h-Alba

## **Infrastructure and Capital Investment Committee**

### **Remit and membership**

#### **Remit:**

To consider and report on infrastructure, capital investment, transport, housing and other matters falling within the responsibility of the Cabinet Secretary for Infrastructure and Capital Investment, apart from those covered by the remit of the Local Government and Regeneration Committee.

#### **Membership:**

Malcolm Chisholm

Neil Findlay (until 22 December 2011)

Jamie Hepburn (Deputy Convener until 23 February 2012)

Adam Ingram (Deputy Convener from 7 March 2012)

Alex Johnstone (from 23 November 2011)

Gordon MacDonald

Margaret McCulloch (18 January 2012)

Aileen McLeod (from 7 March 2012)

Maureen Watt (Convener)

#### **Committee Clerking Team:**

Clerk to the Committee

Steve Farrell

Senior Assistant Clerk

Ruth McGill

Assistant Clerk

Lewis McNaughton

Committee Assistant

Lauren Spaven-Donn



The Scottish Parliament  
Pàrlamaid na h-Alba

## **Infrastructure and Capital Investment Committee**

### **2nd Report, 2012 (Session 4)**

#### **Homelessness in Scotland: the 2012 Commitment**

The Committee reports to the Parliament as follows—

#### **Introduction**

1. Scotland's 2012 homelessness commitment, created under the Homelessness etc. (Scotland) Act 2003 ("the Act"), entitles all unintentionally homeless people to settled accommodation by the end of this year.
2. Currently, local authorities only have to secure settled accommodation for those homeless applicants who have been assessed as unintentionally homeless and in priority need. The Act stipulated that the priority need distinction must be abolished by 31 December 2012. This means that from the point of abolition, all unintentionally homeless households will be entitled to settled accommodation.
3. The considerable level of resources and input required from local authorities and their partners to meet this target was recognised by the then Scottish Executive and the Parliament at the time of the passing of the Act in 2003. The expansion of priority need to include all unintentionally homeless people was therefore given the deadline of 2012, with local authorities working towards meeting the commitment from 2005.
4. The Infrastructure and Capital Investment Committee agreed to conduct an inquiry into the progress towards the 2012 commitment in order that it could feed into the preparation for the legal requirement being placed on local authorities. This approach allowed the Committee to engage positively with local authorities, housing associations, the voluntary sector and the Scottish Government to consider the achievement of the commitment and its impact on homeless people in Scotland.
5. The Committee will also monitor both the implementation and sustainment of the commitment post-2012. This is particularly important given the challenges currently faced by local authorities which could not have been foreseen at the establishment of the commitment in 2003.

6. The Committee acknowledges the variation amongst local authorities across Scotland in making progress towards meeting the 2012 commitment. The Scottish Government has reported that, between July and September 2011:

- in nine council areas 100% of homeless assessments were assessed as having a priority need. These councils were Angus, Dundee City, Moray, North Ayrshire, Orkney, Renfrewshire, Scottish Borders, Stirling and West Dunbartonshire. This is an increase of six councils compared with the same quarter in 2010;
- in another 11 council areas - East Renfrewshire, Inverclyde, Glasgow City, Dumfries & Galloway, Falkirk, Clackmannanshire, Perth & Kinross, South Ayrshire, South Lanarkshire, Shetland, and Midlothian - more than 90% of homeless were assessed as having a priority need;
- eight council areas – Aberdeen City, Aberdeenshire, Argyll and Bute, East Ayrshire, East Dunbartonshire, Edinburgh, Fife and West Lothian assessed between 80% and 90% of homeless cases as having a priority need;
- three council areas - Highland (79%), North Lanarkshire(78%) and Eilean Siar (74%) assessed between 70% and 80% of homeless cases as having a priority need;
- East Lothian Council assessed 66% of homeless cases as having a priority need.

7. In Scotland there are approximately: 1.5 million owner-occupied homes, 273,000 privately rented homes, 272,000 homes rented from housing associations and 323,000 homes rented from local authorities.<sup>1</sup>

### **Evidence taking**

8. The Committee wishes to extend thanks to all of the organisations who offered considerable time and input both during formal evidence taking and throughout the Committee's programme of visits. The Committee is also grateful for the written submissions received.

9. The Committee conducted three formal evidence taking sessions. On 7 December 2011, the Committee heard from—

- Olga Clayton, Head of Community Care and Housing at North Ayrshire Council, Association of Local Authority Chief Housing Officers (ALACHO);
- Cllr Brian Goodall, Chair of the 2012 Steering Group, and Alan McKeown, Head of Housing at Angus Council, COSLA;

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<sup>1</sup> Scottish Government, Housing Statistics for Scotland. Available at: <http://www.scotland.gov.uk/Topics/Statistics/Browse/Housing-Regeneration/HSfS>

- Rebecca Maxwell, Assistant Chief Executive, Sustainability, Economy and Environment at Stirling Council, Society of Local Authority Chief Executives (SOLACE) (Scotland).

On 14 December 2011, the Committee heard from—

- Robert Aldridge, Chief Executive, Scottish Council for Single Homeless (SCSH);
- Gordon MacRae, Head of Communications & Policy, Shelter Scotland; and
- David Ogilvie, Policy and Strategy Manager, Scottish Federation of Housing Associations (SFHA).

On 8 February 2012, the Committee heard from—

- Keith Brown MSP, Minister for Housing and Transport, and Marion Gibbs, Team Leader, Housing Options and Services Unit, Scottish Government.

10. The Committee also undertook a programme of informal visits to: Ayrshire and South Housing Options Hub on 25 November 2011, Moray Council on 12 December 2011, Turning Point Scotland and Glasgow Housing Association on 13 December 2011, East Lothian Council on 6 January 2012 and City of Edinburgh Council on 13 January 2012.

