LOCAL GOVERNMENT AND COMMUNITIES COMMITTEE

AGENDA

8th Meeting, 2017 (Session 5)

Wednesday 8 March 2017

The Committee will meet at 10.00 am in the James Clerk Maxwell Room (CR4).

1. **Homelessness**: The Committee will take evidence from—

   Adam Lang, Head of Communications and Policy, Shelter Scotland;

   Tony Cain, Policy Manager, and Julie Hunter, Housing Strategy Manager, North Lanarkshire Council, Association of Local Authority Chief Housing Officers;

   Lee Clark, Manager, Conflict Resolution Service, and Mark Kennedy, Manager, Homeless Prevention Service, Cyrenians;

   Jan Williamson, Head of Services, Streetwork.

2. **Consideration of evidence (in private)**: The Committee will consider the evidence heard at agenda item 1.

3. **The Draft Climate Change Plan (RPP3) (in private)**: The Committee will consider a draft report.

Clare Hawthorne
Clerk to the Local Government and Communities Committee
Room T3.60
The Scottish Parliament
Edinburgh
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The papers for this meeting are as follows—

**Agenda item 1**

Note by the Clerk  
PRIVATE PAPER

**Agenda item 3**

PRIVATE PAPER
Local Government and Communities Committee

8th Meeting 2017 (Session 5), Wednesday 8 March 2017

Homelessness – Note by the Clerk

Purpose

1. This paper provides background information on the Committee’s evidence sessions on homelessness.

Background

2. At its meeting on 8 February 2017, the Committee agreed its approach to the work it wished to undertake on homelessness. As part of this work, the Committee made three fact finding visits in February and March 2017. The Committee also agreed to hold evidence sessions with a number of stakeholders and organisations involved in the fact finding visits.

Fact Finding Visits

3. On 22 February 2017, Members visited Streetwork in Edinburgh and met with staff and users of their crisis service. The service provides accommodation and support services for people in housing crisis or who are facing sleeping rough.

4. On 27 February 2017, Members visited the Simon Community in Glasgow and met with staff and women who are in emergency and temporary accommodation. Members also met with the Legal Services Agency to discuss issues in relation to the providing legal support to homeless people.

5. On 6 March 2017, Members will visit Churches Action for the Homeless (CATH) in Perth and meet with staff to discuss issues relating to homelessness in rural Perth and Kinross. Members will also accompany development workers from CATH’s Outreach and Floating Support teams to rural locations and meet with service users.
Local Government and Communities Committee Consideration

6. Following the visits, the Committee will hold two evidence sessions on the issues raised during the visits and raised during the previous Infrastructure and Capital Investment’s inquiry into homelessness.\(^1\)

7. The Scottish Parliament Information Centre (SPICe) has produced a briefing paper on the topic and this is attached at Annexe A.

8. At its meeting on 8 March 2017, the Committee will take evidence from representatives of Shelter Scotland, the Association of Local Authority Chief Housing Officers (ALACHO), Cyrenians and Streetwork. Written submissions from Shelter Scotland and ALACHO are attached at Annexe B.

Next Steps

9. The Committee will hold a second evidence session with stakeholders at its meeting on 22 March 2017 and will consider the evidence it receives before deciding what next steps it wishes to take as part of its work on homelessness.

\(^1\) http://www.parliament.scot/S4_InfrastructureandCapitalInvestmentCommittee/Letter_to_Minister_on_homelessness.pdf
SPICe Briefing on Homelessness

1. Introduction

This paper provides background information on homelessness for the Committee’s initial evidence gathering sessions on the topic.

2. Context

There are many reasons why people can find themselves homeless or threatened with homelessness. Relationship breakdown is a common cause of homelessness but other reasons could also include being evicted from their accommodation, mental health issues or addiction problems, or leaving prison with no accommodation to go to. For some people, homelessness may be a one-off occurrence that can be addressed with the provision of accommodation. For others, homelessness can be a recurring problem and such people may require access to housing support services to enable them to sustain their own tenancy in the longer term.

Not everyone who is homeless will apply to their local authority as homeless. But of those that do, statistics suggest that an increasing proportion of homeless people have housing support needs. In 2015/16, 42% of homeless applicants cited having one or more support needs, an increase of eight percentage points since 2012/13. The most common support needs include support for basic housing management/independent living reasons, mental health problems and drug or alcohol dependency.

A recent area of policy interest has focussed on ‘multiple exclusion homelessness’, described as a, “form of ‘deep’ social exclusion involving not just homelessness but also substance misuse, institutional care (e.g. prison) and/or involvement in ‘street culture’ activities (e.g. begging and street drinking).” Research has identified that some visible forms of homelessness, including applying to the council as homeless, is late sign of multiple exclusion homelessness. This highlights the importance of homelessness prevention activities taking place at earlier stages before those at risk of homelessness come into contact with housing and homelessness agencies.

