

Local Government and Communities Committee

Homelessness

Submission from Shelter Scotland

Shelter Scotland would like to thank the Local Government and Communities committee for inviting us to respond to its call for evidence. This comes after Shelter Scotland gave oral evidence to the Committee on 8 March 2017. Shelter Scotland helps over half a million people every year struggling with bad housing or homelessness through our advice, support and legal services. And we campaign to make sure that, one day, no one will have to turn to us for help.

Shelter Scotland launched the Homelessness: Far From Fixed campaign in September 2016, as we believe there is an urgent need for the Scottish Government to re-focus on homelessness through the introduction of a National Homelessness Strategy. We therefore welcome the Committee's work on the complex issue of homelessness. Our campaign policy report outlines our key policy asks in more detail and can be found here.

Summary and Key Points

- Shelter Scotland wants to see a clear strategic focus on homelessness at a national level to ensure the best possible housing outcomes for those at the sharpest end of Scotland's housing crisis. Despite a strong legislative framework and policy and practice improvements throughout the past decade, homelessness is still too common – on average in Scotland a household becomes homeless every 20 minutes. More must be done strategically to ensure that all aspects of our public services work more effectively to tackle and prevent homelessness.
- This is why Shelter Scotland is calling for a new national homelessness strategy, to build on the work of the 2001 Homelessness Task Force and provide national leadership and a framework for local action, which could pull together the many different strands of this complex policy area. Given the social and economic environment and continued strain on public sector resources, it is critical that action is taken now to deliver real improvements and safeguard those that have already been achieved.
- Shelter Scotland emphasises that our current housing system pushes too many people into homelessness, and recent welfare reforms are pushing more people further into poverty. The ongoing roll out of Universal Credit, the benefit cap reduction and the capping of housing benefit for social sector rents to Local Housing Allowance (LHA) levels directly threaten tenancies and risk pushing more people into homelessness. It is unlikely that the Scottish Government will be able to sustainably mitigate all of these changes.
- Shelter Scotland supports the prevention of homelessness through Housing Options, however this approach must not be confused with a whole system strategic approach to preventing homelessness. It also must not be misused to gatekeep homelessness services and housing resources. We want to see better guidance, monitoring, reporting and consequences around these issues.

- Shelter Scotland wants to see improvements in temporary accommodation standards, bringing them in line with the standards applied to permanent social housing, and for households to spend shorter times in temporary accommodation where possible.
- While there is good work ongoing with other agencies/departments to address the root causes of homelessness, there is still need for agencies such as social work, health, criminal justice to work more collaboratively with homelessness services and the third sector to ensure joined up support and smooth transitions for households.

NB - All case studies in this paper are Shelter Scotland clients we have worked with within the last 12 months. All names have been changed to protect client identities.

Housing Options and Homelessness Prevention

1. How do you feel housing options and homelessness prevention is working in practice? Are there examples of good practice?

- Shelter Scotland supports the introduction of Housing Options and an increased emphasis and strategic focus on the prevention of homelessness.
- Housing Options is still in the process of being fully and consistently embedded, and there is some variation and confusion among local authority teams about the Scottish Government recording of such services using Prevent1. It is critical that the forthcoming Housing Options Training Toolkit improves the consistency of approach across local authorities.
- We share the concerns raised across the sector that Housing Options is sometimes being misused to essentially gatekeep homeless services and resources. This may be the result of a training need or a systemic issue, however we must re-emphasise individuals' rights under Section 28 and 29 of the Housing (Scotland) Act 1987 to make a homeless application and to be provided with temporary accommodation. It is critical that anyone who wishes to is permitted, and where appropriate, supported to make a homeless application. Housing Options must not be used a rationing tool for housing.
- This greater emphasis on preventing homelessness has led to an appreciation of how future costs can be offset if action is taken at an earlier stage to prevent homelessness.
- There are a number of projects including one by South Ayrshire Council which is looking at mapping the costs of homelessness scenarios, and building the evidence and case for greater prevention work.

Case Study 1

Dave was 50 years old at the time of his gatekeeping incident and is recorded as having both mental and physical health issues. He had an open homeless application and had been sofa surfing with friends for a period of time until this was no longer an option. He went to his local authority to request temporary accommodation but was advised that none was available. At this point he was referred to Shelter Scotland who contacted the local authority casework team and requested temporary accommodation be made available for the client. The Shelter Scotland advisor was initially told by the casework team that none was available and so referred the client to the Shelter Scotland law service, however this was withdrawn as the local authority sourced last minute temporary accommodation which was accepted by the client.

