LOCAL GOVERNMENT AND COMMUNITIES COMMITTEE

AGENDA

24th Meeting, 2017 (Session 5)

Wednesday 25 October 2017

The Committee will meet at 8.45 am in the James Clerk Maxwell Room (CR4).

1. **Building Regulations and Fire Safety in Scotland (in private):** The Committee will consider a draft report.

   *Not before 9.30 am*

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

   Cllr Kelly Parry, Spokesperson for Community Wellbeing, and Nicola Dickie, Policy Manager, COSLA;

   Patrick McKay, Operations Manager, Turning Point Scotland;

   Dr Adam Burley, Consultant Clinical Psychologist, The Access Point;

   Lorraine McGrath, Chief Executive, Simon Community Scotland;

   and then from—

   Joe Connolly, Criminal Justice Voluntary Sector Forum;

   Paul Brown, Chief Executive, Legal Services Agency;

   Nicky Brown, Homelessness and Housing Support Senior Manager, City of Edinburgh Council;

   Jamie Stewart, Housing Development Officer, Scottish Refugee Council.

3. **Homelessness (in private):** The Committee will consider the evidence heard.
The papers for this meeting are as follows—

**Agenda item 1**

PRIVATE PAPER  
LGC/S5/17/24/1  
(P)

**Agenda item 2**

Note by the Clerk  
LGC/S5/17/24/2

PRIVATE PAPER  
LGC/S5/17/24/3  
(P)
Local Government and Communities Committee

24th Meeting 2017 (Session 5), Wednesday 25 October 2017

Homelessness: Note by the Clerk

Purpose

1. This paper provides background information on the Committee’s inquiry into 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 held evidence sessions on 8 and 22 March 2017 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 visited Churches Action for the Homeless (CATH) in Perth and meet with staff to discuss issues relating to homelessness in rural Perth and Kinross. Members also accompanied 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. On 8 March 2017, the Committee took evidence from the following:

- Adam Lang, Head of Communications and Policy, Shelter Scotland;
- Tony Cain, Policy Manager, 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.
On 22 March 2017, the Committee took evidence from the following:

- Margaret Ann Brünjes, Director, Glasgow Homelessness Network;
- Eddie Nelson, Day Centre Manager, Churches Action for the Homeless;
- Beth Reid, Policy Manager (Scotland), Crisis.

Call for Views

7. Following the evidence sessions on 8 and 22 March 2017, the Committee issued a wider call for views, based on the issues raised in its fact-finding visits and evidence sessions, from all interested parties as part of its work on homelessness. The submissions received as part of this call for views can be found at the following link:

   Link to written submissions received on homelessness

8. The Scottish Parliament Information Centre (SPICe) has produced a summary of the written submissions received. This can be found at the following link:

   Link to summary of written submissions on homelessness

9. Following the closure of the call for written evidence, the Committee considered the submissions received and agreed to hold a number of evidence sessions in September and October 2017.

10. At its meeting on 20 September, the Committee took evidence from people with lived experience of homelessness:

- Saffron Rohan and Simone Smith (nominated by the Advisory Group at the Life Changes Trust)
- Rhys Campbell, Thomas Lyon, Julie McCallagh and Emma Pearce (nominated by Shelter Scotland)

11. At its meeting on 27 September, the Committee took evidence from:

- Bridget Curran, Glasgow Housing Options Steering Board;
- Fiona King, Campaigns and Public Affairs Manager, Shelter Scotland;
- Jules Oldham, Head of Policy and Operations, Homeless Action Scotland;
- Dr Neil Hamlet, NHS Health Scotland.
12. At its meeting on 25 October 2017, the Committee will take evidence, in two panels, from COSLA, Turning Point Scotland, Dr Adam Burley, Simon Community Scotland, the Criminal Justice Voluntary Sector Forum, the Legal Services Agency, the City of Edinburgh Council and the Scottish Refugee Council. Written submissions from those attending are attached at Annexe A. The Scottish Refugee Council have also highlighted the following journal article on the transition experiences of new refugees in Glasgow:

‘I want to participate.’ Transition Experiences of new refugees in Glasgow

Next Steps

13. The Committee will hold a further evidence session with the Minister for Local Government and Housing on 1 November 2017 before deciding on its next steps to take as part of its inquiry.
Written Submission from COSLA

**Introduction**

COSLA welcomes the opportunity to respond to this call for evidence and we are encouraged by the Local Government Committee turning its attention to this important subject. Given the timing of this inquiry, COSLA does not have the political governance structures to endorse the text of this submission. Nevertheless, given councils’ integral role in preventing and responding to homelessness, we feel it is important that the Committee receives evidence from Local Government. The response is consistent with previous cross party positions adopted by COSLA’s elected members (including a paper to Convention in March 2017) and draws on advice from Local Government officers and conversations with SFHA.

We look forward to engaging further in this inquiry and hope that our spokesperson and other elected representatives can be invited to provide further evidence on Local Government’s strategic views at a later date. Our submission below begins with some COSLA key messages before directly addressing the questions set by the Committee.

**COSLA key messages**

Local authorities’ role and interest in homelessness stems not only from our statutory local housing authority responsibilities, but also from our wider responsibility to improve outcomes for our communities. Councils contribute to tackling homelessness mostly through housing and homelessness services but also in a variety of indirect ways. These include: providing or commissioning advice and advocacy services; administering aspects of social security and providing advice; contributing to health and social care outcomes through Integrated Joint Boards; engaging with and regulating private landlords; encouraging local economic development; as a major employer in the area; and, perhaps most importantly, as the lead authority in Community Planning Partnerships (and other areas of multi-agency partnership work such as Community Justice).

With this in mind, we advocate an integrated, whole-system approach to preventing and responding to homelessness to address social inequalities in keeping with the spirit of the Christie Commission and Scotland’s efforts to achieve public service reform. We would like to convey the following key messages to the Committee.

1. **A focus on prevention.**

   Three of the most common causes of homelessness are poverty, relationship
family breakdown and individuals having multiple complex needs. None of these issues are solved through housing alone – preventative support services have been cut to people at risk of homelessness as a result of pressure on public services. In-work poverty and welfare changes have put many more at risk.

2. Political leadership and accountability.

We acknowledge the concern from Shelter and others that homelessness requires political leadership. Importantly, we believe this requires a combined effort from Local and Scottish Government. While services need to be delivered at a local authority for the purposes of good accountability, local efforts can be supported by strategic direction and leadership at a national level through the Homelessness Prevention Strategy Group (HPSG).

3. The housing market (including the Affordable Housing Supply) must cater to those in most need and be developed strategically to prevent homelessness.

It is clear that there needs to be an increase in the affordable housing supply – and we are working with Scottish Govt and RSLs to increase stock. While numbers are important, Scotland must also take an intelligent approach to the type of home that is being built and its affordability. This requires creativity in fabric design and also surfaces questions about the purpose of social housing in Scotland and how the property market can be influenced to work for communities. We would welcome a conversation with the Scottish Government and other stakeholders about how this vision might be developed further.

4. A joined-up, multi-agency approach.

Services demand contribution from all agencies (especially health, justice and social security), as well as private and social landlords but should continue to be locally planned and led by the council as the closest accountable level of government to our communities. The need for multi-agency working aligns with COSLA and Scottish Government’s commitment to the principles of public service reform outlined in the Christie Commission.

5. A focus on outcomes and people rather than outputs and statistics.

Homelessness statistics alone and taken at face-value often tell us little about the reality on the ground. We need to be more focused on people. Quantitative indicators have their place as a tool for accountability and
transparency but there are dangers in using these alone in the absence of contextual qualitative information.

6. **A need for evidence-based policy.**

In particular we need to know more about rough sleeping (not to be confused with street begging) and about temporary accommodation (i.e. reasons for lengthy stays and myth-busting about standards).

7. **Tackling poverty and mitigating welfare reforms.**

It is imperative that any response to homelessness considers the impact of poverty on housing outcomes, that is to say their ability to pay rent, and maintain an adequate standard of living. The Scottish Government, Local Government and other public bodies have a role to play in tackling poverty through mitigating welfare reforms which threaten to increase homelessness, targeting support to people in poverty and as responsible employers.

**Questions posed by the Committee**

**Housing Options and Homelessness Prevention**

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

Our view is that Housing Options (HO) generally works well, offering vital housing support and information to people with a housing need. While the fundamental constraint on HO is pressure on resources, it is most effective when delivered at the earliest possible opportunity and linking in with services that go wider than housing (e.g. money advice and signposting to mental health services). Housing Options services could therefore benefit from a programme of improvement. Building on the strong foundation provided by the Scottish Government / COSLA joint guidance, such a programme could further develop the capacity of and knowledge within Housing Options services. As such, HO services would become increasingly holistic and focused on early intervention. We would anticipate the soon-to-be-published Housing Options Toolkit to be a part of this.