The majority of homeless applicants to local authorities tend to be single, younger males, of white Scottish ethnicity. In 2015-16, just under a quarter (24%) of

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homeless applicants were age 18-24\(^4\). Youth homelessness was the subject of the Equal Opportunities Committee’s *Having and Keeping a Home* Inquiry in the last parliamentary session.

3. Number of homeless applications to local authorities

The number of homeless applications to local authorities has been decreasing, despite legislative changes improving the rights of homeless people (see below). In 2015-16, there were 34,662 homelessness applications made to local authorities, 4% lower than the number of applications received in the same period in 2014-15 and 33% lower compared to 2003-04 (see Fig 1)\(^5\).

**Fig 1: Number of Homeless Applications made to local authorities 2002/03 to 2015/16**

The fall in homeless applications is mainly due to the impact of housing options/ homelessness prevention strategies adopted by most local authorities over the past few years (see below) rather than to changes in the underlying drivers of homelessness. It has been suggested that, “…If the ‘homelessness-type’ approaches to Housing Options services are combined with formal homelessness assessments, the overall number of homelessness presentations to Scottish local authorities has remained relatively steady in recent years (around 54,000 per annum)\(^6\).”

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\(^5\) Scottish Government (2016) *ibid*

4. Rough Sleeping

The Scottish Government collects data from local authorities on the number of homeless applicants who say they have slept rough in the previous 3 months and if they slept rough the night before approaching the council. In 2015-16, 7% of all applicants said they had slept rough the in the previous 3 months, a drop from 14% in 2002-03. In 2015-16, 4% of applicants (1352 in total or 113 per month on average) slept rough the night before applying for assistance, down from 10% in 2002-03. In response to a PQ, the Minister for Local Government and Housing, Kevin Stewart, acknowledged the reported decrease in rough sleeping statistics but also,

“...we recognise that some rough sleeping will result from more complex needs and we are working with partners in Health and the Third Sector to ensure we have better information on rough sleepers and their needs to help address this issue”.7

5. Local Authority Duties

Local authorities have statutory duties towards homeless people as set out in the Housing (Scotland) Act 1987 (as amended). The Code of Guidance on Homelessness provides further advice on the legislative duties8.

When someone approaches the local authority for accommodation, or for assistance in obtaining accommodation, and if the local authority has reason to believe an applicant is homeless or threatened with homelessness then the local authority has a duty to investigate. The local authority must then consider:

- Is the applicant homeless or threatened with homelessness?
- Is the applicant intentionally homeless?
- Does the applicant have a local connection with the area?

The duties of local authorities towards homeless persons differ depending on the outcome of the assessment of the homeless application, as summarised in Table 1 below.

Over the years, legislation has increased the rights of homeless people to greater support from their local authority. The Scottish Government’s “2012 homelessness commitment” saw the abolition of the ‘priority need’ test. Previously, only homeless applicants who were assessed by a local authority as being ‘unintentionally’ homeless with a ‘priority’ need were entitled to settled accommodation.9 Now this right applies to any applicant who is assessed as unintentionally homeless. This

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7 S5W–05817
9 The Homelessness etc (Scotland) Act 2003 Act set the framework for the abolition of priority need
change has particularly increased the rights of single homeless people, many of whom would not have previously been given ‘priority’ status.

Local authorities also have a duty to assess the need for housing support for every applicant assessed by the local authority as unintentionally homeless or threatened with homelessness, and who the local authority has reason to believe would benefit from housing support services as prescribed in the Housing Support Services (Homelessness)(Scotland) Regulations 2012. If an assessment of a need for support is made, local authorities must ensure the housing support services are provided.

Table 1: Local Authority Main Duties Towards Homeless Applicants

<table>
<thead>
<tr>
<th>Stage of assessment / Outcome of Assessment</th>
<th>What must the local authority do/provide?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pending full investigation / During Review Process</td>
<td>Temporary accommodation (technically known as an interim duty to accommodate)</td>
</tr>
<tr>
<td>Unintentionally Homeless</td>
<td>Settled accommodation (and temporary accommodation where waiting for an offer of settled accommodation)</td>
</tr>
<tr>
<td>Unintentionally Homeless but with a local connection to another area</td>
<td>Can refer to the applicant to the local authority where they have a local connection</td>
</tr>
<tr>
<td>Intentionally Homeless</td>
<td>Temporary accommodation and advice and assistance</td>
</tr>
<tr>
<td>Threatened with Homelessness (unintentionally)</td>
<td>Ensure that accommodation does not cease to be available for occupation</td>
</tr>
<tr>
<td>Not homeless or potentially homeless</td>
<td>No statutory duty but advice and assistance is considered good practice</td>
</tr>
<tr>
<td>Unintentionally homeless (or threatened with homelessness) and where the local authority believes that the applicant may need housing support services</td>
<td>Must assess the need for housing support services and provide them.</td>
</tr>
</tbody>
</table>

In practice, the majority (82%) of people applying to their local authority are assessed as homeless or threatened with homeless and most of these (94%) are found to be unintentionally homeless.10

Registered Social Landlords (RSLs) work in conjunction with local authorities to provide services and accommodation for homeless persons. Where a local authority has a duty to provide settled accommodation to a homeless person, under section 5 of the Housing (Scotland) Act 2001, a RSL must respond to a request by a local authority to house a homeless person within a reasonable timescale unless it has good reason not to.