### **The impact of the 2012 commitment**

#### *Improved culture*

11. The Committee heard how the 2012 commitment has led to considerable improvements in the provision of services for homeless people in Scotland. One significant step forward has been the development of a more flexible culture which has allowed local authorities to conduct more effective assessment of people's individual circumstances, pursue prevention work and deliver better outcomes. An example of the considerable change at a corporate level within local authorities was provided by Rebecca Maxwell of SOLACE who indicated that the—

“shift has been to recognise from a whole-council perspective that homelessness is not just a housing issue but something that we need to take a corporate approach to and which is a significant part of the agenda”.<sup>2</sup>

12. More specifically, in recent years a “housing options” approach has been adopted by local authorities where, instead of simply considering a homelessness application, staff consider “the person's immediate needs, personal circumstances

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<sup>2</sup> Scottish Parliament Infrastructure and Capital Investment Committee. *Official Report*, 7 December 2011, Col 472.

and short and long-term housing aspirations [to work out] what the best options are.”<sup>3</sup>

13. Adoption of the “housing options” approach is at different stages of development across Scotland. One of the fastest progressing authorities, North Ayrshire Council, has had the housing options approach in place partially since 2005 and fully since 2007. The Council has seen a reduction of more than 50% in homelessness presentations in the past four years<sup>4</sup> which could in part be attributed to work undertaken to identify and address the underlying issues faced by those presenting as homeless. This approach has led to heavy investment in staff training, the use of external family mediation and a general focus on prevention. ALACHO representative and Head of Community Care and Housing at North Ayrshire Council, Olga Clayton further explained that—

“Our options approach, which developed that approach further, is delivered across the piece. Now, when someone comes to us, instead of seeing them as homeless and in need of a council house, we consider the range of issues that they have and what options are available.”<sup>5</sup>

14. Similarly, Highland Council set up a homelessness prevention team in one area for a three month period beginning in June 2011 and saw a 64% reduction in the number of households making a homeless presentation during this period.<sup>6</sup>

15. More generally, the positive effect of the “housing options” approach is supported by the most recent Scottish Government statistics on homelessness in Scotland.<sup>7</sup> These report an overall 20% reduction in homelessness applications for the last reporting period of April to September 2011 (in comparison to April to September 2010). The Government considers that—

“It is likely that this decrease in applications is mainly a consequence of changes in the services which local authorities provide to households who approach them for assistance. Over the past few years councils have been developing services in which staff assist households to consider the range of options available to address their housing needs.”<sup>8</sup>

16. The Committee was keen to establish that these figures did not simply represent people being turned away from or denied access to their rights in order that homelessness application figures were kept low. However, it was reassured

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<sup>3</sup> A Shelter Scotland Report: Housing Options in Scotland, July 2011, page 4

<sup>4</sup> Scottish Parliament Infrastructure and Capital Investment Committee. *Official Report*, 7 December 2011, Col 478.

<sup>5</sup> Scottish Parliament Infrastructure and Capital Investment Committee. *Official Report*, 7 December 2011, Col 473.

<sup>6</sup> Highland Council. Written Submission, paragraph 15.

<sup>7</sup> Scottish Government: Operation of the homeless persons legislation in Scotland: quarters ending 30 June and 30 September 2011 (including households in temporary accommodation at 31 December 2011). Available at <http://www.scotland.gov.uk/Publications/2012/02/7556/0>

<sup>8</sup> Scottish Government: Operation of the homeless persons legislation in Scotland: quarters ending 30 June and 30 September 2011 (including households in temporary accommodation at 31 December 2011). Available at <http://www.scotland.gov.uk/Publications/2012/02/7556/0>



when evidence from a range of witnesses indicated a positive redesigning of housing services, which genuinely focussed on the best outcome for the person seeking assistance. Added to this was the point made by Marion Gibbs, Team Leader of the Scottish Government's Housing Options and Services Unit, Scottish Government, that "we still have the critical safety net of homelessness legislation and this is not about eroding that in any way".<sup>9</sup>

17. However, the Committee also heard that an effective means of measuring the quality of prevention work was required. Robert Aldridge of SCSH stated—

"There is a very great danger that people see housing options as a means of driving down numbers and they focus simply on the numbers that come out of the end of the sausage machine, rather than the quality of the approach. It is quite tricky to find a means by which we can measure good-quality prevention of homelessness—which is what we are all after—against the barriers that are put up to people going through the system. A lot more work is needed to develop that measurement tool."<sup>10</sup>

**18. The Committee is encouraged by the positive impact which the adoption of the housing options approach appears to have had and considers that the Scottish Government should continue to encourage this approach.**

**19. It further recommends that the Scottish Government and the Scottish Housing Regulator should put in place measures to ensure that such services are consistent across Scotland and that legal duties are being met.**

**20. The Committee also considers that the Scottish Government should consider the development of a measurement tool for homelessness prevention work.**

#### *Partnership working*

21. The particular importance of partnership working in tackling homelessness was made clear throughout oral, written and informal evidence. Without partnership working between, for example, housing, health and social services, people can reach a point of crisis, whereas evidence suggests that early intervention could prevent their homelessness. The 2012 commitment has led to considerable improvements in partnership working but COSLA, SOLACE, ALACHO and the Scottish Government acknowledged that further work can be done.

22. The Committee ascertained that there are different levels of partnership working that require attention. Firstly, there is the partnership work that should be conducted between service providers in housing, health, social services and education.

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<sup>9</sup> Scottish Parliament Infrastructure and Capital Investment Committee. *Official Report*, 8 February 2012, Col 674.

<sup>10</sup> Scottish Parliament Infrastructure and Capital Investment Committee. *Official Report*, 14 December 2011, Col 549.

23. Gordon MacCrae, Shelter Scotland considered that—

“There are professionals outwith housing who come into contact with people who are experiencing or facing homelessness or housing problems, and they could be key contributors to resolving those people’s problems before they become homeless.”<sup>11</sup>

24. Rebecca Maxwell, SOLACE supported this view—

“Local authorities cannot lead and deliver on homelessness themselves. We need to embed partnership working across the sector more widely to ensure that all can play a part and that homelessness does not get lost among other agendas”<sup>12</sup>

25. SCSH also considered that further improvement in communication between the prison service, hospitals and local authorities would help prevent homeless presentations from newly released prisoners and discharged patients.<sup>13</sup>

26. Secondly, the Committee established that partnership working between local authorities, housing associations and the voluntary sector is also essential to prevent people from becoming homeless. Whilst local authorities carry the responsibility of the 2012 commitment, housing associations provide 50% of social rented housing in Scotland.<sup>14</sup> The SFHA considers that “In recent years, local authorities in various parts of Scotland have forged productive, meaningful partnerships with local housing associations and co-operatives”.<sup>15</sup>

27. The Committee considered, from the extent of the evidence heard, that in order to meet and sustain the commitment beyond 2012, further work is required in relation to how agencies work together and support each other to provide early intervention work. It considered that one of the best ways of doing this was to look at existing channels and its attention was drawn, in particular, to the work of the Scottish Government/COSLA 2012 Steering Group and the operation of Housing Options Hubs established by the Scottish Government.