While we understand calls for a consistent, templated approach to be replicated across the country providing a standardised Housing Options service, we believe a key strength of HO is its capacity to be flexible to local circumstances and its facilitation of links between agencies and other bodies at a local level. That a service is not provided in a uniform manner does not necessarily undermine its quality nor the intended outcomes – the case for this is set out well in the
Commission on Strengthening Local Democracy. The Housing Options Hubs provide an invaluable source for sharing good practice and there are a wide range of innovative approaches to delivering the service across councils. The best of these take a holistic approach to advice and offer or signpost to preventative interventions although it is important to be clear that the greatest barrier to such work is a lack of resource and a large workload rather than a lack of willing to think outside the box.

We also recognise the concerns about the lack of harmony between Housing Options and homelessness statistics. This relates to our overarching view that a person-centred, outcomes-based approach should be taken to homelessness which is not purely driven by local or national statistics.

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

Firstly, we welcome the Committee turning its attention to the importance of good relationships between agencies. In the spirit of the Christie Commission and in keeping with COSLA and Scottish Government’s commitment to public service reform we believe partnership working between agencies at an area-based level is the best way to deliver improved outcomes.

Community Planning arrangements should remain the key mechanism for this partnership work to take place. Planning services at a CPP level ensures a locality-based approach within administrative boundaries (i.e. local authority area) which are supported by a democratically elected layer of governance and which are recognised by all existing services and third sector organisations. With regard to homelessness, it should be noted that Local Housing Strategies are written along local authority boundaries and should relate to efforts around homelessness.

Turning to specific relationships between relevant agencies, these are variable by local authority area but local authorities are clear that they wish to encourage partnership working at all levels. While it is not the role of the housing sector to ‘fix’ community planning, the joined-up approach to homelessness suffers from the same barrier as in other sectors i.e. agencies’ reluctance or inability (through regulation) to contribute actual resources to preventative work.

We have been encouraged to see the Health service turn its attention to health and homelessness through Directors of Public Health (ScotPHN) in particular and the health sector is clearly now aware of the links between housing and health outcomes. That said, it is important to now meet this with action on the ground and that any changes to service delivery consider what preventative activity the health service can undertake to improve housing/homelessness outcomes, rather than simply focusing on how housing can improve health.
Similarly, the **Scottish Prison Service** (and the justice sector in general) is increasingly aware of how experience of the justice system exacerbates the risk of homelessness. We hope that the SPS’s efforts to increase its contribution as a community planning partner – particularly through the new Community Justice local partnership model – can lay the foundations for better links between prisons and other services to avoid homelessness on liberation. SOLACE and SPS are currently working on practical ways to achieve this.

**Third sector** organisations also have a key role to play in tackling homelessness and should be involved in delivering and co-producing services. They are often well-equipped to reach those who are uncomfortable interacting with statutory services and can form relationships with homeless people in a way statutory services may struggle to.

The **private rented sector** (PRS) should also be considered in conversations around homelessness. Private rented accommodation plays a hugely important part in the housing market by either providing opportunities for people either at risk of homelessness or freeing up stock in the social sector. On the other hand, the PRS can be a barrier to tackling homelessness and we are aware that many private landlords find ways of avoiding offering tenancies to people receiving welfare payments. It is important that landlords are engaged better and they should be included in conversations around multi-agency working.

Finally, it is worth noting the paramount nature of a good relationship between local authorities and **housing associations** within multi-agency arrangements. As issues around homelessness receive more attention from the public and elected members, it is important that councils and RSLs are not pitted off against one another. A good working relationship including an agreed approach to allocations is the only way to deliver outcomes for homeless people.

To aid the success of multi-agency work at a local level, there must be strong national, strategic leadership. The Homelessness Prevention Strategy Group (HPSG) is the ideal vehicle to provide this albeit we recognise it has been less active than is useful in the past year. We are looking forward to a conversation with Scottish Government about how best to take this forward this Ministerial / COSLA advisory group.

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

There are three fundamental things that might benefit Housing Options (HO) services. Firstly, as the HO toolkit is about to be published, we believe those delivering and managing HO services would benefit from a programme of improvement. This may be best delivered through the Housing Options Hubs and
would include a conversation about the breadth of Housing Options and its links to other advice services. Secondly, preserving the local element of the HO approach is crucial to its success. Thirdly, HO delivery and improvement work should be fully resourced if it is to be successful. The conversation about resourcing should also take into consideration the benefits of HO to services beyond housing.

We would also like to raise with the Committee, the need to continually improve options for single people (among whom there has been an increase in homelessness). This may require a more innovative approach to the physical make-up of accommodation (e.g. sharing) and to supporting people to find ‘flatmates’ (e.g. through digital solutions). We would encourage the viability of shared accommodation to be examined as a potentially effective route to providing stable accommodation for people with experience of homelessness. While not an unsurmountable barrier, the incoming Scottish standard tenancy does not encourage landlords to pursue options like this.

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

As stated above, private sector providers are a key partner and we should seek to bring them on board as early as possible. Councils and others can work with the private rented sector to remove barriers to renting and ensure people receive support if they are at risk of becoming homeless from private rented accommodation. The other significant role of private providers is their capacity to build affordable homes. Direct or indirect intervention in the private housing market to encourage affordability and good practice among landlords can be supported by strong political leadership between Local Government and Scottish Ministers.

It is concerning that current DWP changes (such as built-in delays to initial payments of Universal Credit, LHA caps and the public perception of uncertainty in the welfare system) may have an impact on the willingness of the PRS to accept social tenants. We understand CIH are undertaking research on the likely impact of the LHA cap and the removal of entitlement of young people to the housing element of UC which we would draw the Committee’s attention. While we understand that there are likely to be exceptions to the operation of this policy, we are particularly concerned that it will further constrain access to housing for young people and will increase periods in temporary accommodation.

Temporary Accommodation

What evidence is there of pressure on temporary accommodation in your area? Has this increased in recent years?
In keeping with our call for evidence-based policy we would urge caution over how temporary accommodation statistics are used in national debates about homelessness. For example, there can be a range of good reasons for people to be in temporary accommodation including tenants’ choice to be located in a certain area or a desire to avoid the disruption of a further move. Figures outlining the number of children in temporary accommodation can also be misleading as there are instances where a child with separated carers may be recorded twice (e.g. once per parent) or recorded in temporary accommodation without that being their normal residence. Similarly, while it is important to hold landlords RSL / local authority landlords to account on temporary accommodation standards, they are often better than those in private accommodation. With all of this in mind, it is important to focus on personal outcomes rather than on numbers alone – if a household understands their situation and is happy for a period in temporary accommodation to be extended, then a provider should feel able to focus its efforts and resources on other activities rather than being driven by temporary accommodation figures alone.

COSLA would be interested to hear from councils and providers of temporary accommodation about the pressures on these services and we are acutely aware of the funding gap in temporary accommodation of which we have made the Scottish Government aware. Finally, it should be noted that stock transfer authorities are entirely reliant on contracting the provision of temporary accommodation from RSLs and private landlord partners, presenting further challenges to managing temporary accommodation.

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?

As indicated above, to improve homeless people’s experience of temp. accom. COSLA would advocate a person-centred and outcomes-focused approach to moving people into suitable, stable accommodation rather than solely working to numerical targets. It is important not to fixate on statistics about time spent in temporary accommodation – rather, we want to see a person-centred and outcomes focused approach to moving people into suitable, stable accommodation.

The social environment in temporary accommodation is often problematic and, as such, homeless people’s experience could be improved by physical improvements conducive to a more supportive environment and also by enhancing the support offered to people in supported accommodation (i.e. mental health services, money advice, employability). Fundamentally, the best way to reduce the use of temporary accommodation is to take a preventative approach to tackling poverty and the root social causes of homelessness rather than through approached to managing temporary accommodation.
Do you have concerns about the funding of temporary accommodation? If yes, how should temporary accommodation be funded?

COSLA has made its views clear on the funding of temporary accommodation in various forums and with Scottish Ministers. This is a topic that does not go away. Fundamentally, a variety of welfare changes have severely restricted the ability of councils to fund their temporary accommodation. In particular, the gradual replacement of Housing Benefit support by Universal Credit restricts the ability of councils to cover the additional running costs of management, security and furniture and fitting provision and replacement through tenants’ benefit entitlement. Restrictions on Local Housing Allowance have added to pressures as have collection difficulties in areas where the full Universal Credit is rolling out. The shortfall in funding, even after distribution of £22m homelessness funding to councils following the abolition of the TA management Fee, is estimated to be at least £20m per year and likely to be considerably higher.