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10 Based on 2015-16 statistics
6. Housing Options and Homelessness Prevention

Scottish Government policy has encouraged homelessness prevention activities and the development of the “housing options” approach to homelessness prevention. Housing options focuses on people’s personal circumstances and will help explore their housing options and the underlying issues that can underpin housing problems. Examples of housing options services are housing advice, health advice, budget management support and employability support, but the exact approach taken by local authorities will vary from area to area.

Five Housing Options Hubs (which receive Scottish Government financial support) have been established to help promote the housing options approach to homelessness and to share best practice across all Scottish local authorities.

Since April 2014, Scottish Government has been collecting local authority data on housing options. The most recent statistics\(^\text{11}\) confirm a wide variation in local authority practice, for example, in terms of numbers of approaches made for housing options advice.

The outcomes achieved for people who get advice through the housing options process also varies considerably. Across Scotland, taking an average of the six month period (April to September 2016), 44% of approaches had the outcome, ‘made homelessness application to local authority’. In Clackmannanshire, this figure was around 89% and 12% in Midlothian.

As the statistical bulletin notes, because of the differing approaches to housing options the figures in the publication cannot be used as indicators of good or bad performance.

Health services and prevention

The role of health services in the prevention of homelessness has been given increasing policy attention in recent years. It has been suggested that, “Health services need to respond with earlier detection of ‘at-risk’ individuals and families, and identify appropriate prevention pathways.”\(^\text{12}\)

In the *Fairer Scotland Action Plan*, the Scottish Government commits to:

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“…strengthen links between homelessness services and health services, including mental health and primary care services, so that the effects of homelessness on health are better understood and addressed and so that those facing homelessness combined with multiple exclusion get joined up support”.

Scottish Housing Regulator Housing Options Report

The Scottish Housing Regulator’s 2014 thematic report Housing Options in Scotland found that, in some cases, people seeking housing advice were not being offered a homeless assessment which they were entitled to under homelessness legislation, and this led to an under-recording of homelessness. One of the SHR’s recommendations was that the Scottish Government should produce new guidance on housing options. This guidance, produced with COSLA was published in March 2016. The guidance makes it clear that:

“The statutory right to make a homelessness application is unaffected by Housing Options. The local authority’s homelessness duties are not diminished or undermined by Housing Options. If the local authority has reason to believe that an applicant is homeless or threatened with homelessness, they must conduct appropriate enquiries].

In its legacy paper, the previous Infrastructure and Capital Investment Committee said that its successor Committee may wish to take forward scrutiny of this document.

7. Temporary Accommodation

As outlined in Table 1, temporary accommodation can be used in a variety of circumstances. Local authorities have different ways of organising temporary accommodation. Types of temporary accommodation could include social rented sector stock which could be purpose built, furnished accommodation, hostels or refuge accommodation or private rented sector accommodation. Most temporary accommodation in Scotland is in ordinary social housing stock, though single person households are more likely than families to experience temporary accommodation, such as hostels and Bed & Breakfast hotels.

On 30 September 2016, there were 10,570 households in temporary accommodation – a 1% increase compared to the same date from one year earlier. The picture varies across Scotland - the number of homeless households in temporary accommodation fell in 16 local authority areas, and increased in 16 local authorities. On 30 September 2016, there were 3,174 households with children or with a pregnant household member in temporary accommodation, an increase of 13% to the same date in 2015.¹⁷

*Time spent in temporary accommodation*

Local authorities have reported substantially lengthening periods of time spent in temporary accommodation. Reasons include the pressure on the supply of permanent social tenancies, and the challenges to moving on presented by welfare reform measures.¹⁸

In April 2016, the Scottish Government started collecting local authority data on the length of time people spend in temporary accommodation- publication of the first data set is forthcoming. Shelter Scotland has estimated (data based on an FOI of local authorities) that on average, households using temporary accommodation stayed there for 24 weeks, 12 % spent over a year in temporary accommodation.¹⁹

*Standards of temporary accommodation*

Secondary legislation provides for the type of accommodation that is unsuitable for homeless households containing children and pregnant women (this effectively bans the use of bed & breakfast accommodation unless there are exceptional circumstances). In 2014, the legislation was amended to include reference to such accommodation also having to be “wind and watertight.”²⁰

In 2011, Shelter Scotland and the Chartered Institute of Housing Scotland jointly issued guidance on physical standards of temporary accommodation as well as good practice in terms of location, service and management. Shelter Scotland has continued to campaign for the Scottish Government to support guidance on standards in temporary accommodation.

