

Local Government and Communities Committee

Homelessness

Submission from the Big Lottery Fund

The Big Lottery Fund in Scotland

1. The Big Lottery invests £650m a year across the UK in projects that support local people and communities to make a positive difference in areas that matter to them – improving health, education and employment opportunities, enhancing local environments and building social capital. We are a Living Wage employer and Living Wage Friendly Funder.

A strategic interest in homelessness

2 The Big Lottery Fund in Scotland is a funder of work tackling homelessness in our local communities, through a mix of open (demand led) and targeted (direct intervention) funding. Since 2012, we have invested over £21m in 102 projects across Scotland supporting vulnerable homeless children and adults or working with people and families at risk of homelessness.

3 Our current programme, *Improving Lives*, supporting people facing challenging times has, since 2016, funded 11 projects supporting work in communities which include an element of support for people either in or at risk of homelessness. We have included in the response a case study Street Legal one of the projects supported from this programme of funding whose work is focused on delivering legal advice and representation to young people who are homeless or at risk of homelessness in Edinburgh.

In addition we would be happy to share what we have learned from recent investments in work to support people in or at risk of homelessness, including:

- **Life Transitions (2012-15) c £15m** for work supporting people who are homeless or at risk of homelessness. Life Transitions was about supporting people at key times of change, helping them make their lives better for the future.
 - The open (demand led) funding focussed on a wide variety of people with multiple and complex needs, helping them to make the transition from challenging circumstances. This included helping vulnerable young people, including young people who are homeless or at risk of becoming homeless, make a successful transition to adulthood and also helping prevent the transition into debt of homeless people in general.
 - A specific focus of the open (demand led) funding was addressing the connections between addiction, offending, homelessness and mental health, with the aim of ensuring that fewer people facing these

challenges experience homelessness and that those who do, are able to access a fuller range of appropriate services.

- The targeted funding (direct intervention) - **Becoming a Survivor 2** - supported people affected by domestic abuse and survivors of domestic abuse to be in a home of their choice and help them move on with their lives. We wanted to help people to have a choice about their housing and provide support to improve their emotional well-being and sense of self-worth
- **Support and Connect, (2012-15) – c. £600,000** for work supporting people in or at risk of homelessness. Support and Connect's investment aimed to improve the availability, quality and integration of local responses to hardship (joining up acute financial and debt advice, advocacy, casework, foodbanks and practical help, with longer term support)

General comments

4 Work we have funded to support people who are homeless or at risk of homelessness has not been primarily about finding housing, but in the wrap-round services which support people find and maintain tenancy, and addresses their multiple and complex needs.

5 Our work also suggests that early support around the key risk factors of homelessness can also have an impact on preventing homelessness occurring in the first instance.

Case study

Street Legal's contributions to Big Lottery Fund's submission

Community Law Advice Network (Clan Childlaw) is a charity which aims to improve children and young people's life chances by using our legal skills and expert knowledge to help young people take part in decisions that affect them, and by making sure that children's rights are realised in Scots Law. Clan Childlaw Limited is an independent law centre providing free, child-centred legal representation exclusively to children and young people. We provide an innovative, child-centred legal outreach service developed to meet the specific advice seeking needs of children and young people.

Street Work is a charity that works with homeless people 24 hours a day, 7 days a week in Edinburgh. As well as offering longer term support services, it also operates a round-the-clock crisis service.

Street Youth is a key part of Street Work, and undertakes outreach and crisis work with homeless young people.

Street Legal is a partnership project between Clan Childlaw and Streetwork, funded by the Big Lottery for 3 years. The project delivers legal advice and representation to young people between 16 and 26 years old - who are homeless, or at risk of homelessness in Edinburgh. We provide an innovative, person-centred legal outreach service developed to meet the specific advice seeking needs of young people.

This project has allowed us to pilot a model we call 'supported advocacy'. The model is: a specialist solicitor supports a small number of experienced advocacy workers to use the law and guidance to advocate on behalf of the young person to secure vital accommodation and services. The cases are escalated to a solicitor where necessary to protect their position and safeguard their rights. Early interventions are more successful because the advocacy is backed by the weight of a potential legal challenge if the problem is not resolved in negotiation. We also minimise the risk of failure to identify legal remedy and protect challenges because advocacy workers can consult with the solicitor in detail, early and often.

There are often times with this group where a young person's life is too chaotic to let them engage with a legal service, or where they engage in an emergency, out of hours or in crisis, needing immediate intervention. Advocacy workers have a trusted relationship with the client which means they can keep and put clients in contact with all relevant agencies, including in crisis and emergency and out of office hours, and they ensure that the client is able to take the necessary steps to progress the matter as well as advocating on and assisting with non-legal matters, and providing holistic support.