While councils will seek to reconfigure services to better address current needs and reduce funding pressures, many local authorities will struggle to maintain the quantity and quality of services against tight overall budgets. Impacts of the LHA cap, particularly on young people is also likely to reduce the range of affordable accommodation and extend lengths of stay in temporary accommodation. We hope consideration can be given to additional funding at least in the short term by Scottish Government to support councils to reconfigure services.

Permanent Accommodation

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

COSLA will also be interested to hear the responses to this question as allocations policies are clearly fundamental to tackling homelessness. We would like to make the point that local flexibility is a key strength of the approach current allocations policy across Scotland, allowing councils and social landlords to work together to design a housing system that works for the specific needs of their population.

Councils are working closely with the Scottish Government to support its target of building 50,000 affordable homes. It should be emphasised at every opportunity that a healthy affordable housing supply is a key component in tackling homelessness.

Multiple and Complex Needs

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?
COSLA advocates a person-centred, local partnership approach and a focus on prevention in order to support people with multiple and complex needs. This requires a form of intervention that combines anti-poverty measures, mental health support, money advice, a justice system focused on rehabilitation and a supportive social environment – all things which cannot be delivered by one single agency.

We recognise the current interest in the Housing First model and believe this can be a solution for some people with multiple and complex needs. Some councils have looked into this and it is evident that Housing First might be pursued more widely if there was resource available to deliver what is an expensive service to run. Psychologically Informed Environment (PIE) approach is also something we are aware can result in positive outcomes.

What scope is there for improved joint working with all agencies and groups supporting those with multiple and complex needs, which would also include the health sector?

It is notable (as pointed out by ALACHO) that the statutory duties in homelessness only apply to local authorities. It could be argued that the current statutory framework does nothing to encourage other agencies to support the housing outcomes of those with multiple and complex needs.

Similar to our earlier point, multi-agency work is best planned and delivered in the context of a Community Planning Partnership at a local level. Local authorities are best placed to lead this work as a democratically elected sphere of government and as the strategic lead for community planning arrangements. One fundamental barrier to effective joined up work is the reluctance or inability for agencies to contribute resources to collaborative activity. As noted above, joint working can only become a reality if it is driven at a strategic level and this does require an element of leadership at a national level – particularly where national organisations such as SPS or Police Scotland are concerned.

The health sector’s recognition of the links between health and housing is discussed above and we believe there is scope to learn and expand some of the good practice. The development of a public health workforce in Scotland presents an opportunity to further improve this work and to improve homeless prevention, we would like to see mental health being an integral part of this work. One approach for consideration may be to place a duty on Community Planning Partners or to ensure homelessness prevention is incorporated into the social and economic duty.

How can access to general health services, including preventative health services, be improved for homeless people?
This problem can be tackled by tackling stigma among homeless people and providing adequate training to front line health workers to be able to identify potential indicators of housing need and to be able to signpost to relevant services. In particular, GP surgeries and A&E can make a contribution to this. In this context it is also crucial that physical and mental health issues are treated equally.

Clearly the Integrated Joint Boards have a key role to play in ensuring homelessness services and health services can work together. The housing contribution statements show early signs of positive action but we would like to see this improve further. The development of a public health workforce in Scotland presents an opportunity to further improve this work.

What role could the “housing first” model play in improving outcomes for homeless people with multiple and complex needs?

As indicated above, Housing First is an exciting model with a lot of potential. For social landlords to be able to take the ‘risk’ on Housing First, it is imperative that other agencies are not only on board but are able to contribute adequate resources to maintain the service.

Rough Sleeping

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?

Much of the evidence we hear is anecdotal but deeply concerning. COSLA would welcome an agreement on definitions and support on gathering robust evidence on rough sleeping and will listen closely to voices in the third sector as to how this can be tackled. There are a variety of causes from poverty and having no recourse to public funds to a rejection of emergency bed and breakfast accommodation.

It is important not to confuse rough sleeping with street begging – both are separate issues with separate solutions. As the Committee will be aware, rough sleeping is mainly cities (particularly Glasgow and Edinburgh) which clearly requires a tailored policy response. As such we need more understanding about the local nature of rough sleeping as well as national factors.

What type of accommodation is offered to rough sleepers? / What type of approaches can contribute to the reduction of rough sleeping and achievement of sustainable housing solutions for rough sleepers?

We are aware of the important contribution made by the third sector in providing accommodation to rough sleepers. Streetwatch services work well and a proactive
approach is best however it must be recognised that this is difficult to do properly with a lack of resource. Services often offered best by third sector street workers – but it is important that a local approach is taken.

Other

What are the reasons behind why people become homeless?

The Committee has heard and will hear from expert voices on why people become homeless. From a local authority perspective, many homeless people fall into that situation as a result of one or a combination of factors, most commonly including family/relationship breakdown, multiple and complex needs and poverty. In order to tackle each of these, a preventative approach is required that goes beyond housing interventions, which is why a multi-agency response to homelessness is crucial.

About poverty, the arguments around the impact of welfare changes are well rehearsed but cannot be overemphasised. Delays to payments built into the system, the erosion of support levels, increased sanctions and the legislative barriers to people who do not qualify for certain benefits all combine to push people into poverty and financial chaos – through no fault of their own – in not being able to pay their rent. With some local authorities on full UC, the evidence is now going beyond the anecdotal and is translating into a spike in rent arrears which we are deeply concerned will result in an increase in homelessness as it already seen in parts of England.

We have been working with our members, particularly Highland Council and East Lothian Council whose experience of UC proves the impact many had feared. On top from the impact on revenue accounts (well-evidenced by data from Highland and East Lothian), the impact on people threatens to be severe.

Meanwhile the benefit cap also has an impact. As a short-term measure the Highland Council fully mitigated the impact of the changes to the benefit cap by awarding Discretionary Housing Payments (DHPs) from the date the cap is applied to 31 March 2017. It is unlikely that full mitigation will be available for 2017/18.

Refugees and asylum seekers

It is worth highlighting here the specific challenges faced by refugees and asylum seekers who have an increased risk of homelessness.

COSLA recently submitted supplementary information for the Scottish Parliament Equalities and Human Rights Committee inquiry on Destitution, Asylum and Insecure Immigration Status in Scotland. We highlighted that, despite receiving no funding from either UK or Scottish Government, local authorities and individual local authority
officers seek to deliver the best outcomes for people for whom they have a statutory responsibility, and will continue to do so.

Current data from the UK NRPF Network for 43 local authorities across the UK, including Glasgow and Edinburgh City Councils, highlights that they spent a combined total of £36.4 million in 2016/17 supporting families with NRPF. These are housing and financial support costs only and do not include staff time and resources, so are an underestimate of the true cost to councils. 29% of referrals were taken on for support, and the average number of days on support was 869, which was an increase from the previous year. 17% of the households supported were lawfully present with NRPF and had been prevented from accessing mainstream benefits by the UK Government for immigration control purposes.

We would wish to return to what was perhaps the overarching point that we, and others, sought to make to the Committee; namely that destitution is an inevitable consequence of the UK Government’s approach to immigration and asylum policy. It is worth continuing to explore how housing support to refugees and asylum seekers can be enhanced.

What data is used to measure homelessness numbers in a particular area?

The Scottish Government homelessness statistics are the main source of information on homelessness. We increasingly believe that HN1/2 and temporary accommodation statistics are not a useful indicator of success in homelessness interventions and so we would welcome a conversation with Scottish Government about a more outcomes-based approach.

Can you give examples of best practice of effective strategic coordination of services to ensure there are no gaps or overlaps in homelessness services?

We have already made the case above for the Community Planning Partnership approach to be the cornerstone of strategic coordination, and there is an important contribution to be made by the development documents such as the Local Housing Strategy and an IJB’s local housing contribution statement. We believe the Homelessness Prevention Strategy Group has a role in providing national strategic direction to this and that the Housing Options Hubs are best place to continue sharing of good practice between key partners.

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

Some of this topic has been covered above and the best way to ensure people access their rights is to make public services accessible and proactive in engaging with the people they are there to support. Concerns are often voiced around how
RSLs and local authorities work together to ensure nobody falls through the net and everyone is provided for and treated fairly. That relationship between RSLs and local authorities is perhaps an early item for the HPSG to consider.

*What are the barriers to providing homeless people with sustainable housing solutions and how can these barriers be addressed?*

Barriers to providing homeless people with sustainable housing solutions include the stigma around homelessness which can affect their ability to access services and the fact that there is a small but significant group of homeless people with multiple and complex needs. People’s ability to find work and maintain that employment is also an important contributing factor.

In responding to the Committee’s inquiry on homelessness, it would be remiss not to mention the gradual erosion of council funding and the impact this will inevitably have on services. Cuts to council budgets and other public services risk hollowing-out ‘softer’ preventative services which offer valuable support and advice to people at risk of homelessness.