²⁰ The Homeless Persons (Unsuitable Accommodation) (Scotland) Order 2014 SSI 2014/243 replaces the Homeless Persons (Unsuitable Accommodation) (Scotland) Order 2004
Funding of Temporary Accommodation

Research has identified the complex and varied methods of funding temporary accommodation. Many local authorities use the “full cost recovery” method. Evidence shows that these temporary accommodation charges are often used to fund homeless services beyond temporary accommodation provision. Many local authorities have also been reviewing their temporary accommodation strategies in light of budgetary pressures and welfare reform.

Further welfare reforms are likely to have other impacts. For example, from April 2017, the management fee for temporary accommodation is being removed from the housing costs element within UC and an equivalent fund will be managed by the Scottish Government for it to decide how to distribute. The UK Government has made a transfer of £22.5m to the Scottish Government for this purpose although there is concern that this will leave a shortfall. A formula for the allocation of this funding is being devised by the Scottish Government.

Further welfare reforms include the UK Government plans to limit housing benefit in social rented accommodation to the Local Housing Allowance rates (which are used to determine housing benefit in private rented housing). This is particularly likely to impact on young people who may be moving on from temporary accommodation, as they will be restricted to the “shared room rate” which can be lower than a standard 1 bed social rent.

Scottish Government Actions

Scottish Government officials are working with ALACHO to consider the long term model for temporary accommodation, ensuring it is fit for purpose, effectively structured and efficiently run. This may require local authorities to think differently about the provision of temporary accommodation.

In its Fairer Scotland Action plan, the Scottish Government commits to improving the provision of temporary accommodation by:

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23 ALACHO written evidence to the Local Government and Communities Committee pre-budget scrutiny
- working with local government to develop a new approach in the face of UK welfare reforms
- developing minimum standards, based on the equivalent standards for permanent social housing
- introducing a cap of one week for families with children and pregnant women living in B&B accommodation, unless there are exceptional circumstances

**Homelessness Prevention and Strategy Group**

Scottish Government homelessness policy development has been assisted by a Homelessness Prevention and Strategy Group. Key areas of work currently include:

- the provision of temporary accommodation in light of UK Welfare reform;
- the health and homelessness and complex needs.

Kate Berry
SPICe
2 March 2017
Written Submission from Shelter Scotland

Shelter Scotland would like to thank the Local Government and Communities committee for inviting us to give evidence on homelessness in Scotland.

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 a campaign on homelessness in September 2016 called Homelessness: Far From Fixed25, as we believe there is an urgent need for the Scottish Government to re-focus on homelessness. We therefore welcome this inquiry from the committee. Our campaign policy report which outlines our key policy asks in more detail can be found here26. You can also find up-to-date statistics on homelessness in Scotland on our website here27.

Scotland has a strong track record in tackling and preventing homelessness, but in spite of this progress, homelessness in Scotland is far from fixed.

There are complex challenges which must be addressed urgently, and require a coordinated approach. There is for example concern regarding:

- The impact of the welfare reforms on individuals, local authorities and social landlords
- The increase in social sector evictions as a response to managing rent arrears
- The pressure on local authority budgets and the potential risk to funding for homelessness services
- The pressure on the provision of and funding for temporary accommodation
- The length of time spent in temporary accommodation
- The quality and affordability of temporary accommodation
- The ability to move households on to appropriate settled accommodation
- The lack of consistent Scotland wide housing support services for offenders to help prevent re-offending

25 http://scotland.shelter.org.uk/get_involved/campaigning/homelessness_far_from_fixed
27 Homelessness statistics http://scotland.shelter.org.uk/housing_policy/key_statistics/homelessness_facts_and_research
The disproportionately slow reduction in the number of young people becoming homeless

The increasing proportion of people with complex needs and the need to make appropriate services available for this group.

Shelter Scotland believes that in order to address these complex and interlinked issues the Scottish Government must commit to developing a new National Homelessness Strategy. This strategy should deliver a cross-departmental action plan, which would become the cornerstone of successfully preventing and responding to homelessness in Scotland in all of its forms.

Shelter Scotland has published the following reports which provide evidence for why we believe this approach is necessary.

- **Complex needs: Homelessness services in the Housing Options East Hub** Shelter Scotland (2016)
- **The use of temporary accommodation in Scotland** Shelter Scotland (2017)
- **Funding Homelessness Services in Scotland** Commissioned by Shelter Scotland - Anna Evans Housing Consultancy (2016)
- **Preventing Homelessness and Reducing Reoffending** Shelter Scotland (2015)
- **Consultation response on Social Security in Scotland** Shelter Scotland (2017)

We have also consulted with a wide range of organisations throughout Scotland who have voiced similar concerns to ours. We now have 56 MSPs signed up to the campaign, with 4 of the political parties officially signed up too. 23 organisations have also signed up and support our call for a new National Homelessness Strategy. You can see who has signed up to our campaign [here](#).

We believe a well-planned, cross-departmental homelessness action plan will also contribute to national and local outcomes around tackling inequalities, reducing re-offending, improving health, building strong communities and improving the quality of public services.