28. The Committee heard how, in 2010, five Housing Options Hubs were created in order to promote a “housing options” approach to homelessness and to share best practice across all of Scotland’s 32 local authorities. This initiative has been successful, as the Committee experienced at the Ayrshire and South Hub it visited. However, the Committee heard that standards vary between the Hubs.<sup>16</sup>

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<sup>11</sup> Scottish Parliament Infrastructure and Capital Investment Committee. *Official Report*, 14 December 2011, Col 544.

<sup>12</sup> Scottish Parliament Infrastructure and Capital Investment Committee. *Official Report*, 7 December 2011, Col 472.

<sup>13</sup> Scottish Parliament Infrastructure and Capital Investment Committee. *Official Report*, 14 December 2011, Col 550.

<sup>14</sup> Scottish Parliament Infrastructure and Capital Investment Committee. *Official Report*, 14 December 2011, Col 558.

<sup>15</sup> Scottish Federation of Housing Associations. Written Submission, paragraph 3.4.

<sup>16</sup> West Lothian Council. Written Submission, section 3.

29. The Committee heard concerns in relation to the inconsistent approach to the membership of the Hubs where, for example, some included housing associations and some did not.<sup>17</sup> SFHA indicated that the 2012 Steering Group was looking to address this issue and that a communication strategy would be rolled out.<sup>18</sup> The view was also expressed that improvements in partnership working between service providers could be achieved by allowing health and social care to join the membership of Hubs.<sup>19</sup>

30. The Committee noted the capacity for development work within the Hubs particularly when the Minister for Housing and Transport highlighted the fact that the Hubs “have agreed to certain action plans, which are currently focusing on mitigation activity around the changes to housing benefit”.<sup>20</sup> Councillor Goodall of COSLA also commented that “There is potential to do more with the Hubs if they can be sustained, whether through direct resource provision or working more effectively with existing resources”.<sup>21</sup>

**31. The Committee notes that the Scottish Government has commissioned an IPSOS Mori poll on the Hubs to report at the end of March 2012 and asks that these findings are shared with the Committee.**

**32. The Committee recommends that the 2012 Scottish Government/COSLA Steering Group investigates and reports on methods of further developing and improving partnership working between local authority housing services and other services, such as health, social work and education.**

**33. The Committee also considers that the Group should use the newly established Hubs’ network of lead officers to feed into and inform this work.**

**34. The Committee further recommends that the Scottish Government encourages the Hubs to ensure that they include housing associations and voluntary sector organisations.**

35. The Committee recognises the ethos of the Hubs forming in a positive way to develop best practice and considers that restrictions or over-governance could have stifled innovation at the time of their creation. It could also have threatened the build-up of trust that allows genuine information-sharing to take place. However, the Committee’s attention was drawn to different levels of progress and success between the various Hubs and whilst this is understandable at this stage in their development, it would be a great setback should some fall behind.

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<sup>17</sup> Scottish Federation of Housing Associations. Written Submission, paragraph 3.11.

<sup>18</sup> Scottish Parliament Infrastructure and Capital Investment Committee. *Official Report*, 14 December 2011, Col 548.

<sup>19</sup> Scottish Parliament Infrastructure and Capital Investment Committee. *Official Report*, 7 December 2011, Col 479.

<sup>20</sup> Scottish Parliament Infrastructure and Capital Investment Committee. *Official Report*, 8 February 2012, Col 659.

<sup>21</sup> Scottish Parliament Infrastructure and Capital Investment Committee. *Official Report*, 7 December 2011, Col 477.

**36. The Committee therefore recommends that the Scottish Government works to establish with the Housing Options Hubs a general framework of policy areas that could be addressed by them and to work towards the benchmarking of housing services.**

37. The Committee considers that post-2012 it is essential that the considerably worthwhile work of the Hubs continues and develops further. **The Committee recommends that the Scottish Government should examine the potential for the provision of continued financial support to develop membership of the Hubs, partnership working, training and innovation and the benchmarking of services.**

*Prevention of Homelessness*

38. The Minister, COSLA, SOLACE and ALACHO set out developments in homelessness prevention activity in response to meeting and sustaining the 2012 commitment. The SFHA stated that there is “no greater form of preventative spending than spending on tackling homelessness. The savings that could be made to a number of public service budgets that are already under significant pressure – whether housing support, care, criminal justice, policing or what have you – are significant.”<sup>22</sup>

39. Evidence has illustrated the improvements in how homeless people are served through the housing options approach. Building on this, however, the Committee has also heard during its informal visits programme and formal evidence taking, the importance of low level support to prevent homelessness,. This is particularly important in addressing what is often described as the “revolving-door” in social tenancies. Olga Clayton of ALACHO stated that—

“The problem cannot be dealt with through the housing function alone; after all, drug and alcohol addiction, mental health and certain learning disability issues lie at the root of these cases, and we need to get much better at achieving joined-up working across the sector and targeting it at low-level support.”<sup>23</sup>

40. The SCSH made the important point that—

“When budgets are tight, the easiest areas to cut are those of low-intensity support that ensure prevention further up the line rather than those at the crisis point of homelessness. We are concerned that we need to keep a close handle on what is happening with housing support and ensure that it is maintained.”<sup>24</sup>

41. The SFHA also pointed to work being done by housing associations to promote the sustainability of tenancies and prevent the eviction of existing

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<sup>22</sup> Scottish Parliament Infrastructure and Capital Investment Committee. *Official Report*, 14 December 2011, Col 545.

<sup>23</sup> Scottish Parliament Infrastructure and Capital Investment Committee. *Official Report*, 7 December 2011, Col 495.