It is also important that funding issues are considered in the round and pressure on resources within council housing budgets can have an impact not only on our ability to build more homes but also to explore creative solutions for people at risk of homelessness. It is becoming increasingly untenable that development costs fall on social tenants who are, by definition, among the poorest in our communities.

*Are there any other issues relating to homelessness which you wish to bring to the attention of the Committee?*

Finally, we would like to emphasise the importance of political and strategic leadership in order to tackle homelessness. The Homelessness Prevention Strategy Group is a recognised forum co-chaired by COSLA and Scottish Government and should continue to be the primary mechanism for providing strategic direction to national efforts to tackling homelessness. We have had early discussions with the Scottish Government and look forward to exploring this further.

**John Wood**  
**Policy Manager**
Written Submission from Turning Point Scotland

1. Introduction

The following paper is a response to the Scottish Government’s call for evidence on Homelessness, launched on 3 May 2017. It draws on Turning Point Scotland’s experience of delivering a range of different homelessness services and the evidence and insight we have gained.

The response focuses primarily on those who have Multiple Complex Needs (MCN) and describes how current homelessness interventions (Housing Options, permanent accommodation and supported accommodation) find it challenging to meet individual’s needs this this group are hard to engage successfully and do not meet the requirement of housing readiness.

The paper goes on to discuss **Housing First** as an evidence based model (both in Scotland and internationally) which offers a successful alternative approach to addressing homelessness and is currently delivered by Turning Point Scotland. It describes the key principles of Housing First, considerations around scaling-up Housing First provision and the importance of a **psychologically informed environment** as part of the approach.

Finally our response concludes with some general points about sector-wide good practice and discusses specific barriers that have been raised by TPS staff or service users within our homelessness service provision.

We would be very willing to provide further evidence or to attend a session of the committee if that would be helpful.

2. Who we are and what we do

Turning Point Scotland is a national organisation working to ensure that services fit people. We are committed to innovating service delivery models which are evidence based and effective in meeting the needs of those who are most vulnerable. We currently work within a number of social care areas including: criminal justice, learning disabilities, substance misuse, mental health and homelessness. We base our practice on the belief that sometimes the same person can be viewed in multiple ways depending on what need is being considered and that the interconnectedness of need should be better understood and responded to.

We are currently working across eighteen Scottish local authorities and delivering commissioned services to homelessness people in seven of these authorities. Our service delivery models include: direct access service for rough sleepers; Housing First services to specific groups such as those with substance misuse and those with mental health issues; and housing support services for more than a thousand individuals and families affected by homelessness who are currently resident in temporary accommodation. We believe that this level of activity within the sector gives us useful insights into the experiences of people affected by homelessness.
3. MCN and a housing pathway

3.1. People affected by homelessness have different levels of need

People affected by homelessness are not a homogenous group and as such provision and interventions have to be shaped to meet different levels and types of need. Within this call for evidence we will particularly focus on those with **multiple complex needs** and their interaction with both statutory and non-statutory services. Multiple complex needs are usually defined in terms of three or more different needs. However, it is important to also consider the severity of the need and how this might impact on a person’s ability to be active participants in the services they require.

An example of those with multiple complex needs failing to engage with a successful intervention is the lack of uptake for this group in **Housing Options**. Housing Options has been a successful intervention, in terms of prevention, for many and has seen a cultural and attitudinal shift in relation to statutory front line workers. The difficulty is that those who have the most enduring complex needs are often unable to engage successfully with this process due to challenges such as keeping appointments.

3.2. Permanent accommodation

Traditionally those with multiple complex needs have not been allocated permanent tenancies due to their perceived lack of housing readiness. Even those individuals who do engage with the process of achieving statutory homelessness are likely to be given some form of supported accommodation.

The **staircase model** has been the traditional pathway for those with multiple complex needs. In this **treatment first** approach individuals have to demonstrate a
willingness and ability to change their behaviour, such as a reduction or stabilisation in substance use, before they are deemed to be housing ready. Consequently there are a group of the most vulnerable service users who are never likely to successfully demonstrate housing readiness and are therefore unlikely to be allocated a tenancy.

3.3 Supported Accommodation

Those individuals who have the most enduring multiple complex needs can also find it difficult to sustain a supported accommodation placement. This is because they will often exhibit behaviours which are deemed too risky for themselves and others and can result in the most vulnerable individuals being excluded by service providers, creating a revolving door into homeless services.

4. What Works?

4.1 Housing First

In May of this year Turning Point Scotland, in conjunction with Glasgow Homelessness Network, held a Housing First conference which was attended by over two hundred and fifty participants. One of the opening presentations was given by Professor Sarah Johnsen from Heriot-Watt University, who laid out the evidence base for HF. She concluded that, whilst Housing First is not a panacea, the evidence base on its effectiveness is far stronger than for any other intervention and that it demonstrates exceptionally positive outcomes for a group that has historically been poorly served.

She drew on international evidence from across the USA Canada, Australia and Europe (including the UK) that showed: 80-90% housing retention rates after 2 years, with some of the early projects showing similar retention rates after 5 years; improving health outcomes; decreasing involvement in criminal activity and anti-social behaviour; and improved cost-effectiveness of service delivery and cost savings.

Turning Point Scotland currently operates Housing First services in Glasgow, Renfrewshire, and East Dunbartonshire. The most mature of these services is Glasgow HF, which currently works with forty two service users who have multiple complex needs and are managing to sustain their own permanent tenancy.

The 2015 study Further Validation of the Pathways Housing First Fidelity Scale by Goering et al. found that Housing First shows a greater degree of efficacy where there is a higher level of fidelity to the original pathway model in New York. We believe that there are some key principles which must be adhered to:

- Individuals using HF should be able to access a Scottish Secured Tenancy without having to demonstrate any housing readiness
- individuals on the street are housed within six weeks of referral
- HF services need to have an assertive outreach component so that they can look for those service users who would not normally engage
If someone has multiple complex needs and is a rough sleeper it is unlikely that they will keep housing or support appointments. HF Glasgow specifically works with individuals who have long standing substance dependency issues and does not require a condition of treatment before the person accesses a tenancy. It is important to emphasise that housing and support should be kept separate, so if someone loses their tenancy the support can continue.

Another key principle that TPS has included within their model is the role of peer support workers. We believe that the role of the peer support worker can bring an authenticity to the relationship with the service user and that this is directly attributable to the success of our Housing First services.

4.1.1 Structural considerations when scaling up Housing First

Turning Point Scotland is part of a FEANSTA European Housing First Hub. As part of a work stream, led by Crisis UK, we are considering the structural issues in relation to the scaling up of HF. Significant in the implementation of a HF approach are local housing markets e.g. stock transfer local authorities; local authorities that have particular pressures on Private Rented Sector (PRS) and have a predominance of properties above the Local Housing Allowance.

Another consideration in the scaling up of a HF approach is bringing on board supported accommodation providers. A transition from supported accommodation to HF can be as threatening and challenging to providers as to local authorities. The European Housing First hub is looking at creating a road map for different municipalities and local authorities so that lessens can be learned in the scaling up of Housing First.

4.2 Psychologically Informed Environments (PIE)

Although we believe that HF should be the default model for those who are rough sleeping or have multiple complex needs we also recognise that some individuals are not ready or yet able to commit to having a permanent tenancy. Therefore when supported accommodation is provided it should be within a psychologically informed environment (PIE) and adopt established psychologically informed approaches. The received wisdom tells us that those who have the most enduring and severe multiple complex needs often have underlying issues in relation to trauma. Therefore when supported accommodation services are being commissioned, the tender should require providers to demonstrate an understanding of these approaches. There are key psychological processes which if applied would enable those who are most often excluded to be included within supported accommodation models. Some key elements of PIE which should be included are:

- Creative inclusion policies
- Reflective practice for staff
- Understanding of key psychological theories such as Attachment theory
- Environments which are properly considered in relation to the PIE framework
- Services which are low threshold for access and have a high tolerance built into their design and delivery.
5. Other considerations

5.1. Month rent in advance for homeless service users accessing social housing

TPS service managers have reported a higher instance of Registered Social Landlords in Glasgow asking for one month’s rent in advance. We believe this creates a financial obstacle particularly for those who are on benefits; often service users are forced to ask family or friends to loan them money to enable them to pay this. On some occasions TPS staff have been able to negotiate this to a week’s rent in advance, but on other occasions the RSL has been resolute. We believe this practice has been more apparent post Welfare Reform.

5.2 No more silo thinking when considering the needs of vulnerable people

We welcome the change in some local authorities in recognising that there should be greater fluidity and flexibility in funding streams and have started to refer to a group who are ‘Vulnerable,’ as opposed to labelling them in terms of mental health, criminal justice, homeless. However, neither would we like to see the diminishment in the significance of the statutory rights of the homeless person.

