

Local Government and Communities Committee

Homelessness

Submission from the Association of Local Authority Chief Housing Officers (ALACHO)

1. Introduction

1.1. As the representative body for Scotland's Local Authority chief housing officers ALACHO welcomes the opportunity to respond to the Local Government and Communities Committee's further call for evidence on homelessness.

1.2. Scotland's councils have a significant interest in homelessness arising from:

- our role as strategic housing authorities with an interest in the functioning of the local housing market and its impact on housing needs and demands;
- the substantial legal duties placed on local authorities in relation to homelessness;
- our role in the overall approach to corporate parenting and improving outcomes for look after children;
- our role as landlords balancing the need to sustain tenancies and prevent homelessness for our own tenants;
- our interest in the operation of the private housing market including access private renting and the prevention of homelessness amongst owners and private tenants;
- our role in working with the Scottish Prison Service and local Community Justice Boards to reduce reoffending by supporting those leaving prison without a home; and
- our contribution to the delivery of integrated health and social care services, including support for those vulnerable individuals and households facing "multiple exclusion" and at risk of homelessness.

1.3. In our previous submission to the committee in March of this year we provided an overview of the current policy and service delivery framework and set out our view on how this could be improved. Central to our analysis is a view of homelessness as a "system outcome". That is the inevitable result of the way our housing system works, rather than an "event" that happens to the poor and unfortunate.

1.4. We concluded that ending homelessness requires a long term commitment to changing our housing system, giving more control and choice to all those seeking to move home, not just the better off and in particular a long term commitment to increasing the proportion (rather than just the number) of social rented homes in all of Scotland's communities.

We concluded with a call for a “whole system” approach to homelessness. More specifically we said

“The detail of how to develop a housing system that is focused on preventing homelessness and promoting choice will clearly vary from area to area, however, we would suggest that some or all of the following should form part of the policy response:

- *A longer-term review of the relationship between the legislation and Housing Options and putting homelessness prevention on a statutory footing;*
- *Extending statutory obligations to homeless households and those at risk of homelessness to a wider range of public agencies including Education, the Scottish Prison Service, Health, Social Work and the Integrated Joint Boards;*
- *Supporting investment in more appropriate temporary accommodation to ensure that clients are safe and that appropriate support services and supervision is available;*
- *Reconsidering access for social housing and the private rented sector to reduce the need for temporary accommodation and end discrimination against households in receipt of benefits;*
- *Developing a wider range of housing options, particularly for young single people, that focus on flexible access; a wider range of services and overall affordability;*
- *Reviewing existing and proposed new legislation to ensure that it fully supports the objective of reducing homelessness and promoting housing choice; and*
- *A new long term (20 year) commitment to grow the proportion of the housing stock in the social rented sector with a particular focus on those areas where it is lowest and demand and housing pressure is highest.”*

1.5. In making its current call for evidence the committee has asked a number of specific questions some of which we addressed in our submission dated 1 March 2017. More generally we think that our members, working in local authorities are best placed to provide some of the detail that has been asked for and, in doing so, to give a clearer idea of how service demands and constraints in service delivery are being felt across Scotland. In this submission, we have tried to build on our earlier evidence and focus on strategic rather than operational issues.

2. Housing Options and Homelessness Prevention

2.1. In our earlier submission, we said that:

“The development of the Housing Options approach, with its focus on prevention and supporting choice and a wider range of housing outcomes, has improved the impact of services as a whole. However, there is a clear tension between the drafting of the legislation and the operation of Housing Options, this is becoming increasingly evident in the advice from the Scottish Government and increasing focus on process, rather than outcome by the Scottish Housing Regulator. This

tension is adding to the complexity of service delivery and how we understand the variations in housing options outcomes across Scotland.”

- 2.2. In saying this we are aware that there are variations in practice between local authorities but we anticipate that the implementation of the recently published guidance on housing options and training toolkit currently being developed will provide the basis for a more consistent and effective approach.
- 2.3. However, as we said previously we believe that the lack of a statutory basis for Housing Options and the tension between this approach and the requirements of the current legislation is a barrier to further progress. Our expectation is that the number of homeless applications recorded by local authorities will rise over the next two years as the new guidance is implemented.
- 2.4. In the medium term this may be unavoidable. Longer term we are clear that there needs to be a focused effort to ensure a more consistent approach to Housing Options services and outcomes and the statutory framework needs to be modernised to put the prevention of homelessness on a statutory footing. We believe that the experience of similar legislation in England and Wales could be helpful in developing a new legal duty. We are also of the view that the duty to assist in preventing homelessness should be extended to a range of public agencies including the new Integrated Joint Boards, The Prison Service, Housing Associations and, Schools and GPs.
- 2.5. We would also recommend a full review of legislation relating to the private rented sector to ensure that it plays its full part in preventing homelessness. This should include outlawing the increasingly widespread practice of refusing to offer homes to those in receipt of benefits.