<sup>24</sup> Scottish Parliament Infrastructure and Capital Investment Committee. *Official Report*, 14 December 2011, Col 545.

tenants.<sup>25</sup> The SFHA “hoped that the Health and Social Care Integration Agenda will provide a framework for addressing low-level preventative support needs on a more financially sustainable basis”.<sup>26</sup> South Lanarkshire Council is concerned that councils will be required to meet the new duty of providing support regardless of the availability of resources to fund the services and whether it is in the gift of the local authority to meet the needs (e.g. health services).<sup>27</sup>

42. The Committee is aware of the Scottish Government’s current consultation on regulations to be made under section 158 of the Housing Act (Scotland) 2010 to provide housing support. The Committee understands the Act prescribes that local authorities carry out an assessment of housing support needs for those who are currently assessed as unintentionally homeless households and in priority need and therefore entitled to settled accommodation. Under the new duty, local authorities must also ensure that any required support is provided. Regulations will cover the type of provision made to enable people to stay in their homes.

**43. The Committee will therefore monitor the implementation of this new duty and requests that the Scottish Government provides full details of its consultation findings to the Committee, in advance of any regulations being laid before Parliament.**

44. The level of homelessness reported amongst young people and their vulnerability dictates the need for focussed prevention work, as illustrated in North Ayrshire.<sup>28</sup> The SCSH highlighted its role in the development of **Leaving Home and Housing Education** in schools and youth settings. SCSH “believes that giving young people a good understanding of what is involved in leaving home and what to do if things go wrong, should be an essential part of the curriculum for all young people”.<sup>29</sup> Linked to this was the need for professionals to become involved in identifying children who might be at risk of becoming homeless to enable early intervention.<sup>30</sup> Both of these views were supporting during the Committee’s informal visits. **The Committee asks the Scottish Government to what extent education on homelessness for young people is included in the Curriculum for Excellence and what awareness-raising is conducted within the continuing professional development of teachers.**

45. Evidence has pointed to investigating improvements that could be made to reduce the number of evictions and mortgage repossessions. The Committee considers that the Scottish Government should monitor the level of section 11 notices reported through its statistics and engage with key stakeholders about further measures that can be taken.

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<sup>25</sup> Scottish Federation of Housing Associations. Written Submission, paragraphs 3.3, 5.2, 5.4 and 5.5.

<sup>26</sup> Scottish Federation of Housing Associations. Written Submission, paragraph 3.16

<sup>27</sup> South Lanarkshire Council. Written Submission, paragraph 16 (vii)

<sup>28</sup> Scottish Parliament Infrastructure and Capital Investment Committee. *Official Report*, 7 December 2011, Col 473.

<sup>29</sup> Scottish Council for Single Homeless. Written Submission, Page 2 .

<sup>30</sup> Scottish Council for Single Homeless. Written Submission, Page 2.

46. The Committee's attention was drawn to the Prevention of Homelessness Partnership, led and co-ordinated by Govan Law Centre, which aims to prevent people becoming homeless through eviction or repossession by supporting tenants or owner-occupiers to access quality legal representation and money advice.<sup>31</sup> Citizens Advice Scotland also emphasised the importance of independent advice to help people deal with debt and arrange repayment agreements when they are in arrears.<sup>32</sup>

**47. The Committee recommends that the Scottish Government should consider including money advice and debt counselling as an integral part of the housing support to be made available to persons who are homeless or threatened with homelessness under new Regulations.**

*Temporary Accommodation*

48. The Committee noted that the use of temporary accommodation has been increasing in some areas and examined the impact of the 2012 commitment on its use.

49. Shelter Scotland pointed to a significant rise in the use of temporary accommodation in the last decade. They attributed this to local authorities owing a duty to more households but also to a reduced supply of permanent housing. However, due to the lack of a simple correlation existing between high levels of "priority need" assessments and the use of temporary accommodation by local authorities, Shelter Scotland considered that—

"Local authorities should not necessarily view a rise in the use of temporary accommodation as a necessary consequence of meeting the 2012 commitment and each local authority must consider how and when they use the temporary and permanent housing available".<sup>33</sup>

50. This view was supported by evidence of a reduction in the use of temporary accommodation provided by Moray Council. The Council adopted a housing options approach in 2010 and saw a dramatic decrease in the use of temporary accommodation units, including hostels and bed and breakfast accommodation, where the latter is only used by the Council for emergency periods.<sup>34</sup>

51. However, the Committee recognises that different pressures are faced by different local authorities and that it is not unreasonable to anticipate a link between the delivery of the commitment and an increased demand for temporary accommodation. Glasgow Council, for example, considered that—

"The increase in the numbers of applicants given priority need status will lead to continued pressure on the council to secure an increased level of permanent tenancies from Registered Social Landlords (RSLs) in the city.

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<sup>31</sup> Glasgow Homelessness Network. Written Submission, paragraph 4.4.

<sup>32</sup> Citizens Advice Scotland. Written Submission, page 1.

<sup>33</sup> Shelter Scotland. Written Submission page 4 (temporary accommodation).

<sup>34</sup> Scottish Parliament Infrastructure and Capital Investment Committee. *Official Report*, 8 February 2012, Col 667-668

This in turn places a burden on the council in relation to the supply of emergency and temporary accommodation for homeless households.”<sup>35</sup>

52. Similar concerns were expressed by Highland Council, who explained in written evidence that—

“In practice meeting the target will result in greater numbers of people in temporary accommodation while they wait for an offer of permanent accommodation. In some areas at present single applicants can wait up to two years for an offer of settled accommodation. Meeting the 2012 target will place additional pressure on temporary accommodation and will almost certainly increase the average length of stay.”<sup>36</sup>

53. The Committee questioned Shelter Scotland on what could be considered an acceptable length of stay in temporary accommodation, should its demand increase. The Committee noted Shelter Scotland’s considerable reservations in prescribing specific limits to time spent in temporary accommodation—

“We want to get people into sustainable tenancies as effectively and quickly as possible but, if the onus is to get people out of temporary accommodation, our fear is that they will be placed in unsuitable tenancies, that they will be more likely to fall into repeat homelessness and that we are just creating another problem for ourselves. Therefore, although we share the perspective that we do not want people to be in temporary accommodation long term—because it has harmful impacts on life opportunities for children, in particular—we need to be careful about pushing in one direction without making sure that we have the other protections in place.”<sup>37</sup>

54. The Scottish Government’s statistical reporting on the homelessness figures<sup>38</sup> sets out detail of the use of temporary accommodation across Scotland. **The Committee will continue to monitor these reported figures post-2012, to ensure that the commitment and other pressures faced by local authorities do not lead to unacceptable levels of dependence on temporary accommodation.**

55. While prevention work undertaken via the “housing options” route and the strengthening of early intervention aims to minimise the use of temporary accommodation, it is generally accepted that some level of its use will continue to be necessary. The Committee notes in particular Shelter Scotland’s view that—

“Relatively high levels of temporary accommodation are with us at least in the short to medium term, so greater attention needs to be paid to ensuring it is

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<sup>35</sup> Glasgow City Council. Written Submission, paragraph 5.1.