5.3. Greater joined up working and longer funding periods

We welcome some local authorities approach to exploring alternative commissioning arrangements, such as Strategic Alliances, and the longer funding periods being increased to up to seven years. We believe that this approach will engender greater cooperation and shared innovations which will ultimately benefit those affected by homelessness.

5.4. Homelessness Impact Centre

We value evidence based practice and believe that the conception of a Homelessness Impact Centre in Scotland would add to the existing plethora of innovative service delivery models. We would therefore like to add our support to the development of this centre by Crisis UK and Glasgow Homelessness Network.

5.5 Scottish Government using existing forums to implement Housing First

Using the Housing Options hubs or replicating similar networks, the Scottish Government should apply national levers to embed and implement a Scottish wide commitment to Housing First as the default model of choice for those with MCN.

6. Conclusion

We would assert that not all people are equally homeless and, as a result, interventions have to be responsive to all those who are affected by homelessness. We have to be particularly innovative and sticky when trying to successfully engage those who have the highest and deepest levels of complex needs. Consideration should be given to Housing First as a default, with a well-established success rate, for those who would not have accessed housing within the traditional housing
pathway. We would welcome the Scottish Government using existing policy networks to embed a Housing First approach across Scotland.

Patrick McKay  
Operations Manager and Strategic Lead for Homelessness  
Turning Point Scotland
Written Submission from Dr Adam Burley

I have 15 years experience providing psychological input to homeless individuals and to the services who work with them.

My submission is in relation to a small percentage of homeless individuals who are often referred to as the ‘multiply excluded homeless’, or,’ complex needs homelessness’. This population have usually arrived at homelessness quite late on in a life that typically has had high levels of adversity in it.

**Housing Options and Homeless Prevention**

Housing options is a key area that can be used to address the needs of the multiply excluded homeless. The barriers to this tend to be a lack of understanding on the part of health services that housing can be a health intervention, and a lack of understanding on the part of housing that health has all the answers. The separate budgets are also a barrier in that when housing is providing good quality residential care to an individual they are not supported financially by health, even though they may well be saving health large sums of money.

Housing First has been shown to unequivocally be the best practice in addressing the needs of MEH individuals. A range of housing options can be derived from this basic model that would address the needs of most individuals in this area. Joining up budgets and involving health in the provision of care in a housing first setting would go a long way to integrating the two key elements of health and housing. The current split between housing and health services only serves to exacerbate the degree of exclusion that MEH individuals experience.

Health needs to recognise that there are many other staff groups who carry out care of these most complex individuals in a competent and professional manner. Rather than waiting for individuals to attend clinics designed by the health service, health staff might be better employed going to where the individual are and working with them directly or through supporting the staff who are working with them.

**Temporary Accommodation**

For many MEH individuals, good quality supported temporary accommodation that is available to them for as long as they need it is the health treatment of choice. If this is recognised then a certain proportion of temporary accommodation should be funded from health budgets as well as housing ones. Many supported accommodation units operate de facto as residential mental health units, but are not recognised, supported or funded to do so.
Multiple and Complex Needs

The first step in ensuring the needs of homeless people with multiple and complex needs are met is the development of a shared understanding about what those needs are and how they have developed. Far too often MEH individual are understood through the lens of the symptoms they present with, and are directed towards services that match that symptom profile. Typically the relationship that then ensues between individual and service does not go smoothly and can often lead to the individual being discharged, barred or in some other way excluded. The language that services use around this experience is typically one of describing the individual as ‘not engaging’, when of course they are engaging – just not in the way that the service would like them to.

Psychologically informed approaches have been shown to be best practice in this area. An understanding of the psychological and emotional needs of these individuals helps explain why they might engage with services in the way that they do, and begin to describe how services might position themselves such as to offer the greatest potential of addressing the underlying needs.

I am biased, but I think that we have several models of good practice in Edinburgh where the health service (me) works closely with the third sector housing provider, through processes such as supervision, case review and reflective practice, to support staff, develop a psychologically informed approach and ultimately benefit the service user. The rate determining step in these endeavours is typically the amount of time that the individual is allowed to stay in the supported accommodation. Time is an important factor here, in that most time limits are not in any way informed by a good psychological understanding of the individual’s development. If, for example, a person experienced high levels of trauma, abuse and neglect through the first ten years of their life, then it is highly unlikely that 18 months in a supported unit will be enough to ‘change their mind’, independent of how good the care is. It just is not enough time. An understanding of realistic time frames in the provision of care to MEH individuals would go a long way in addressing the need.

There is a huge scope for improved joint working particularly across all sectors. In the third sector, competitive tendering tends to keep providers from working with and along side each other. Each becomes a brand vying for a contract. In statutory services workers too often resort to their own particular professional tribe. IN both cases the different languages and understanding used by services act as a barrier to shared work. Such fragmentation and splitting is not helpful for individuals who have typically experienced high levels of fragmentation in their early relational experiences. From a psychological perspective, having coherent, joined up services would be the first thing on your design sheet when working with people who have had fractured and incoherent upbringings.
Access to health services could be increased dramatically for MEH individuals if the health service moved away from a somewhat autistic idea that everyone can access and make use of health service in the same way. Specialist health services are often built around this basic premise, and as such any individual who does not play the part of patient properly can quickly find themselves becoming excluded and discharged. To offer a health giving relationship that is tolerant, understanding and recognises that engaging in care might evoke extreme ambivalence in some individuals would mean far more MEH individual being able to ultimately make use of care. Ironically it is often the 'non-specialist' keyworkers and support workers who are truly expert in the business of stickability and developing trust with those who have long histories of having their trust abused. The health service works very well for those that can use it. It requires a new, relationally based model of care if it is to address the needs of this most vulnerable population.

Housing First represents an approach that is psychologically informed and has been shown reasonably robustly to be the intervention of highest potential for MEH individuals. It should be commissioned without delay and joint funded across health, housing and social care. It provides a genuine opportunity to integrate fragmented services around an individual, or, in simpler words, to provide the coherent family group that is so often absent in the histories of this population. Too often the idea of complex needs evokes a notion that the intervention needs to be complex. It does not. All that is often required is security, stability, coherency, reliability, dependability and time. All the qualities of a good care relationship. Housing First carries the potential to provide this. And if you get this, most fundamental, part right, then the individual may well in time be able to make use of all the other aspects of life that we all take for granted.

**Rough Sleeping**

The care shelters that are provided by the churches show a good model of modified housing first for those who are often the most entrenched homeless. We should drop ideologies about what constitutes a house, get away from meaningless language about ‘encouraging’ rough sleeping, and provide good basic, low threshold shelter for those that need it. Again is about understanding and respecting the psychological and emotional needs of the individual and trying to come alongside those, rather than imposing our own views on things.

**Other**

In terms of the population that I have been describing here, it is well established that the reasons behind why they become homeless are relational in nature and have their roots in developments characterised by high levels of adversity. Such adversity (incl. trauma, neglect and abuse) has profound and long lasting detrimental impacts upon an individual’s capacity to form relationships that have positive health
outcomes. In this regard the homelessness is a relatively late emerging symptom of a much broader difficulty in emotional and psychological function. These individuals often become homeless because their relationships break down across the board, and yet they can also often struggle to be by themselves, and as such they can often be caught in a highly toxic agoraphobic / claustrophobic cycle where they both demand help (in the form of relationships with care providers), and then seem to make no use of those relationships when they are provided, or worse, get involved in abusive, neglectful and traumatic dynamics. This can lead them to become ‘multiply excluded’ from mainstream and other services.

Having integrated services who share a common understanding and language that is informed by the best available research would go some way to address these issues. In my work I have been lucky enough to work across organisational barricades and see that most people who work in this area do share a common goal. They understand the importance of a psychologically informed approach and are keen to operate in that way. Too often that goal is fragmented by funding arrangements, competitive tendering, professional preciousness, arbitrary policies and procedures, and general theoretical poverty.

I have rather rushed off this submission due to time constraints, but I would be more than happy to come and discuss any of the points I have raised in greater depth and clarity.

Dr Adam Burley
Consultant Clinical Psychologist
The Access Point
Written Submission from Simon Community Scotland

Simon Community Scotland is the country’s largest provider who are wholly focussed on service delivery to combat the causes and effects of homelessness. Our focus is on providing solutions for people with the most chronic and complex needs and who have long histories in homelessness, with a particular focus on the most extreme forms of homelessness including rough sleeping.

The organisation engages with over 3000 people each year and works across multiple HSCP areas, delivering multi agency collaborative responses alongside providing emergency, temporary and longer term intensive supported accommodation models across 12 sites.

Housing Options / Homelessness Prevention

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

Our experience of the impact of housing options centres around those with the most chronic, multiple and complex needs.