2. How effective is the relationship between all the relevant agencies, including the health sector, and charities working on homelessness prevention?

- Generally, there is the sense that relationships between agencies are improving, especially between housing and health services, as there is a growing understanding of how the two areas interlink. There is appetite to make best use of data held by both sectors to improve outcomes for service users.
- The forthcoming data linkage project between HL1 and health data, led National Records Scotland has been an example of good partnership working.
- It has been well evidenced over the last ten years that admission to hospital and/or prison can put an individual's tenancy at risk. There should be a more strategic and joined up approach between housing, health, criminal justice and associated agencies and support teams to ensure that the housing needs of individuals in these care settings are understood, protected and catered for.
- There remain challenges around relationships with social work and the preparedness of young people exiting care settings to manage their own tenancies. This is especially pertinent given the ongoing welfare reform changes such as the capping of housing benefit at LHA levels, and the removal of automatic entitlement to help with housing costs for 18-21 year olds. Housing providers should take a more multi-agency approach to ensure that the holistic needs of families facing homelessness are considered, given the strong links to other Scottish Government policies around child poverty and GIRFEC.

Case Study 2

Gillian was a client with poor mental health and variable engagement with services. Gillian had been served a Notice to Quit her private let and had applied as homeless. The client required support to pack up her belongings to be moved into storage. Despite requests for support from social work who were involved in the case, this support was not forthcoming.

3. What needs to happen to improve the delivery of housing options and homelessness prevention services and the outcomes achieved for service users?

- Shelter Scotland is calling for a new National Homelessness Strategy. Through our direct services and our policy work we are seeing a range of areas where progress on preventing and tackling homelessness has stalled or there is a need for better co-ordination to make best use of resources and ensure positive outcomes for those facing homelessness. From speaking with our clients and the people we work with and for across Scotland, we know that some people in crisis do receive good advice, information and support to achieve a successful, sustainable and affordable housing outcome. We also, however, see that too many people are failed by the system and the services they receive are not what they should be, or are legally required to be. From talking to partners across the sector we believe that the lessons learned from good practice, innovative initiatives and positive partnerships need to be identified more comprehensively and pulled together and shared in a new national homelessness strategy.

Without this, we believe that crucial policy and practice improvements over the past decade are at risk of not being properly recognised or more widely adopted.

- We are hopeful that the Housing Options Training Toolkit will improve housing options provision across the board and give staff members more guidance on their responsibilities
- There needs to be a better understanding across the board as to the root causes of homelessness both generally and in specific areas or with specific client groups and local authorities should shape their services around this insight and understanding to best meet local need.
- A more flexible service provision should be championed, such as offering the option for people to make a housing application in their own home, without having to visit a council office. Another example of such flexibility would be local authorities taking a flexible approach to 'local connection' when considering a homeless application from prison leavers.

4. What role should private sector housing providers play in preventing and responding to homelessness?

- Currently, the private rented sector (PRS) is often not suitable for local authorities to discharge their homelessness duty into. However, it is an extremely important resource if it is managed properly and with the forthcoming changes to the PRS tenancy, it has the potential to play a greater role in reducing pressure on social housing waiting lists.
- The PRS is the tenure of choice for some clients and the Rent Deposit Guarantee Scheme and ensuring tenants are aware of their rights means a private tenancy can increasingly be a good option for some people.
- Shelter Scotland recently launched a pilot Letting Agent Plus project, which provides a point of contact and support for landlords who are letting to tenants who require extra support to maintain a tenancy.
- The private rented sector does often remain too expensive for many households and in several areas, the help provided through LHA only helps households access the very cheapest end of the market. This percentage is made even smaller as landlords in these areas may not accept households using benefits as means to paying rent. Shelter Scotland has commissioned Heriot Watt to carry out research into this practice.
- The new private tenancy regime coming into force at the end of 2017 will give tenants more rights but it will not solve all problems with the sector. It is critical that the new tenancy and its implications are comprehensively rolled out and an awareness raising campaign for tenants and landlords is delivered in order to make roll out effective.

Case Study 3

There are some areas where people want to stay but there is simply not enough social housing available. Examples of a client in Erskine looking for accommodation but no social stock in that area meeting his requirements, or client who applied for social housing but found a private rented property met her needs far better.