<sup>36</sup> The Highland Council. Written Submission, paragraph 9.

<sup>37</sup> Scottish Parliament Infrastructure and Capital Investment Committee. *Official Report*, 14 December 2011, Col 565.

<sup>38</sup> Scottish Government: Operation of the homeless persons legislation in Scotland: quarters ending 30 June and 30 September 2011 (including households in temporary accommodation at 31 December 2011). Available at <http://www.scotland.gov.uk/Publications/2012/02/7556/0>

of a consistently decent standard and that the costs are manageable for the homeless households.”<sup>39</sup>

56. Shelter Scotland has called for the introduction of a standard for temporary accommodation<sup>40</sup>.

57. The Committee notes that **Outcome 12: Homeless People** of the **Scottish Social Housing Charter** requires that—

58. Local councils perform their duties on homelessness so that:

*“...homeless people get prompt and easy access to help and advice, are provided with suitable, good quality temporary or emergency accommodation, when this is needed, and are offered continuing support to help them get and keep the home they are entitled to.”<sup>41</sup>*

59. The Committee will be interested to see how the new Scottish Housing Regulator will build on this part of the Charter in its regulatory framework, as it applies to temporary accommodation.

**60. The Committee therefore recommends that the new Scottish Housing Regulator, which will use the Scottish Social Housing Charter as the foundation of its regulatory framework, reports to the Scottish Government and Parliament on how it will ensure that temporary accommodation meets acceptable standards.**

#### *Allocations*

61. Local authorities have to juggle requirements in respect of building sustainable communities, serving people on waiting lists or transfer lists and ensuring that homeless people are allocated settled accommodation. Allocations policy was an important component of evidence provided to the Committee and its operation across Scotland is key to the success of the 2012 commitment. In its evidence, Shelter Scotland stated—

*“The statistics show a great deal of variation between different local authorities, from 64% of all lets by one authority, down to 24% in another, but on average one in three socially-rented houses in Scotland goes to a homeless household”.*<sup>42</sup>

62. Shelter Scotland also stated in written and oral evidence that 36% of registered social landlord lets go to homeless households.<sup>43</sup> The SFHA pointed out that the remaining percentage of lets is allocated to “people who would

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<sup>39</sup> Shelter Scotland. Written Submission, page 1.

<sup>40</sup> Shelter Scotland. Written Submission, page 1.

<sup>41</sup> Scottish Government, Scottish Social Housing Charter. Available at: <http://housingcharter.scotland.gov.uk/>

<sup>42</sup> Shelter Scotland. Written Submission, page 4 (allocations).

<sup>43</sup> Scottish Parliament Infrastructure and Capital Investment Committee. *Official Report*, 14 December 2011, Col 558.



otherwise be at risk of homelessness”.<sup>44</sup> The SFHA further asserted that “At an operational level, housing associations have had to adapt their allocations policies and practices, and also work much more closely with local authority partners”.<sup>45</sup> However, Alan McKeown, COSLA, considered that “there was a ‘mixed picture’ across RSLs and that bureaucracy needs to be, and can be, removed quickly, just by saying “You should all be in a common housing register. You should all work together on a commonality of allocations, and you need to increase the number of allocations that you make to priority groups, rather than playing with definitions”.<sup>46</sup>

63. The Committee heard evidence that there was concern that homelessness was perceived as the only route into social housing, undermining the aims of the commitment and building resentment within communities.

64. Angus Council considered that “the development of Common Housing Registers and Common Allocations Policies is helping access to a wider choice of social housing, but more can be done in this area nationally and locally”.<sup>47</sup>

65. The Committee heard positive evidence in relation to the policy of common housing registers, including from the SFHA, and their importance to allocations policy and fostering partnership working in local authority areas. **The Committee therefore seeks up to date information from the Scottish Government in respect of achieving the national objective of introducing and maintaining a common housing register in every local authority area in Scotland.**

### **Barriers to implementation**

#### *Affordable housing supply*

66. The majority of witnesses have emphasised the importance of improving the supply of affordable housing in Scotland. Rebecca Maxwell of SOLACE stated—

“We know from councils’ housing need and demand assessments throughout the country that there is a shortage of affordable housing in all tenures. There is a mismatch between demand and house types, which we need to see as part of the bigger issue. The discussion [today] is about how we deal with the homelessness angle, but there is a bigger issue that also needs to be addressed.”<sup>48</sup>

67. Councillor Goodall of COSLA added—

“We must be as positive as we can be and make the best use of the resources that we have. Of course, you will hear no arguments from me against making available more resources for new build, but one way to

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<sup>44</sup> Scottish Parliament Infrastructure and Capital Investment Committee. *Official Report*, 14 December 2011, Col 558.

<sup>45</sup> Scottish Federation of Housing Associations. Written Submission, paragraph 3.5.

<sup>46</sup> Scottish Parliament Infrastructure and Capital Investment Committee. *Official Report*, 7 December 2011, Col 493.

<sup>47</sup> Angus Council. Written Submission, section 4.

<sup>48</sup> Scottish Parliament Infrastructure and Capital Investment Committee. *Official Report*, 7 December 2011, Col 483

strengthen that case is to demonstrate that we are delivering the best that we can deliver. We need to explore every opportunity to ensure that councils that have the ability to build more have the land, the resources and the support to do so.”<sup>49</sup>

68. The Scottish Government set out its aim to deliver 30,000 affordable homes over the next five years, including at least 20,000 for social rent over the life of this Parliament.<sup>50</sup> More recently the Scottish Government has made a financial commitment of an additional £10 million for housing supply in 2011-12 to bring forward expenditure originally planned for payment in 2012-13. The Scottish Government has stated—

“This will increase our national uncommitted resources in 2012-13 by an equivalent £10m which will be added to the total sums available to allocate to councils for new projects through to March 2015.