The Housing Options process can prove difficult for our service users to link in with due to the complex nature of the issues they are affected by and the lengthy interview process is challenging to complete. Staff find the whole process in its entirety complicated never mind our service users. As a process for the general population it clearly offers a very effective diversionary process from homelessness, however it can also create further barriers for those in the midst of chaos and crisis and whose past experience of services may have been exclusion and the absence of any control or choice, which often leads the individual to self select to not participate in a full assessment.

We also experience a very varied approach between HSCP and Local Authority areas, particularly where homelessness is not a devolved area to the the local Integrated Joint Board, where fully integrated responses to individual need can be challenging and the focus remain on a housing led intervention.

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

True prevention activities that work in advance of responding at the point of need, remain very limited, particularly restricted and/or completely absent is the role that health and specifically mental health and primary care might play in identifying those
at risk and supporting a multi agency response to prevent risk escalating to a point where a housing options assessment is then required.

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

We welcome the development of the Housing Options toolkit and look forward to seeing more consistency of approach and improved understanding as it is rolled out. There remains a challenge to make best use of the approach for the most vulnerable and to recognise that the more success we have in utilising housing options, to divert an increasing majority from statutory homelessness, the greater the intensity of complexity and need that we see within the homelessness system and accommodation, support and care arrangements require to focused on a rapid access to a settled home approach.

Furthermore we need to look beyond prevention at the point of need and work earlier to identify more of those ‘at risk’ at a much earlier stage. We deliver a multi partner Support Officer Service in partnership with five community housing associations in the North of Glasgow that is aimed at upstream prevention. Referrals come from Housing Officers who identify support needs or access challenges with their tenants. There are many examples of the identified need relating to an apparent practical issue eg the need to gain access for gas maintenance and what emerges is evidence of significant risk factors that, once support and the appropriate connections are made, can be easily mitigated against.

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

Private sector housing undoubtedly remains under utilised in most areas, how we can increase the role it plays is largely determined by welfare reform, both in terms of landlord willingness to accommodate and housing contribution levels of Universal Credit being sufficient to meet rent levels. We would welcome a pragmatic approach that recognises that there may be merit in underwriting shortfalls for individuals in housing contributions that goes beyond what is currently available to give sustainable solutions for individuals who would otherwise return to homelessness.

Section 2 Temporary Accommodation

5. What evidence is there of pressure on temporary accommodation in your area? Has this increased in recent years?
There is increasing pressure on temporary accommodation, we provide 125 places across three Local Authority areas. Lengths of stay have increased significantly with a particular issue being experienced

We have examples of where pressure to accommodate individuals at risk of rough sleeping is high, requests are made for service users with somewhere else to go to give up their room for a night or two. This requires the service user to pack up and move all of their belongings out of their room then staff clean it ready for the next service user to move in within hours, seeing service users effectively sharing a room and potentially putting vulnerable people at risk within unsuitable relationships with no choice of return within the time they have agreed to be away. emergency accommodation service often has people on couches and camp beds to avoid to ensure people are not sleeping rough.

We are beginning to see evidence of increased housing access barriers for those on Universal Credit, particularly in some areas with even more limited access to RSL and Private Rented Sector accommodation. This is resulting in longer stays within temporary accommodation.

Many younger service users accommodated within our temporary accommodation services have stated that they would prefer to remain in hostel accommodation with other young people rather than move into a tenancy and risk isolation. No settled housing options exist for people who do not want to live alone.

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?

We have major concerns about the nature of some of the temporary accommodation and the quality of the environment that is or can be offered. Standards are often extremely poor, with very little resource available or directed towards maintaining even the most minimum of living standards. The over use of high cost temporary furnished accommodation precludes the vast majority of individuals from seeking employment and pursuing any training or education due to the personal liability for the rent and housing management charge.

Diverting as many people as possible towards immediate access to settled accommodation with access to the support and health care they need, in line with the principles of Housing First, is a primary priority across the country. This could allow better targeting of resources to provide high quality and well supported temporary accommodation only for those who require further assessment or input before moving rapidly on to a settled home. The key aim must be to eliminate the use of any B & B or hotel accommodation and ensure that all temporary accommodation also delivers immediate access to support and housing advice.
7. Do you have concerns about the funding of temporary accommodation? If yes, how should temporary accommodation be funded?

We have significant concerns about the reliance on individual housing benefit contribution to the sustainability of temporary accommodation services and we are already seeing significant deficits in funding due to the impact of welfare reform. Administration of housing benefit and UC Housing Contribution carries significant costs, that cannot be accounted for within a social care contract, the time taken to maintain an individual's rent contribution detracts from their support and care needs and diverts precious staff time into process.

Section 3 Permanent Accommodation

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

Choice based lettings processes, are predominantly an online process, which introduces a significant barrier for many of the people most in need. We recently surveyed service users in our accommodation services on whether they had ever had an email address and less than 20% answered positively and the majority of those were the under 25’s. Digital access and the ability to engage in online processes, no matter how simple is a huge barrier.

Section 4 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?

As an organisation with a primary focus on multiple and complex need homelessness we have been a lead partner in the development of a unique multi agency approach to reach and find solutions for the most chronic and vulnerable individuals in Glasgow. The initiative utilises the skills and knowledge of existing services and staff to deliver a highly individualised and assertive response.

The CAN (City Ambition Network) is a third sector led partnership that was formed to find collaborative ways of working that could address the exceptional needs of vulnerable people who were in a chronically circular pattern of rough sleeping, addiction, incarceration, re-traumatisation and significant health and mental health inequalities. This relatively small group of around 70 service users were ‘crashing’ in and out of services with little sign or opportunity for that to change.
The CAN brought organisations and crucially the right people together to take a collaborative, flexible and assertive response that has demonstrated significant life changing opportunities for the small number of people in the pilot stage. We are confident a number of people currently supported by the CAN would be dead if not for the work of the team. The CAN is now expanding its reach with the support of multi year funding from the Oak Foundation.

The CAN has demonstrated the ability work in partnership to rethink service delivery, to come together for a shared vision and purpose and to reshape boundaries in supporting frontline staff to find the right solutions which previously would have been impossible due to system barriers and expectations.

11. How can access to general health services, including preventative health services, be improved for homeless people?

The vast majority of health services are clinic based, leaving little room for flexible engagement with people whose days are chaotic and unpredictable.

12. What role could the “housing first” model play in improving outcomes for homeless people with multiple and complex needs?

There is compelling evidence that the principles of “housing first” provide the best sustainable outcomes for those with multiple and complex needs within the homelessness system. It can therefore play a significant part in addressing people who are considered to be chronically homeless, with repeated and sustained episodes. It requires an intensely coordinated approach which can appear resource intensive, the most critical being commitment from housing providers to offer rapid and high tolerance access to permanent housing, without the need for an individual to be able to evidence their “housing readiness”. It is important that a range of options exist to meet a range of differing needs and that we adopt the housing first principles in a way that provides people with as much choice in their housing options as possible, including couples, families, shared and congregate living models, for those who fear the isolation of living alone.

Section 5 Rough Sleeping

13. 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?

Rough sleeping is far more visible in the cities now. There are various reasons for this including:

1. Decline in individuals mental health
2. Lack of accommodation or been found intentionally homeless
3. Service users don’t want to leave good “begging pitches” in case they lose it
4. Service users feel safer in more prominent / visible spots
5. Lack of temporary accommodation for couples

The generosity of the Scottish public and the emergence of many small charitably focused initiatives is in some ways enabling people to sustain life on the streets now more than ever as there are lots of agencies who provide food and clothing and the general public give cash.

14. What type of accommodation is offered to rough sleepers?

Rough Sleepers tend to be offered B&Bs, hotels, emergency accommodation which many fear or feel unable to accept due to past negative experiences. As a result many self select what they feel in more control of, ie remaining on the street rather than going somewhere where events may feel even more unpredictable or they may feel more vulnerable.

Section 6 Other

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

The vast majority of the people we support have significant mental health issues, past trauma and significantly disadvantaged childhood experiences. Their homelessness is often a consequence of long term issues, that are only worsened by the loss of any safe and secure place to live, leading to chronic homelessness and life limiting health inequalities.

17. What data is used to measure homelessness numbers in a particular area?

The majority of data across the services we provide is captured through contract management requirements for the Local Authority, all of which are centred around service specifications and not necessarily providing the right kind of intelligence that measures individual impact. The measures tend to be quantitative rather than qualitative outcomes that capture the most meaningful outcomes, this is particularly so for chronic and complex need.
Written Submission from the Criminal Justice Voluntary Sector Forum

Introduction

1. We welcome the opportunity to provide input to this Call for Evidence and trust that our response will be of use and interest to the Committee. Our response has been developed through discussions with our members, drawing on their experience of working closely with individuals, families and communities.