We want clear leadership and accountability to be attached to the new Homelessness Strategy, and for the action plan to be considered a priority for the Scottish Government, especially considering the high cost of homelessness\(^{28}\) against continuing cuts to public funding.

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\(^{28}\) Nicholas Pleace (2015); *At What Cost? An estimation of the financial costs of single homelessness in the UK*; Crisis
We have not developed a detailed blueprint for a new strategy as we argue that it should be co-produced with a range of stakeholders and partners, including people who have experienced, or are experiencing, homelessness.

We have however set out areas we think a new National Homelessness Strategy should give priority to:

**Prevention**

Homelessness prevention activity has undoubtedly increased in Scotland as a result of the Housing Options approach. This is apparent in the downward trend in homeless applications despite the number of people approaching local authorities with reasons related to a risk of homelessness seemingly remaining relatively constant. Over 56% of all the approaches for assistance did not go on to make a homeless application between April and September 2016, according to the most recent statistics.

This trend is showing signs of levelling off, however, and the drive to improve prevention measures should never lie stagnant. There are specific areas of concern to which further attention must be given such as the increase in social sector evictions, tackling homelessness for those leaving prison and the disproportionately slow reduction in the number of young people becoming homeless. Recent research compares the ‘light touch’ approach to Housing Options in Scotland with the ‘activist’ prevention approach in England.

In the context of budgetary pressures there is a real risk that investment in important preventative work will be reduced at a local level. Aside from the personal distress that an episode of homelessness will cause, not preventing homelessness where it might have been possible to do so can ultimately be costly for the public purse. A new National Homelessness Strategy could safeguard against that risk and ensure that prevention measures in Scotland continue to improve.

The publication of the ‘Prevent1’ statistics for the past two years has given a helpful insight into the level of prevention work that does go on across Scotland. Predominately the Prevent1 statistical analysis has shown that there is wide variation

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31 Shelter Scotland (2015) *Preventing Homelessness and Reducing Reoffending*
in the help that is offered to households at risk of homelessness in Scotland. This is one reason why consideration of a prevention duty, similar to the Welsh model, may be helpful for Scotland. For 45% of Housing Options approaches from January to March 2016 the outcome recorded was that the household made a homelessness application. However, Shelter Scotland argue making a homeless application is not an outcome, but a step along the way to an outcome. In order to understand what is happening to homeless households it would be more helpful to know what eventually happens when people have gone through the Housing Options route as opposed to making a homelessness application.

Shelter Scotland recommends that continued prioritisation of homelessness prevention should be supported by ongoing analysis and strategic oversight of statistics to increase understanding of effective prevention interventions.

We would also like the existing Prevention guidance to be reviewed and updated accordingly and an investigation into the potential merits of introducing a statutory prevention duty similar to the Welsh duty now in place. Local authorities should also be encouraged, facilitated and collaborated with to develop and share effective Prevention solutions.

Housing Options

In 2014 the Scottish Housing Regulator (SHR) published a thematic enquiry into the delivery of Housing Options. The SHR voiced concerns that, at that time, rather than being a model of positive prevention practice, in some places Housing Options was being used to prevent households accessing their statutory right to homelessness assistance. In most cases, this issue of preventing access to homelessness assistance or ‘gatekeeping’ is prompted by a lack of availability of temporary accommodation. Shelter Scotland frontline advisers continue to receive reports that this is still happening in some areas in Scotland. When challenged with a threat of judicial review on individual cases by organisations such as Shelter Scotland, local authorities tend to respond promptly and positively negating the need to continue to challenge in Court. As a result, there have not been any cases brought to successful judicial review to publicly highlight poor practice in this area.

Housing Options is not a comprehensive homelessness strategy – it does not respond adequately to the needs of all homeless people or every aspect of homelessness. In particular, it has been recognised that people with complex needs including rough sleepers can fall outside the scope of those helped by this approach and the focus on Housing Options has led to a lack of response to this highly

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vulnerable group.\(^{37}\) Other pressing issues for the homelessness sector, such as the changes in funding to temporary accommodation are also not addressed by a focus on delivering Housing Options.

Shelter Scotland recommends that in recognition of concerns in this area, a National Homelessness Strategy should commit to the elimination of gatekeeping practices and tackling the systemic challenges ongoing in certain local authorities in meeting their homelessness commitments. We must ensure that people are being given appropriate Housing Options advice, that they are aware of their housing rights and are not being wrongly deterred from making a homeless application.

**Temporary Accommodation**

Temporary accommodation is a lifeline for vulnerable households and a cornerstone of the response to homelessness in Scotland. We need to ensure that it is good quality and most of all, affordable, especially for working households, and that there is a clear plan for moving on from temporary accommodation for every household.

According to the most recent Scottish Government statistics\(^{38}\), across Scotland, there are over 10,500 households living in temporary accommodation, including over 5,700 children. Currently too many households are spending far too long in temporary accommodation.