We will notify each council of the amount of money we are making available to subsidise new affordable housing in their area through to March 2015. Each council has the strategic role of deciding how this should be spent. It is then for the council to decide, in discussion with local RSLs, which projects should go forward. The council will propose to the Scottish Government a package of development projects, setting out the plans, who will be the developer in each case, and the amount of subsidy requested from the Government. Once the Government has agreed these plans with the council, that opens the way for the Government to agree the specific projects with the council or RSL, and the amount of subsidy we will put in for each.”<sup>51</sup>

**69. The Committee acknowledges the strong relevance of affordable housing supply to the homelessness issue. The Committee will continue to monitor and assess the Scottish Government’s progress towards meeting its affordable housing targets.**

70. Of all of the local authorities, East Lothian Council has had the most difficulty in meeting the commitment, with priority need assessments at 66%. It has attributed a portion of this to difficulties with a chronic lack of affordable housing, coupled with a shortage of land available for new build affordable housing. The Council has also faced difficulty in bringing forward large strategic sites in its area.<sup>52</sup> The Committee recognises the importance of the 2012 commitment being met across the whole of Scotland. **The Committee therefore recommends that the Scottish Government should continue to engage with East Lothian Council to discuss how it might assist in overcoming the difficulties it is experiencing in meeting the commitment.**

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<sup>49</sup> Scottish Parliament Infrastructure and Capital Investment Committee. *Official Report, 7 December 2011, Col 485*

<sup>50</sup> Scottish Parliament Infrastructure and Capital Investment Committee. *Official Report, 8 February 2012, Col 659.*

<sup>51</sup> Cabinet Secretary for Finance, Employment and Sustainable Growth, Spring Budget Revision correspondence to the Infrastructure and Capital Investment Committee, 22 February 2012

<sup>52</sup> East Lothian Council. Written Submission, page 1

71. East Lothian Council, alongside ALACHO, has raised the question of the availability of public land. Olga Clayton of ALACHO, stated—

“Resources for new build are about not just money – although money is important – but land, and there is land throughout the public sector. The health sector, in particular, holds land, which is an issue for me locally. The Government could look fruitfully at the better use that could be made of land resources in the public sector to take the agenda forward, because such resources have not been exploited as fully as they could have been.”<sup>53</sup>

**72. The Committee agrees that there would be merit in further exploring how more creative use of public sector land could potentially assist in addressing affordable housing supply shortages. It therefore recommends that the Scottish Government examines the possibility of a public sector assets protocol in relation to the acquisition of land.**

73. In order to meet the demand for supply of housing it has been necessary for local authorities to work with the private sector to identify suitable tenancies for homeless people. This partnership working has been further developed through local authority rent deposit guarantee schemes and private sector leasing schemes. The Committee’s attention was drawn to the City of Edinburgh’s Letfirst Scheme, run with letting agents Orchard and Shipman, which allows tenants to establish a let without having to pay a deposit. The scheme allows those who have low incomes or who are on benefits to access a private tenancy and offers a range of advice to tenants before and after the tenancy is established.

74. Olga Clayton at North Ayrshire Council stated—

“Many people still prefer a secure council tenancy. We get representations on that basis and that option is open to people. However, we were slightly surprised to find that people are more willing than we expected to consider private sector options. It is important to them to maintain their community links, their links to their children’s schools and their links to employment.”<sup>54</sup>

75. The Scottish Government has introduced regulations to allow local authorities to discharge their duty to provide settled accommodation to unintentionally homeless households in priority need via the private sector by arranging an assured tenancy (of at least 12 months). The Scottish Government, having carried out a review, has discovered that this power has not been used to the extent that they thought it would be and is to consider the matter further.<sup>55</sup>

76. Shelter Scotland considers that the supply of good housing must be increased across all tenures and that there should be greater development of the role of the private sector. In particular, Shelter Scotland believes that consideration

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<sup>53</sup> Scottish Parliament Infrastructure and Capital Investment Committee. *Official Report*, 7 December 2011, Col 487.

<sup>54</sup> Scottish Parliament Infrastructure and Capital Investment Committee. *Official Report*, 7 December 2011, Col 474.

<sup>55</sup> Scottish Parliament Infrastructure and Capital Investment Committee. *Official Report*, 8 February 2012, Col 669.

should be given to reforming the different tenancy regimes available so that people can obtain greater security of tenure within the private sector. This point was also made by COSLA, ALACHO, and SCSH.

“Consideration requires to be given to a much broader reform of tenancies within the private rented sector to achieve the appropriate balance between security of tenure and flexibility to meet local needs.”<sup>56</sup>

77. Developing this theme, a COSLA representative stated that—

“The partnership with the private sector needs to get better and become more of an open book. We need to talk about shared risk and shared return, or lower levels of return with more higher-end houses and a much more flexible use of the planning system.”<sup>57</sup>

78. Improvements in the standard of housing in the private sector are also important. It was pointed out that levels of private rented sector properties vary across Scotland and the SCSH informed the Committee that “according to Scottish Government analysis [they] cannot play a significant role in up to 9 of 32 Scottish local authority areas.”<sup>58</sup>

**79. The Committee recommends that that Scottish Government should undertake a thorough review of the current tenancy regime in the private sector with a view to improving security of tenure and, in doing so, consider whether any legislative changes might be required.**

**80. The Committee also recommends that the Scottish Government should undertake analysis of what more can be done to encourage private sector landlords to make properties available to homeless people.**

81. The need to examine the tenancy options available in the social sector was also highlighted to the Committee, particularly in respect of shared tenancies. Robert Aldridge, SCSH stated—

“The Scottish secure tenancy does not make provision for shared tenancies. If the welfare reforms go through and move us towards a position whereby social landlords will have to consider shared tenancies, we must ensure that there is proper protection of tenants who have to share, and that proper arrangements are made for them.”<sup>59</sup>

**82. The Committee therefore recommends that the Scottish Government reviews the tenancy regime in the social rented sector to ensure it is flexible enough to meet future needs.**

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<sup>56</sup> South Lanarkshire Council. Written Submission, paragraph 16

<sup>57</sup> Scottish Parliament Infrastructure and Capital Investment Committee. *Official Report, 7 December 2011*, Col 491.