About CJVSF

2. The Criminal Justice Voluntary Sector Forum (CJVSF) is a collaboration of voluntary sector organisations working in the field of criminal justice\(^1\). CJVSF aims to:

- Support voluntary sector providers to continuously improve their own criminal justice services through collaboration and sharing of good practice
- Assist voluntary sector providers to understand, navigate and influence the complex and changing environment in which they operate
- Promote broader awareness of the activities, value and impact of Third Sector services within criminal justice.

3. CJVSF is hosted by the Coalition of Care and Support Providers in Scotland (CCPS) and receives financial support from The Robertson Trust.\(^2\)

CJVSF Response

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

4. Scotland has a strong legal framework for preventing homelessness (Under the Homelessness (Abolition of Priority Need Test) (Scotland) Order 2012, local authorities have a statutory responsibility to provide settled accommodation for all unintentionally homeless people in Scotland), however, CJVSF members observed a gap between the legislation and the implementation. In practice, much more needs to be done to prevent people becoming homeless and strong leadership will be required to address this.

5. CJVSF members noted concerns that, at present, the ambition of the legislation is not being fully met and provision is not always appropriate. For example, they observed that people may be offered a sleeping bag because a space in temporary accommodation is not available. In other instances, people may be offered a place in a hostel which they are unwilling to take up because of the risks that it may subject them to, such as pressures around drugs and alcohol.

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\(^1\) A list of our current members can be found at: [http://www.ccpscotland.org/cjvsf/cjvsf/cjvsf-members/](http://www.ccpscotland.org/cjvsf/cjvsf/cjvsf-members/)

\(^2\) Further information about CJVSF is available at: [www.ccpscotland.org/cjvsf](http://www.ccpscotland.org/cjvsf)
6. CJVSF members raised particular concerns about the risk of people becoming homeless when they are released from prison and suggested that support to prevent people becoming homeless on release needs to commence at a much earlier stage. The most recent Scottish Government statistics available (from 2013/14) show that 973 people were classified as having ‘no fixed abode’ when they were liberated. However, as Dore (2015) observed, such figures “are likely to significantly under-report the prevalence due to prisoners choosing not to disclose worries about accommodation or being unaware of the reality of their accommodation situation”. Research by the Prison Reform Trust (2014) found that around one third of women prisoners lose their home whilst in prison.

7. The evidence also shows that there is a link between homelessness and an increased risk of reoffending (Shelter, 2015). Reducing the risk of homelessness can therefore play a critical role in addressing other social issues as well.

8. Preventative work benefits from a person-centred, relationship based approach. CJVSF members were able to identify pockets of good practice and noted that more consistent and stable funding arrangements are required in order to ensure high quality support is available for those that need it. Examples of good practice in homelessness prevention include:

- **Cyrenians Homelessness Prevention Service**– This service provides personal advice and support, helping people to keep their homes.
- **Mediation and Support Services** - Family conflict has been found to be a major cause of homelessness for young people. Cyrenians and Sacro’s mediation and support services help young people and their families to overcome conflict and other destructive behaviour patterns and to reduce the risk of homelessness.
- **Mentoring and peer support**– e.g. Shine, New Routes, Cyrenians Peer Project. Mentors and peer workers offer non-judgemental support, link people in to services, can accompany them to appointments and can assist with planning and other tasks.
- **Having a support worker/advocate** to support people with knowing their rights and help them get the right outcome.

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

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4 http://scotland.shelter.org.uk/__data/assets/pdf_file/0010/1185787/Preventing_Homelessness_and_Reducing_Reoffending_092015_FINAL.pdf?nocache
5 http://cyrenians.scot/home-and-housing/homeless-prevention/
6 http://cyrenians.scot/family-people/conflict-resolution/mediation-and-support/
7 http://www.sacro.org.uk/services/mediation/homelessness-mediation-glasgow
8 http://www.shinementoring.org/
9 https://www.thewisegroup.co.uk/helpforyou/prison-to-payslip/
10 http://cyrenians.scot/home-and-housing/outreach-project/
CJVSF members were able to identify individual examples of strong partnership working but felt that, in general, more still needed to be done to strengthen working relationships between all relevant agencies. Examples of partnership working include:

- **Women's Supported Bail Service**\(^{11}\) - Delivered by Aberlour and Turning Point Scotland, this initiative provides holistic, person-centred alternatives to remand in custody and provides an opportunity to address a range of issues, including those around housing and homelessness.

- **The Prison Project**\(^{12}\) – This is a partnership between Shelter Scotland, Inverness Citizen's Advice Bureau and Sacro and works with HMP Perth, Grampian and Inverness to help break the cycle of a lack of stable accommodation and re-offending.

- **Bridges Partnership**\(^{13}\) - This partnership between Shelter, Aberlour and Glasgow Housing Association assists women to escape domestic abuse. It helps them to navigate the housing system and to understand the options they have available to them if a new home is needed.

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

9. Planning around housing needs to begin at a much earlier stage, to reduce the risk of people losing their home whilst they are in prison. For those that do become homeless, the housing options offered need to be appropriate and provided in conjunction with ongoing support for the individual or family.

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

10. Research commissioned by Shelter Scotland into the funding of homelessness services\(^{14}\) found that the use of temporary accommodation has increased by 44% across Scotland since 2005. The trends have varied in different local authority areas, however, and the report identified two main categories:

- Local authority areas where temporary accommodation has increased over the last 10 to 15 years, but demand has equalised, and they are seeing reductions in the length of stay in temporary accommodation. These areas,

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\(^{12}\) [http://scotland.shelter.org.uk/get_advice/local_services/dundee/supporting_prisoners_advice_network_span](http://scotland.shelter.org.uk/get_advice/local_services/dundee/supporting_prisoners_advice_network_span)

\(^{13}\) [http://www.aberlour.org.uk/services/bridges-partnership/](http://www.aberlour.org.uk/services/bridges-partnership/)

\(^{14}\) [http://scotland.shelter.org.uk/__data/assets/pdf_file/0004/1274755/Funding_Homelessness_Services_in_Scotland_report.pdf/_nocache](http://scotland.shelter.org.uk/__data/assets/pdf_file/0004/1274755/Funding_Homelessness_Services_in_Scotland_report.pdf/_nocache)
may, however still experience pressure on temporary accommodation in particular local ‘hotspot’ areas within the wider authority area.

- Local authority areas where temporary accommodation use is pressurised and length of stay in temporary accommodation has been increasing. The key drivers in these pressured markets tended to be: lack of access to move-on settled accommodation, high house prices and a lack of affordable supply.

**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?**

11. Temporary accommodation needs to be of a high standard and used effectively. Research by McHardy et al (2010) into *people’s experiences of temporary accommodation on leaving prison*[^15] found that unsuitable or poor accommodation impacts negatively on reintegration and rehabilitation. In particular, the research concluded that “hostel accommodation is rarely suitable for ex-offenders, especially for those with drug and alcohol problems”.

12. Shelter Scotland and the Chartered Institute of Housing Scotland have jointly issued *Guidance*[^16] on physical standards and good practice in relation to Temporary Accommodation which may be helpful in identifying improvements that can be made.

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

13. Research commissioned by Shelter Scotland into the *funding of homelessness services*[^17] found that there was uncertainty about future funding, with some local authorities predicting that this will lead to a reduction in the quality of the temporary accommodation they provide, along with reductions in the provision of support available to people in temporary accommodation.

**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?**

14. In 2015, IRISS produced an *evidence summary*[^18] which looked at the relationship between homelessness and offending, the impact of prison, key challenges and messages for practice. Key challenges identified for prison leavers were: limited

[^15]: http://www.poverty.ac.uk/system/files/attachments/EPIC%20Research_Out%20of%20Jail%20but%20still%20not%20free.pdf
[^17]: http://scotland.shelter.org.uk/__data/assets/pdf_file/0004/1274755/Funding_Homelessness_Services_in_Scotland_report.pdf/_nocache
accommodation options, location of accommodation and the complexity of needs they may experience.

15. The IRISS (2015) research\(^{19}\) found effective approaches to supporting prison leavers include: proactively providing advice and information on housing needs well before release; support after release to help sustain tenancies; partnership working with other agencies and offering practical support first.

16. Research by McHardy et al (2010)\(^{20}\) found that “advocacy services for ex-offenders are crucial, especially in the period immediately after release”. CJVSF members also reported the value of having somebody to advocate for people leaving prison when meeting with housing (and other) services. They reported concerns that vulnerable people are not always treated with compassion or respect when they present as homeless and that more could be done to improve the way support is provided. Appropriate housing support should also be offered to enable people to manage on a day-to-day basis.