Despite the downward trend in homeless applications and acceptances in recent years, the number of households in temporary accommodation across Scotland has remained relatively stable. In many areas, it is getting harder to move people on from temporary accommodation and therefore households are spending longer without settled accommodation. This includes increasing numbers of children in temporary accommodation. There were 5,751 children living in temporary accommodation on 30 September 2016, an increase of 826 on the previous year. Children living in TA is of particular concern as time without a settled address can be harmful for development.\(^{39}\)

Research by Shelter Scotland into the use of temporary accommodation\(^{40}\) also found that in 2015-16, households who used temporary accommodation stayed there for an average of 24 weeks, and that on average, households with families spent more time in temporary accommodation than households without children. Overall, households with children spent around 1 million days in local authority-provided temporary accommodation in 2015-16.

\(^{37}\) Shelter Scotland (2016) *Complex needs: Homelessness services in the Housing Options East Hub*


\(^{40}\) Shelter Scotland (2016) *The use of temporary accommodation in Scotland 2016*
Shelter Scotland recommends that based on new information available through the collection of HL3 stats, the problem of length of stay in temporary accommodation is analysed and a strategic approach is taken to reducing the length of time in temporary accommodation (where appropriate for households).

The Scottish Government has encouraged local authorities to reduce the use of Bed and Breakfast (B&B) accommodation. In recognition of the problems associated with the use of B&B, the Homeless Persons (Unsuitable Accommodation) (Scotland) Order 2014 limits the use of this type of accommodation for pregnant women or families with children to 14 days, unless under exceptional circumstances. The order also sets certain standards that accommodation for this group must meet. However, due to the lack of security and often low standards, B&B accommodation should not only be considered unsuitable for pregnant women and children but also highly vulnerable people, including single person households.

Shelter Scotland recommends that a National Homelessness Strategy should set targets and approaches to the reduction of B&B use for all local authorities, particularly for vulnerable households.

The limited availability of social housing lets is one of the main reason for the rise in the use of temporary accommodation, and therefore continued close strategic links between the Joint Housing Policy and Delivery Group and a new National Homelessness Strategy will be important. The Scottish Government’s commitment to building 50,000 new affordable homes over the lifetime of this Parliament, with 35,000 for social let, is particularly welcome to address the use of temporary accommodation.41

Shelter Scotland recommends that the development of new social housing must meet the needs of homeless households in local authority areas and must therefore be linked to a national homelessness strategy.

Funding Temporary Accommodation

Several changes to the way that temporary accommodation is subsidised and paid for since 2010 pose a significant threat to local authorities’ ability to fund temporary accommodation without making large demands on other areas of council funding. In practice, this has resulted in authorities taking steps such as redesigning their

41 Based on research published by Shelter Scotland, CIH Scotland and SFHA, Scotland must build 60,000 new homes each year to meet identified need for affordable housing. Shelter Scotland welcomes the Scottish Government commitment to build 50,000 new homes a year, but note that this falls short of what is required to meet need and demand. Powell, R, Dunning, R, Ferrari, E, McKee, K (2015) Affordable Housing Need in Scotland
temporary accommodation portfolios and re-evaluating rent charges.\textsuperscript{42} Despite the positive actions this has achieved, the further tightening of funds to a resource that is already under pressure in many areas is of serious concern. There is an estimated significant shortfall in projected funding for temporary accommodation in Scotland. This is estimated as being anywhere between £20m to £60m\textsuperscript{43} annually.

Some local authorities predict that the quality of the temporary accommodation they provide will reduce and it is likely that the support available to people in temporary accommodation with also be cut back. This is of particular concern because Scotland does not currently have the safeguard of guidance on minimum standards in temporary accommodation for all.\textsuperscript{44}

\textbf{Shelter Scotland recommends that as part of a new National Homelessness Strategy there must be a review of the funding of temporary accommodation in Scotland leading to a new model that is not solely reliant on the levels of housing benefit or Universal Credit housing element available via the Department of Work and Pensions.}

\textbf{Rough Sleeping and Multiple and Complex Needs}

We would like the Scottish Government to pay particular attention to the rising number of homeless applicants who have multiple and complex needs and who make up the majority of rough sleepers in Scotland. Analysis of the most recent national homelessness statistics tells us that, while homeless applications are reducing, there is a growing number of individuals with complex support needs.\textsuperscript{45}

In 1999 the Scottish Government set a target of ensuring that by 2003 no one should have to sleep rough in Scotland. This led to a programme of activity under the title “Rough Sleepers Initiative”.\textsuperscript{46} Now, 13 years on from the ending of this initiative, there are strong anecdotal reports of an increase in rough sleeping from (at least) Edinburgh and Glasgow’s winter night shelters. There is also increasing recognition of, and concern for, the most vulnerable homeless people who have multiple and complex needs. There is a large overlap between this group and those that sleep rough.