<sup>58</sup> Scottish Council for Single Homeless. Written Submission, page 1.

<sup>59</sup> Scottish Parliament Infrastructure and Capital Investment Committee. *Official Report, 14 December 2011*, Col 556.

83. The Committee received written evidence from Capability Scotland which states that “despite the increased duties on both councils and Registered Social Landlords to meet the needs of homeless people, disabled homeless people are still reporting to us that insufficient accessible permanent and temporary accommodation is available.”<sup>60</sup>

**84. The Committee notes this concern and would like to obtain further information on this issue. It therefore requests information from the Scottish Government on the levels of accessible housing availability across local authority areas together with details of the plans it has to increase the supply of accessible accommodation.**

85. The Committee examined issues relating to empty homes initiatives during formal and informal evidence taking, in particular, National Records of Scotland figures that illustrate that in 2010 there were 2,357,424 households compared to 2,488,496 dwellings<sup>61</sup> There are currently around 25,000 empty homes in Scotland which are liable for Council Tax and are recorded by Councils as having been empty for six months or longer.<sup>62</sup> The Committee is aware of the Scottish Government’s forthcoming Local Government Finance (Unoccupied Properties Etc.) (Scotland) Bill which is intended to tackle this issue and will monitor its progress and implementation this session.

### **UK Welfare Reform Bill**

86. The Committee undertook a separate examination of the implications of Welfare Reform on housing services in Scotland when it considered the Legislative Consent Memorandum to the Bill on 26 October and 23 November 2011. It reported its findings to the Health and Sport Committee and they were incorporated into its report to the Parliament.<sup>63</sup> The Committee heard during this evidence-taking of the likely negative impact of the Bill’s provisions on the ability of local authorities to meet the 2012 target. This view has been repeated in evidence-taking on the 2012 commitment and supported in a number of written submissions. COSLA considers that “Welfare Reform alone could lead to up to an additional 3000 homeless presentations in Scotland”.<sup>64</sup>

87. The main points of concern for the Committee are set out in the following paragraphs.

#### *Under-occupancy*

88. The Welfare Reform Bill provides a restriction on housing benefit entitlement for social housing tenants of working age whose accommodation is larger than

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<sup>60</sup> Capability Scotland. Written Submission, page 1.

<sup>61</sup> National Records Of Scotland.

<sup>62</sup> Council Tax on Long-Term Empty Properties and the Housing Support Grant – Consultation on Proposals for Legislation - Data as at September 2010, based on Local Government Council Tax returns.

<sup>63</sup> Scottish Parliament Health and Sport Committee, 4th Report, 2011 (Session 4): Report on the Legislative Consent Memorandum on the Welfare Reform Bill (UK Parliament legislation) - LCM (S4) 5.1

<sup>64</sup> COSLA. Written Submission, paragraph 7.

they are deemed by the UK Government to need. Regulations will set out in detail how this will work in practice.

89. The SCSH explained the potentially negative impact this restriction will have on efforts to meet the 2012 commitment, stating that—

“Housing Benefit penalties for those under-occupying social rented housing will make implementation [of the 2012 commitment] more difficult. The profile of social rented housing stock in Scotland is typically around 75% (or more) accommodation comprising 2 or 3 bedrooms. It was built as family housing and to be used flexibly. Households at risk of homelessness, or presenting as homeless are primarily single person households.”<sup>65</sup>

90. The majority of the Committee<sup>66</sup> considers there to be a distinct possibility that the under-occupancy provision will affect local authority allocations policies. It could mean, for example, that available two or three bedroom accommodation will not be allocated for fear of tenants falling into debt, thereby restricting the availability of accommodation for homeless people. The policy could also put people at risk of losing their existing tenancies.

**91. The Committee recommends that the Scottish Parliament’s Welfare Reform Committee examines the full detail of regulations relating to under-occupancy introduced under the Bill when these are brought forward and considers their likely impact on homelessness policy in Scotland.**

*General reduction in benefits*

92. The Committee has received evidence which suggests that the general benefits cuts contained in the Bill and their impact on individuals will lead to increased arrears and evictions.<sup>67</sup>

93. The SCSH considers that—

“There will be increasing problems with rent arrears as the impact of housing benefit reforms become a reality. It will be important for social landlords to prepare now to ensure that their policies towards rent arrears do not create unnecessary homelessness.”<sup>68</sup>

*Payment of Universal Credit*

94. The change to provide Universal Credit (which will include a housing benefit component) to claimants monthly in arrears will be “incredibly challenging for those who have never budgeted.”<sup>69</sup>

95. The lack of direct payment of rent to landlords could affect income streams that pay for repairs, improvements, new houses and staff.<sup>70</sup>

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<sup>65</sup> Scottish Council for Single Homeless. Written submission, page 1.

<sup>66</sup> Alex Johnstone MSP dissented from this paragraph of the report.

<sup>67</sup> Alex Johnstone MSP dissented from this paragraph of the report.

<sup>68</sup> Scottish Council for Single Homeless. Written Submission, page 3.

<sup>69</sup> Scottish Parliament Infrastructure and Capital Investment Committee. *Official Report*, 7 December 2011, Col 496.

96. Linked to the Welfare Reform Bill is the Local Housing Allowance reform to benefits which will mean that the age limit for claiming housing benefit for a single occupancy will increase from age 25 to age 35, which will mean an increasing need for shared accommodation.

**97. The Committee recognises that the Scottish Government and COSLA have already undertaken planning to minimise the effects of the Bill. However, given the potential consequences for the 2012 target, the Committee recommends that the Scottish Government provides to the Scottish Parliament's Welfare Reform Committee a detailed plan of mitigation measures.**

#### *Private Rented Sector*

98. As discussed earlier in this report, the Committee heard that it is essential that links are developed with the private rented sector to provide increased numbers of tenancies for homeless people. Evidence indicates that the Welfare Reform Bill will have an extremely negative effect on progress in this area. Highland Council stated that—

“Changes to be introduced as a result of the Welfare Reform will further undermine efforts to enable homeless applicants to access the Private Rented Sector. Welfare benefit changes will reduce the availability of the Private Rented Sector for households on benefit.”<sup>71</sup> (Highland Council submission, paragraph 13)

99. South Lanarkshire Council shared this view, asserting that—

“the unrelenting progress of welfare reform makes the private rented sector increasingly unaffordable to a large number of households and we have had little success in negotiating reduced rents or flexibility around deposits or rent in advance.”<sup>72</sup>

## **Conclusion**

100. The 2012 commitment is a ground-breaking policy which has already delivered considerable improvements to the situation faced by homeless people in Scotland. The progress towards 2012, particularly in the area of homelessness prevention, has facilitated a culture change towards supporting people rather than focussing on assessment.