Case Study 4

Laura her partner and her teenage son were living in private rented accommodation. Although they were not in arrears, their landlord asked them to leave. A move to alternative private rented housing was not affordable so they turned to the local council for help. The initial advice was incorrect and, if followed, would have put them into debt. Shelter Scotland advised and the family were able to move to temporary accommodation sooner than had been suggested by the council. However, they had to move from one temporary place with less than 24 hours notice and their new place is furnished so their own belongings are in storage. They've been told it may be years before they are offered a permanent home.

Temporary Accommodation

5. What evidence is there of pressure on temporary accommodation in your area? Has this increased in recent years?

- We recently published our third annual report into the use of temporary accommodation in Scotland which showed that on average, households were spending longer in temporary accommodation, thus putting pressure on local authorities to provide more accommodation and for longer periods of time.
- Scottish Government statistics show that homeless families with children spent a total of nearly 1 million days in temporary accommodation last year. Evidence also shows that the median time spent in temporary accommodation by families with children has increased by almost 20% in the last two years to more than 20 weeks.
- Households with children spent longer on average in temporary accommodation than single households, showing that there is a lack of suitably sized permanent accommodation for families to move into, near schools and support networks.
- The imminent HL3 statistical return has the potential to tell us more about the use of temporary accommodation in Scotland and the pressures facing this essential element of our housing safety net.
- Aside from demand pressure, there is also increasing pressure on local authorities to provide good quality temporary accommodation with diminishing resources and with less financial reimbursement from housing benefit. Temporary accommodation funding will now be based on the applicable LHA rate plus a “top-up” from Barnett consequentials, leaving many local authorities at a financial loss in the provision and running of temporary accommodation. We share the concerns raised by ALACHO and others, about the significant projected funding gap for the future provision of temporary accommodation.
- We frequently hear of families turning down temporary accommodation, especially emergency temporary accommodation which may mean that they stay in a hostel or B&B for a short period of time. Temporary accommodation buildings are often seen to be unsuitable or dangerous places, especially for children.
- Leading on from this, we are concerned about the preparedness of local authorities to receive ex-offenders back into the community and provide them with accommodation which meets their needs and does not undermine their effective re-integration into society or threaten relapse into previous problems such as substance misuse.

Case Study 5

In one instance, a family chose to stay in a caravan with their 3 kids rather than in the temporary accommodation offered by the council. In another, a young mum chose to sleep on her friend's sofa with her child over her local council's offer of temporary accommodation.

6. How can homeless people's experiences of temporary accommodation be improved? For example, how can the use of unsuitable accommodation be reduced or the length of time spent in temporary accommodation reduced?

- Shelter Scotland has for several years been calling for the standards of temporary accommodation to be improved and brought up to the standard of permanent social sector accommodation.
- The length of time spent in temporary accommodation is not necessarily a bad thing if it is of good quality, close to essential services and any support networks.
- It is also extremely important that communication between homeless services and households is good and consistent, to ensure that households are not "left in limbo" and unsure how long they will be in temporary accommodation for. Being in temporary accommodation can have a detrimental impact on other aspects of a person's life, especially in relation to gaining and sustaining employment.
- We are increasingly hearing anecdotes about the growing demand and current lack of supply of suitable accommodation, especially for families, people with multiple and complex needs and those with disabilities.

Case Study 6

Sarah has five children aged from one year to 10. Following the introduction of the new benefit cap (max £23,000pa) she was unable to afford the rent on her three-bed privately rented house. Her local authority accepted her homelessness application but initially said they had nowhere to house her. Shelter Scotland's housing law service intervened and she was eventually offered a three-bed flat. It is however very small and far from her children's school and the move has caused a great deal of disruption to the family. Shelter Scotland's solicitor negotiated a reduction in the rent for the temporary flat (which was originally higher than the house she left) but it is still a struggle for her to afford it.

7. Do you have concerns about the funding of temporary accommodation? If yes, how should temporary accommodation be funded?

- Shelter Scotland has significant concerns about the funding of temporary accommodation, which is reflected in recent research commissioned by ourselves.
- According to Tony Cain of ALACHO, local authorities are facing a projected annual funding shortfall of around £60million for the provision of temporary accommodation. We are concerned that this shortfall, coupled with other budget cuts, has the potential to significantly impact the quality of temporary accommodation and the associated housing support services that go with it and lead to increased experiences of gatekeeping of services and resources.

- We are concerned that increased funding pressures will lead directly to increased gatekeeping of services such as temporary accommodation, especially in relation to young people who have less access to financial help to pay for these services.