The project has been running for 7 months now and these are observations regarding the client group that we are working with. We are connected to a wide network of organizations that refer clients to us, we believe we are gaining a picture of the housing and homelessness situation that faces young people leaving care. The funding from Big Lottery has enabled us to identify common issues arising for this group and in particular we are uncovering issues that are arising for care leavers and their statutory right to continuing care and support after care in terms of the Children and Young People (Scotland) Act 2014 which came into force in April 2015. All the clients that we have become involved with so far have a care background. This follows the unfortunate statistical pattern that previously looked after children are significantly more likely to present within the homelessness system than their non-looked after peers.¹

The recently passed Children and Young People (Scotland) Act 2014 includes provisions for young people moving on from care. Parts 9, 10 and 11 of the Act set out the 'continuing care', 'through care and after care' duties that local authorities (and more widely, corporate parent bodies) are obliged to meet for young people

¹ *Scottish Homelessness Statistics*. Scottish Government: Edinburgh 2016
<http://www.gov.scot/Publications/2017/01/7740/downloads#res512952>

leaving care. The intention of the legislation is that care leavers receive the same support and care as those living with their families. Generally, in terms of the new legislation, care leavers are entitled to support to help them make the transition to adulthood:

- a continuation (until they are 21) of the same, or the equivalent, home base and support they received while in care e.g. continuing in the same foster or kinship care placement.
- financial support and housing support, assistance with accessing education, training, employment, opportunities and support for wellbeing.
- all parts of the local authority co-operating to promote their welfare.
- stable housing with suitable levels of support.
- The guidance makes it explicit that care leavers should not be seen by local authority departments in isolation, but that all local authority departments have a corporate parenting responsibility to consider all of the needs of the young person in a holistic manner. It is clear that care leavers should not be passed into the adult homelessness system.²

In practice however, many care leavers are not receiving the assistance they need, are not being listened to and are being diverted into adult services. The majority of young people using our Street Legal project, are care leavers who have “fallen through the cracks” and into homelessness. Agencies including Who Cares? Scotland, CELCIS, Barnardo’s Scotland, Street Youth and the Rock Trust have spoken to us about their concerns in relation to how this law is working in practice with care leavers they are supporting.

From the referrals that we have been receiving, it would appear that local authorities are often not meeting these obligations. We are seeing young people who have requested to remain in successful foster care or residential care placements - taking up education and employment opportunities, and, who with support, have been able to maintain important relationships including retaining care of their own child - being moved from those placements into the adult homelessness and housing system. This is contrary to the aspiration and intention of the legislation. We consider this to be a significant concern, because it puts care leavers who are succeeding into a very high pressure situation with vastly reduced support and resources giving their key workers concerns regarding their ability to sustain progress. Putting care leavers into the adult housing system and adult homeless accommodation forces vulnerable or potentially vulnerable young people into housing situations that at are time precarious (for example, being told to register as homeless, and being placed in a B&B or opting to sleep rough, “sofa surf” or take up high risk accommodation

² *Staying Put Scotland - Providing care leavers with connectedness and belonging*: Scottish Government 2013

<http://www.gov.scot/Publications/2013/10/7452>

referred to in the Guidance section to part 11 of the Children and Young People (Scotland) Act 2014.

because they do not want to go to a hostel), and which certainly do not provide the stability and continuity of care that is the aim of this part of the Act.

There is little awareness among care leavers and those working with them of care leavers rights, or of how to challenge decisions. The legislation is complex and implementation differs between different local authorities and it seems to us that there are a number of people with responsibility for fulfilling aspects of the local authorities duty to care leavers who do not understand the statutory duty or their role in how their local authority is implementing it. We have also noted a reported unwillingness within local authorities to continue to fund care placements or to provide additional funds and resources, notwithstanding that this would appear to be required to provide the care leaver with the continuing care and support they are entitled to.

Another difficulty is lack of resources particularly suitable supported accommodation. In Edinburgh, care leavers are referred into a throughcare aftercare service, and are assessed by the Through Care and Aftercare Panel to see if they qualify for available supported accommodation. They must make a homeless application. They are provided with adult homeless accommodation while they wait for a suitable place to become available and the waiting time is on average 10 months. They bid for permanent accommodation using an adult system which is very difficult to use without support. Those bidding can wait years for permanent accommodation to be secured, and if they are lucky enough to get a council house may struggle to sustain a tenancy without a high level of support. The level of support is often not available for the length of time it is required. Adult homeless accommodation is not a suitable environment for vulnerable care leavers and can be extremely detrimental to their wellbeing and ability to cope with other life circumstances. There is clearly a lack of resources in emergency, temporary and permanent accommodation which has a specific detrimental impact on young people and on care leavers.

Finally, although there is statistical evidence to suggest that youth homelessness numbers have dropped in the last decade, the referrals that we receive suggest that there are instances where young people are not given the opportunity to make homeless applications, and instead they end up sofa surfing, rough sleeping or staying in high risk accommodation. It would be useful for the Government to try to record the statistics on this particular group of young people, because they are obviously not accounted for in the current statistics.