101. The Committee is hugely encouraged by the progress made by local authorities across Scotland and commends the extensive work at central and local government level to reform housing services and improve practice as required under the 2003 Act.

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<sup>70</sup> Scottish Parliament Infrastructure and Capital Investment Committee. *Official Report*, 7 December 2011, Col 494.

<sup>71</sup> Highland Council. Written evidence, paragraph 13

<sup>72</sup> South Lanarkshire Council. Written Submission, paragraph 11

102. It considers it essential that all councils are provided with the necessary support and encouragement to ensure that the work which was initiated in 2003 and has demanded considerable resources and input from local authorities and other stakeholders is delivered successfully.

103. Meeting the 2012 commitment will represent a major landmark in terms of extended rights for homeless people. However, the Committee agrees with the evidence provided by many witnesses and stakeholders that its implementation represents a significant challenge. The Committee will, therefore, closely monitor the implementation of the commitment for the remainder of the parliamentary session and address any areas of concern which may emerge.



**ANNEXE A: EXTRACTS FROM THE MINUTES OF THE INFRASTRUCTURE AND CAPITAL INVESTMENT COMMITTEE**

**2nd Meeting, 2011 (Session 4), Wednesday 29 June 2011**

**Work programme (in private):** The Committee further discussed the development of its work programme.

**4th Meeting, 2011 (Session 4), Wednesday 21 September 2011**

**Work programme (in private):** The Committee agreed its work programme.

**6th Meeting, 2011 (Session 4), Wednesday 26 October 2011**

**1. Decision on taking business in private:** The Committee agreed to take items 7 and 8 in private.

**2. Draft Budget 2012-13 and Spending Review 2011 Scrutiny:** The Committee heard evidence from—

Councillor Harry McGuigan, Spokeperson for Community Wellbeing and Safety, and Caroline Johnston, Policy Manager, COSLA;

Dr Dan Barlow, Head of Policy, WWF Scotland, and Michael Levack, Chief Executive, Scottish Building Federation, The Existing Homes Alliance;

Maureen Watson, Policy and Strategy Director, Scottish Federation of Housing Associations;

Gordon MacRae, Head of Communications and Policy, Shelter Scotland;

Jonathan Fair, Chief Executive, Homes for Scotland.

**7. Homelessness:** The Committee agreed its approach to the inquiry.

**10th Meeting, 2011 (Session 4), Wednesday 23 November 2011**

**Witness expenses:** The Committee agreed to delegate to the Convener responsibility for arranging for the SPCB to pay, under Rule 12.4.3, any expenses of witnesses in its work on homelessness and broadband.

**11th Meeting, 2011 (Session 4), Wednesday 7 December 2011**

**Homelessness:** The Committee heard evidence from—

Olga Clayton, Head of Community Care and Housing at North Ayrshire Council, Association of Local Authority Chief Housing Officers;

Cllr Brian Goodall, Chair of the 2012 Steering Group, and Alan McKeown, Head of Housing at Angus Council, COSLA;

Rebecca Maxwell, Assistant Chief Executive, Sustainability, Economy and Environment at Stirling Council, Society of Local Authority Chief Executives (Scotland).

**12th Meeting, 2011 (Session 4), Wednesday 14 December 2011**

**Homelessness:** The Committee heard evidence from—

Robert Aldridge, Chief Executive, Scottish Council for Single Homeless;

Gordon MacRae, Head of Communications & Policy, Shelter Scotland;

David Ogilvie, Policy and Strategy Manager, Scottish Federation of Housing Associations.

**3rd Meeting, 2012 (Session 4), Wednesday 8 February 2012**

**1. Decision on taking business in private:** The Committee agreed to take item 6 and future consideration of related draft reports in private.

**2. Homelessness:** The Committee heard evidence from—

Keith Brown, Minister for Housing and Transport, and Marion Gibbs, Team Leader, Housing Options and Services Unit, Scottish Government.

**6. Homelessness and the Scottish Social Housing Charter:** The Committee considered the evidence heard during the meeting and at previous evidence sessions and agreed to report the findings from its work on homelessness and to write to the Minister for Housing and Transport with its views on the Scottish Social Housing Charter.

**5th Meeting, 2012 (Session 4), Wednesday 7 March 2012**

**Homelessness (in private):** The Committee agreed to further consider a draft report at its next meeting.

**6th Meeting, 2012 (Session 4), Wednesday 14 March 2012**

**Homelessness (in private):** The Committee agreed its report.

**ANNEXE B: ORAL EVIDENCE AND ASSOCIATED WRITTEN EVIDENCE**

**11th Meeting, 2011 (Session 4), Wednesday 7 December 2011**

[Oral evidence](#)

Association of Local Authority Chief Housing Officers  
COSLA  
Society of Local Authority Chief Executives (Scotland)

**12th Meeting, 2011 (Session 4), Wednesday 14 December 2011**

Written evidence

[Scottish Council for Single Homeless Shelter](#)

[Oral evidence](#)

Scottish Council for Single Homeless Shelter Scotland  
Scottish Federation of Housing Associations

Supplementary written evidence

[Scottish Federation of Housing Associations](#)

**3rd Meeting, 2012 (Session 4), Wednesday 8 February 2012**

Written evidence

[Scottish Government](#)

[Oral evidence](#)

Scottish Government

**ANNEXE C: LIST OF OTHER WRITTEN EVIDENCE**

[Angus Council](#)

[Capability Scotland](#)

[Citizens Advice Scotland](#)

[COSLA](#)

[East Ayrshire Council](#)

[East Lothian Council](#)

[Glasgow City Council](#)

[Glasgow Homelessness Network](#)

[Highland Council](#)

[Scottish Council for Single Homeless](#)

[Scottish Federation of Housing Associations](#)

[Scottish Government](#)

[Shelter Scotland](#)

[SOLACE](#)

[South Lanarkshire Council](#)

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