\begin{footnotesize}
\textsuperscript{42} Evans, A. (2016) ‘Funding Homelessness Services in Scotland’ Edinburgh: Shelter Scotland
\textsuperscript{43} Tony Cain, Policy Manager ALACHO
\textsuperscript{44} Shelter Scotland & CIH (2011) Temporary Accommodation Guidance
\textsuperscript{45} Scottish Government (2016) Homelessness in Scotland: 2015/16
\textsuperscript{46} Scottish Government (2005) Final Evaluation of the Rough Sleepers Initiative: Chapter 3: The implementation and effectiveness of the RSI from the perspective of local authorities and national level agencies
\end{footnotesize}
It has been shown that general homelessness services are often not designed to meet the needs of this group\textsuperscript{47} and the Scottish Government has acknowledged that there is a need for outcomes for this group to be improved.\textsuperscript{48} Indeed, there are many factors that have aligned to make the current context fertile for positive change such as the Integration of Health and Social Care, work following the publication of ‘Restoring of Homelessness as a Public Health issue’\textsuperscript{49}, increased understanding of Adverse Childhood Experience and the gradual increase of Housing First projects across Scotland.

The lack of proactive and innovative thinking around how best to prevent or end homelessness for these individuals has led to high costs to the public as local authorities struggle to find cost effective, sustainable solutions with very little guidance and sharing of best practice.

The general homelessness services that are currently available cannot ably meet the needs of these clients in an effective way and this must be addressed. Local authorities must be facilitated and encouraged to be innovative, to work jointly with appropriate partner services and to share best practice locally and nationally.

**Shelter Scotland recommends that the need to improve services and outcomes for homeless people with complex needs across Scotland should be a focus for the new National Homelessness Strategy. As part of a strategy, the Scottish Government should recommit to the target of reducing rough sleeping and commit to concrete actions based on the ‘key factors for change’ identified in Shelter Scotland’s recent research on the services for people with multiple and complex needs.**

Debbie King  
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\textsuperscript{47} Shelter Scotland (2016) ‘*Complex Needs: Homelessness Services in the Housing Options East Hub*’

\textsuperscript{48} Scottish Government paper to HPSG (21 May 2015) ‘*Homelessness in Scotland: Rough sleeping, multiple exclusion and complex needs*’

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

Introduction

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 call for evidence on homelessness.

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 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.

The Committee has specifically asked for evidence in relation to:

“….the underlying reasons which can lead to a person seeking homelessness services, and whether homelessness prevention services are effectively tackling those underlying reasons for homelessness.”

This is clearly a hugely complex area where there is a great deal of published data and research and many organisations offering solutions to the problem. We note, however, that the Committee has focused its evidence gathering on listening to those with lived experience of homelessness and those directly involved in the work to assist them.

We have no doubt that this will provide a rich picture of the events that can lead to homelessness, the experience of seeking assistance and the types and quality of housing and support services that are currently available.
This focus on service users is critical to designing services that are accessible and effective in meeting needs. Our hope is that our evidence will add to this picture by providing some insight into how the housing system as a whole could work better to prevent homelessness by providing wider options, better choice and more control of the “housing journey” particularly for more vulnerable households.

**The underlying reasons which can lead to a person seeking homelessness services**

It is now a well-established response to this question to start, and usually finish, with the published homelessness statistics.

The most up to date figures were published by the Scottish Government earlier this year show that 55% of applicants left their home as a result of “being asked to leave” insecure accommodation or as a result of some form of relationship breakdown, often involving violence. 50.

Whilst the numbers of households seeking homelessness assistance has fallen significantly in recent years the recorded reasons for homelessness have remained broadly stable.

Similarly, the numbers seeking housing options assistance have fallen since the “housing options” approach and related statistics were put in place. During the six months between April and September 2016 the most commonly cited reasons for seeking options advice were:

- Dispute within household / relationship breakdown: non-violent: 13%
- Asked to leave: 14%
- Risk of losing accommodation: 8%
- Other action by landlord resulting in the termination of the tenancy: 8%
- Dispute within household: violent or abusive: 6%

A further 14% were recorded as seeking “general housing options advice”. These figures too have remained fairly stable since the second quarter of 2014 when data collection started. 51.

What these figures tell us is that the main reason for homelessness is some form of family or relationship break down though in a significant proportion of cases this takes place in the context of already insecure accommodation. What the Scottish

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Government statistics also tell us is that 67% of homeless presentations are from single people with just 24% coming from households including dependent children. Around half of all homeless households are headed by someone under 30, whilst those under 25 are nearly twice as likely to be affected by homelessness than those aged 25-65. The proportion of homeless applicants assessed as homeless or threatened with homelessness with support needs has grown in recent years from a third in 2007/08 to 42% in 2015/16.

Homelessness in Scotland is substantially (but not exclusively) an issue faced by young people and single people in particular. The operational experience of ALACHO members working in and managing homelessness services in local authorities is that many applicants, particularly couples and those with children and many single people, have limited support needs.

For most applicants the principle problem they face is the choices and control they have over their housing outcomes. The thing they need most from Council’s is an affordable home.