3. Temporary Accommodation

- 3.1. Despite the best efforts of Councils to make an offer of permanent accommodation as quickly as possible there can be little doubt that there are too many households in temporary accommodation and many of them stay far too long. This is, in many areas, the result of a shortage of suitable permanent accommodation and it is often single people or those with very specific needs (including those with disabilities or larger families) that wait the longest.
- 3.2. Whilst the physical condition of temporary accommodation has improved significantly in recent years, we have previously observed that”
- “The quality of the social environment in temporary accommodation is often problematic. The same stock of accommodation, often in the same building is used to house offenders, including high risk offenders, young people leaving care, those with substance misuse issues, clients with mental health problems and other young and vulnerable people”*
- 3.3. In addition, bed and breakfast accommodation is still widely used though breaches of the unsuitable accommodation order are relatively infrequent.

3.4. Continued improvements in the quality and suitability of temporary accommodation are now also under pressure as a result of welfare reform. Universal Credit is simply not flexible enough to provide support for those in short term accommodation and the application of the Local Housing Allowance and Shared Accommodation Rate for under 35s has undermined the current funding framework. It is possible that the funding shortfall could exceed £40m across Scotland even with the £22m that has already been provided by the UK Government.

3.5. A significant part of the problem has been caused by the fact that the current arrangements for providing temporary accommodation have largely been designed not around the client and their needs but the benefit system.

3.6. Our view is that the overall approach to temporary accommodation needs to be rethought to ensure that:

- the accommodation available is better suited to the mix of households using it;
- rent charges are not a barrier to those in work, training or education;
- a more effective range of support services are available, particularly in relation to health, substance misuse, training and access to work; and
- that the social mix is safe and supportive.

3.7. This approach needs to be supported by improvements in the range and choice of permanent accommodation, including access to properties in the Housing Association and Private Rented sectors to reduce the need to use temporary accommodation and to ensure that homeless households are moved to permanent accommodation quickly.

4. Permanent accommodation

4.1. The supply of suitable accommodation to meet the needs of homeless people is without doubt, a key part of the problem. But it is only part of the problem. We would identify the following wider challenges that need to be addressed;

- The availability of appropriate housing options for young people to provide a clearer and more accessible path from parental home to independent living;
- The allocation of social housing including the assessment of need to better reflect insecurity of tenure;
- The proportion of total lets made to homeless households in both the local authority and RSL sectors;
- The widespread practice in the Private Rented Sector of refusing to offer accommodation to benefit claimants; and
- The need to develop a more flexible range of accommodation related services in the public sector including shared accommodation.

4.2. The reality is that our housing system restricts choice and leaves many households with little or no control over their housing options. These problems are often more acute in rural and island communities. And whilst we have seen 8 or more Housing related Acts passed since 2001 there has been little real

attempt to ensure that they are all properly joined up or that they together contribute to the objective of reducing homelessness and promoting choice particularly for less well off or more vulnerable households.

- 4.3. In our submission to the Committee in March of this year we talked about “Developing a whole system approach to preventing homelessness and improving housing choice”. We believe that this should be a long-term goal for Scottish Housing policy. Central to that should be an expansion of the supply of Social Housing with a particular focus on those areas where the % of the stock in social rent is below 20%.
- 4.4. The current Scottish Government commitment to a five-year programme to deliver 50,000 affordable homes is welcome. But the practicalities of planning and building homes, including training and developing the supply chains and workforce requires greater certainty in the longer term. Our view is that the Scottish Government should seek cross party agreement to a 20-year commitment to grow the Social Rented sector, setting targets not just based on numbers but on % of stock in social rent area by area.

5. Multiple and Complex Needs and rough sleeping

- 5.1. Over the past two years there has been an increased focus on this client group, driven in large measure by the renewed interest in the issue within the health service.
- 5.2. Rough sleepers are a small but important part of this group. Small in the sense that the numbers sleeping rough in Scotland on any given night aren't huge though they do appear to have increased in recent years. But important because many of those facing multiple and complex needs will experience or be at risk rough sleeping at some point and because of the significant risks to their physical and mental health.
- 5.3. The Housing First model currently being piloted in a number of areas including Glasgow offers an effective and immediate response to part of this group. Our view is that there should be a national programme of rolling Housing First out for all those that can benefit from it.
- 5.4. But Housing First isn't the whole answer. The most important gap in services to this group is the lack of effective support in relation to health and in particular mental health and substance misuse. Work currently underway in the Scottish Government to link homelessness and health data is likely to show that the health outcomes for the long term homeless are amongst the worst of any group.
- 5.5. Premature death including suicide and self-harm are also significant problems. The Health Service together with the Integrated Joint Boards should be tasked with the job of addressing these and other health related issues with clear long term targets for improvement.
- 5.6. Many of this client group also have a history of offending and contact with the Community Justice system. Not only is custody (both remand and on sentence)

a significant factor in causing homelessness but the current support for those leaving prison is patchy and often poor. Around a third of prisoners approach their local homeless service more or less immediately after liberation. Homelessness is often a factor in reoffending.