Permanent Accommodation

8. How do social landlord's allocation policies prioritise applications from homeless households and how does choice based lettings work in practice?

- Shelter Scotland believes that choice in allocations, for homeless families especially, could be improved. Families should be able to work more closely with local authorities and social landlords to support their housing choices. The process of Section 5 referrals (Section 5 of the 2001 Act gave registered social landlords the statutory duty to house homeless households) is patchy across Scotland, with a mixed picture of process and choice.

Multiple and Complex Needs

9. What more could be done to ensure that the needs of homeless people with multiple and complex needs are adequately supported? Are there examples of good practice?

- There is currently a great deal of interest in multiple and complex needs homelessness across the sector and our understanding of this area is improving.
- There is anecdotal evidence to suggest that it is those clients presenting with multiple and complex needs who can have particular trouble accessing their housing rights and are often furthest away from being able to do so independently.
- Shelter Scotland research into complex needs found a lack of a specialised response to individuals with complex needs and constraints on funding and resources that prevent the effective results for this client group. An example of this would be providing the length of personalised support with a single point of contact.
- There are several approaches being considered and shared in regards to dealing with multiple and complex homelessness e.g. Housing First and psychologically informed environments.
- Welfare reform and cuts to temporary accommodation funding in particular are making temporary accommodation providers less inclined to innovate or branch out in the services they offer to homelessness people with multiple and complex needs.
- There is some evidence to suggest that the work on psychologically informed environments can be helpful for services who deal with homeless people with multiple and complex needs, as it recognises that these people may not engage well with traditional service delivery and may be more responsive to less institutional and more person-centred settings.

Rough Sleeping

10. How has the pattern of rough sleeping changed in your area? For example, is the number of rough sleepers increasing or have the characteristics of rough sleepers changed? What are the reasons for this?

- While there is a general sense that the number of rough sleepers has increased, especially in Edinburgh and Glasgow, it is extremely difficult to establish a reasonable or reliable figure about the number of rough sleepers.
- There is also a sense that there is an increased number of rough sleepers who do not approach the local authority as they have no recourse to public funds – report into destitution.
- Bethany Christian Trust's night shelters are an invaluable resource and their data can give some insight into night shelter usage.
- It is important to remember, however, that while it is the most tragic form, rough sleeping is just the tip of the iceberg of homelessness in Scotland

Case Study 8

For one family, there was so many errors made on processing their housing benefit claim a complaint was made for maladministration. In addition, the family were one of the many subject to a random check by Concentrix in relation to their tax credits. This resulted in their tax credits being stopping during the investigation, meaning the family only received housing benefit and child benefit in this period. This pushed the family further over the poverty line, and they required food parcels and electricity vouchers to survive.

Other

11. What are the reasons behind why people become homeless?

- Simply put, homelessness is a product of our current housing system and recent and ongoing welfare reforms are exacerbating this problem.
- Rising house prices and high rental costs in much of the private rented sector means that these types of tenancies are increasingly inaccessible for too many people.
- Statistically speaking, relationship breakdown is the leading reason for why people present as homeless to their local authority. There is however only limited further insight and understanding of this that can be gained from official statistics.
- The way that the current social security system is set up and the direction of ongoing change means that many parents cease to receive support for children once they are 18 and therefore many feel the need to ask older children to leave the family home. However, once they do this, the household can in some cases in the social sector become liable for the bedroom tax due to "under-occupying" the property, thus putting both the parents and children at financial disadvantage.
- Social security problems are a significant source of difficulty to household tenancy sustainment through delays, admin errors, reducing periods in which to claim backdated payments, spot checks and suspension of payments during random investigations.

12. Are there any problems with people accessing their housing and homelessness rights? If yes, how can access be improved?

- Yes. Our advice and support services as well as our Housing Law Service at Shelter Scotland have highlighted an ongoing problem with local authorities gatekeeping homelessness services and resources and people not being made aware of their rights.
- The Scottish Housing Regulator has a role in ensuring that all local authorities and registered social landlords are complying with their statutory duties at all times in relation to every part of the homelessness system.
- Shelter Scotland's assisted presentation group is helping people to present as homeless and its success rates are high.

Shelter Scotland would be happy to provide to the Committee further evidence and supporting information on any of the points noted above if required. We would also be very happy to facilitate some people with lived experience of homelessness meeting with or joining a Committee evidence session as/when appropriate.

Fiona King
Campaigns & Public Affairs Manager