There is, however, a significant number of relatively vulnerable young single people, particularly young men, and vulnerable families that face real problems in securing and sustaining stable accommodation.

This of course all adds up to a summary of the “who and how” of homelessness not the why.

To understand why some households become homeless whilst others facing similar challenges do not requires a look at how our housing system works and what typical housing journeys look like and how this is influenced by age, gender and income.

**Housing journeys and housing choices**

The total number of households that move house, for whatever reason, in any one year is difficult to measure. However, based on figures from the Scottish House Condition survey, around 12% of households move each. This suggests a total of...
around 291,000 moves. Of which around 35,000 or just over 12% present as homeless as part of that journey.

One in every 8 households seeking to move in Scotland in any given year faces significant difficulties in accessing suitable accommodation. This is an indication that, whatever the individual journeys look like, the root of the problem is one of system failure.

The reality is that our housing system:

- offers relatively secure pathways to independent living form some young people and choices to some families but not others;
- the ability to exercise choice is strongly linked to income and family support;
- in many areas even those on above average incomes often struggle to afford suitable accommodation;
- the focus in the social sector on the provision of wholly self-contained accommodation limits the options available particularly to young single people;
- the availability of and the access arrangements for social housing can be a significant barrier to meeting housing need;
- the private rented sector limits access to those dependent on benefits to help with housing cost and is often poorly managed and maintained; and
- vulnerable households face significant difficulties accessing the support they need to sustain their accommodation.

There is clear evidence that particular housing journeys are more difficult than others. The published evidence demonstrates that:

- Pathways to independent living for young people are limited and only well developed for those in work or attending University;
- Young people with a background in care face added problems in securing and sustaining housing;
- Those fleeing domestic violence often face significant uncertainty as to housing outcomes, this can impact on their ability to leave a violent relationship;
- Up to a third of those leaving prison are liberated directly into homelessness and their homelessness is a significant factor in reoffending;
- Former service personnel often lack the support they need to adjust to civilian life and are disproportionately represented in homeless statistics; and
- Those in rural communities often have to remain in unsuitable accommodation for want of any available alternative.

Public policy isn’t going to end relationship and family breakdowns but it can do more to improve the operation of the housing system to ensure that genuine housing
options and real choices are available to everyone at the point at which they need to find new accommodation, whatever the reason for the move.

The current statutory and policy delivery framework

Significant progress has been made in improving the services available to homeless people and those at risk of homelessness. Advice and advocacy services are better and more generally available, the physical condition of temporary accommodation has improved significantly and the understanding of the support needs of clients has improved.

However, the current evidence is that the reduction in the numbers facing homelessness is starting to tail off and an unacceptably high proportion of those seeking to move home face significant difficulties in securing the accommodation they need.

We would summarise our view on the system overall as follows:

- The core legislation (the Homelessness Act 1977) is now 40 years old, and, whilst there have been significant changes in process, including important extensions to the right to settled accommodation, temporary accommodation and support, the legislation itself hasn’t changed significantly in that time. It focuses on the response to individuals seeking housing rather than a broader approach to preventing homelessness, sustaining accommodation and promoting choice.
- The statutory duties remain limited to local authorities and in practice this means Housing Services.
- Whilst there have been significant changes in other elements of housing legislation these haven’t necessarily been fully linked to the need to prevent homelessness or support housing choice.
- 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.
- The profile of those seeking assistance has changed over the last ten years to include more young single people who now make up the majority of clients. There is also some evidence of changing expectations and aspirations across the population as a whole. Despite this the configuration
of temporary accommodation and options for settled accommodation haven’t fully kept pace with these changes.

- bed and breakfast remains in common, if less widespread use;
- the importance of non-housing services in ensuring sustainable outcomes has increased at the same time that the funding for these services has come under significant pressure.
- 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.
- the developing implementation of Health and Social Care integration is adding complexity to the service delivery landscape;
- welfare reform is undermining the funding framework for much of the temporary accommodation available and will reduce the options for settled accommodation for younger single people;
- Long term homeless households face significant issues in access to health services and in particular GPs and mental health support. Their health outcomes are some of the worst for any part of the population; and
- Despite the abolition of the Right to Buy the availability of social housing continues to reduce, this is particularly marked in the most pressured housing market areas.

In the light of this ALACHO is of the view that a more fundamental review of the approach to homelessness is necessary if the progress made in recent years is to be maintained.

**Developing a whole system approach to preventing homelessness and improving housing choice**

Homelessness and insecure housing is experienced differently by different groups and across different communities. The rate of homeless presentations vary significantly between and within local authority areas. Across Scotland as a whole the application rate is around 6.4 per 1,000 population. But this varies from a high of 12.5 in West Dunbartonshire to just over 3 in Inverclyde.

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.

We hope these comments are of help to the committee in its consideration of the Scottish Government’s proposals. We understand that the scheduled evidence session is on 8 March. It is our intention to attend this session and will be happy to answer questions and provide more detail on the evidence we have provided here.

Tony Cain
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