5.7. ALACHO is currently working with the Scottish Prison Service, Shelter and SOLACE to develop a Scotland wide housing options service to improve the support available to prisoners at liberation. We hope to be able to publish our proposals and funding options later this year.

5.8. We have been impressed by the energy and commitment that the Scottish Prison Service has given to this work and the depth of knowledge that Shelter has brought to the discussions. Whilst we hope that the service can be provided within existing resources we also believe that other agencies including the Scottish Government should be providing practical support for this work.

5.9. Those with multiple and complex needs also face significant problems in engaging with the benefit system and are disproportionately at risk of benefit sanctions causing further disadvantage and homelessness. Many are a long way from the jobs market and struggle to sustain training placements. Welfare reform is exacerbating these problems. We think there is a case for recognising this within Scotland's own Social Security system as a way of ensuring that this group is treated fairly and that the approach to "conditionality" reflects the real challenges they face.

6. Conclusions

6.1. The key to a sustained and long term reduction in the numbers facing homelessness and suffering significant disadvantage in housing will be a shift in how we understand the issue and the scope of the policy response. We need to move away from seeing it as an "event" suffered by an unfortunate few who need better services, to an understanding that homelessness is a system outcome caused by failures in the housing system and weaknesses in other areas including health and social care. The prevention of homelessness needs to be fully integrated in to our housing legislation and the statutory duties extended to a wider range of agencies.

6.2. Overall we are of the view that some or all of the following should form part of a modernised response to homelessness:

6.2.1. Service configuration (medium term changes)

- A Scotland wide "housing options improvement plan", agreed between the SG, RSLs, LAs and the regulator with the specific objective of ensuring greater consistency of outcomes and testing approaches to linking and integrating "prevention" and "response" elements of the legislation;
- Developing the use of "Personal Housing Plans" particularly for young people with a focus within the Education system (schools and colleges) on helping young people understand their options and make informed choices;

- The national roll out of models such as “Housing First”, supported by targeted investment in new temporary and interim accommodation options and a specific requirement for IJBs to support this programme;
- National and local targets to improve health outcomes for homeless households;
- Putting in place a national prisons based housing options service for those being liberated from custody (both remand and after sentence); and
- The revision of the Scottish Governments Allocations Guidance to ensure that day to day allocations policies give higher priority to homeless households and supports a significant reduction in both the numbers in length of stay in in temporary accommodation.

6.2.2. Supply

Agreeing a long term (15-20 year) investment strategy that will:

- Increase the % of the total stock of housing in the social rented sector with a particular focus on those areas where it is below 20%. The long-term aim should be 30% across the whole of Scotland and no LA below 25% (though the details of local target setting will be a matter for LHS and SHIPs); and
- Targeted investment to develop better housing options and pathways for young people by providing a wider range of types of housing (including shared accommodation and bedsits) available to young people at rents and costs they can afford.

6.2.3. Legislation

That in the longer term (3-5 years) we believe that there is a need to modernise and update the homelessness legislation to:

- Ensure that it is customer focused, drafted in a way that maximises choice and control for applicants and supports their active involvement in the process;
- Creates a single consistent legal framework for both preventing and responding to homelessness (both in terms of service to individuals and in strategic planning);
- Extends the legal obligations to support homeless households beyond local authority housing services to include RSLs, Education, Health, IJBs, the Scottish Prison Service, Social work and Community Justice teams;
- Widen the range of outcomes that constitute a discharge of duty including clarity on the use of the private rented sector and “out of area” placements;
- Eliminates discrimination against benefit recipients in the private sector; and
- In future all legislation should be “homelessness proofed” to ensure that it actively supports the purpose of reducing and eliminating homelessness. Existing legislation should also be reviewed in this context.

6.2.4. Governance

- The Joint Housing Policy Delivery Plan should be amended to reflect current priorities;
- The Homeless Prevention Strategy Group should be the principle forum to lead the work to develop detail and implement the approach (on a co-production basis and reporting to the Minister and the JHPDG);
- The Homelessness hubs should have a clear lead role in developing and disseminating best practice, consideration should be given to opening them up to other organisations involved in delivering services to homeless people;
- The Health and Homelessness Group should have a role in supporting the IJBs in developing local responses;
- Supporting and developing better practice to improve health outcomes for homeless clients should become a specific part of the lhub programme.

6.3. We are not suggesting that this approach will “solve” or “end” homelessness. It is likely that some households, particularly those facing a range of challenges including substance misuse and mental health problems will continue to need direct assistance to secure and sustain a home. But the system needs to work better for everyone and those that can manage their housing journey with no or limited support and assistance should be able to do so. We believe that the approach we have set out here will go some way to achieving this.

6.4. We hope our evidence is of use to the committee in its examination homelessness and related issues. We will be happy to provide further details of our views and how we have come to them if that would be of help.

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