17. In addition to the examples which we have already highlighted above under previous questions, CJVSF members provided the following examples of good practice in supporting people with multiple and complex needs:

- **Positive Tracks**\(^{21}\) - This service, delivered by Cornerstone, provides accommodation, life skills and employability support to people with a learning need who are being released from short term custody.

- **Cyrenians Outreach Project**\(^{22}\) - This project provides high quality support, promotes talking therapies and offers access to personal change budgets to support people to achieve positive outcomes such as increased use of available support, reductions in harmful behaviour, steps toward more secure accommodation, better health (physical and mental).

- **Edinburgh Homelessness Service**\(^{23}\) – This service, run by Turning Point Scotland, provides advice and support to help people secure safe and stable accommodation within their chosen community if they are homeless or at risk of becoming homeless.

**What scope is there for improved joint working with all agencies and groups supporting those with multiple and complex needs?**

18. The new model for local community justice planning offers an opportunity to improve joint working between different agencies. One of the desired strategic outcomes in the new national Performance, Outcomes and Improvement Framework for community justice\(^{24}\) is that “People have better access to the

\(^{19}\) https://www.iriss.org.uk/sites/default/files/insight29_prisonleavers.pdf
\(^{20}\) http://www.poverty.ac.uk/system/files/attachments/EPIC%20Research_Out%20of%20Jail%20still%20free.pdf
\(^{21}\) https://www.cornerstone.org.uk/content.php?id=positive-tracks
\(^{22}\) http://cyrenians.scot/home-and-housing/outreach-project/
\(^{23}\) http://www.turningpointscotland.com/what-we-do/homelessness/edinburgh-visiting-support/
services they require, including welfare, health and wellbeing, housing and employability” and the framework also includes indicators around the “Existence of joint-working arrangements such as processes/protocols to ensure access to [Housing and other] services to address underlying needs”. In order for improvements to occur, this will require strong engagement from all relevant statutory partners as well as with third sector partners and with service users themselves.

What role could the “housing first” model play in improving outcomes for homeless people with multiple and complex needs?

19. The Community Justice Outcomes, Performance and Improvement Framework\(^{25}\) states that, “The evidence is clear that addressing basic needs such as housing, healthcare and welfare are key to promoting desistance and preventing and reducing further offending.” In addition to addressing basic housing needs, people should also have access to adequate housing support over an appropriate time period.

20. CJVSF believes that the Housing First model can play an important role in improving outcomes for homeless people with multiple and complex needs. An evaluation of Turning Point Scotland’s Housing First Model (Johnsen, 2013)\(^{26}\), for example, found that the approach had high levels of service user satisfaction and was successful at retaining the involvement of service users and in supporting service users to retain their tenancies. Furthermore, there was evidence of improved outcomes relating to health, financial well-being, and involvement in the criminal justice system.

What type of approaches can contribute to the reduction of rough sleeping and achievement of sustainable housing solutions for rough sleepers?

21. As discussed above, preventative approaches, which are person-centred and based on strong relationships are critical. CJVSF members are involved with a range of approaches that can contribute to the reduction of rough sleeping and achieve sustainable housing solutions. Examples include:

- **Preventing the loss of tenancies** - e.g. Shelter’s Prison Project\(^{27}\)
- **Housing first approaches** – e.g. Turning Point Scotland’s Housing First Service\(^{28}\)
- **Family mediation work to reduce the risk of young people becoming homeless due to family breakdown**– e.g. Scottish Centre for Conflict Resolution\(^{29}\)

\(^{27}\) http://scotland.shelter.org.uk/get_advice/local_services/aberdeenshire/supporting_prisoners_advice_network_span
\(^{28}\) http://www.turningpointscotland.com/what-we-do/homelessness/glasgow-housing-first/
\(^{29}\) http://scottishconflictresolution.org.uk/
22. Furthermore, there is a need for collaborative approaches, with statutory and voluntary sector organisations working together to achieve sustainable housing solutions. Research by Glasgow Homelessness Network (2015) found that only 39% of people accessing third sector homelessness services reported that they had approached the local authority for homelessness assistance. This highlights the important role that the third sector can play in engaging with individuals who might otherwise ‘slip through the net’.

**What are the reasons behind why people become homeless?**

23. There are many reasons why people can become homeless, including family breakdown, loss of employment, addiction, domestic abuse and wider social issues, such as poverty and a shortage of low cost housing. Imprisonment is also an important risk factor and CJVSF members have found that many of those they work with risk becoming homeless when they leave prison. Families can also find their housing situation is at risk when a family member goes in to prison.

24. The Lothian and Borders Community Justice Authority’s Accommodation Protocol noted that, “On admission to prison many prisoners may already hold an existing tenancy either with a Local Authority, a Registered Social Landlord or in the Private Sector. In the majority of these cases the prisoner will fail to take the appropriate steps to secure the property or the tenancy on admission to prison. As a result of this such prisoners may find that they lose their tenancy and ultimately face an intentionality homeless determination on release, in addition to facing other housing problems such as arrears and rechargeable costs. On release from prison many prisoners do not have accommodation available to them, or in many cases where accommodation is available it is not deemed to be suitable due to its location and type or is unsustainable due to the lack of support. This makes it difficult for them to reintegrate into the community and can increase not only the risk of homelessness but also the risk of reoffending.” In some instances, people are unclear as to how they can maintain their tenancy and the storage of personal items can also be a challenge. Supporting people to retain their tenancies could help to prevent people becoming homeless and avoid the knock-on impacts that becoming homeless can create. CJVSF members identified approaches being used in other countries to address some of these issues, which may be worth further exploration. These included:

- BONJO’s Huisbewaring Programme in the Netherlands. This programme sub-lets property during a period of imprisonment
- VACRO’s Prisoner Property Storage Programme in Australia. The service collects property at a prisoner’s request during custody.

32. [http://bonjo.nl/wat-doet-bonjo/huisbewaring](http://bonjo.nl/wat-doet-bonjo/huisbewaring)
Can you give examples of best practice of effective strategic coordination of services to ensure there are no gaps or overlaps in homelessness services?

25. As discussed above, the Lothian and Borders CJA developed an Accommodation Protocol\(^{34}\) which aimed to help prevent homelessness on release from custody and details the roles, responsibilities and processes to be followed by each of the partners in ensuring that housing needs are met. The new community justice planning arrangements also offer an opportunity to improve strategic coordination of services but, as yet, it is too early to say how well these arrangements will work in practice.

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

26. CJVSF members noted that there can be problems with people accessing their housing and homelessness rights when leaving prison and some organisations have taken steps to help to try and address this. For example, the Wise Group is in the early stages of piloting an initiative with the Legal Services Agency to ensure that people have a letter to take to the homeless team on their release, which clearly sets out their rights to accommodation.

What are the barriers to providing homeless people with sustainable housing solutions and how can these barriers be addressed?

27. IRISS (2015)\(^{35}\) found that four groups of prison leavers face particular barriers: remand prisoners / those on short sentences; women; young people; those who are homeless on entering prison. CJVSF members noted particular barriers relating to the payment of housing benefit. People in custody may lose their accommodation due to the time limits on the payment of housing benefit. People on remand can access housing benefit for up to 52 weeks whilst people who have been sentenced can access housing benefit for up to 13 weeks. If the person is in custody for longer than this period, they will therefore be likely to lose their tenancy.

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\(^{35}\) [https://www.iriss.org.uk/sites/default/files/insight29_prisonleavers.pdf](https://www.iriss.org.uk/sites/default/files/insight29_prisonleavers.pdf)
Written Submission from the Legal Services Agency

1. About Legal Services Agency Ltd.

Legal Services Agency (“LSA”) is a charity and a law centre.

We, among other things, provide high volume, high quality advice, assistance and representation for people who are homeless or are threatened with homelessness.

This includes defended eviction (generally but not exclusively for rent arrears), defended mortgage repossession (again, generally for mortgage arrears) and advice to people who are in temporary homeless accommodation who seek permanent accommodation, as well as, crucially, people who have no temporary accommodation at all and who are rough sleepers.

The defended eviction and defended mortgage repossession work involves high volume court appearances in the Sheriff Court with many proofs set. The advice, assistance and representation we give to people who are homeless generally involves Reviews submitted to the local authority or threats of Judicial Review through the Court of Session.

We aim to be innovative.

We have, accordingly, developed human rights’ defences in certain cases, ‘equalities’ defences in eviction cases, as well as claims for compensation based on ‘equalities’ legislation for people who are homeless.

In addition to providing assistance to clients on many thousands of occasions and 5 to 10 proofs per week, we provide training and education to the sector as a whole and have produced a number of publications (available in a number of formats). This draws attention to the background to homelessness. This includes the unremitting volume of eviction actions raised against tenants and their families by, largely, Registered Social Landlords (RSLs). This is of course linked to the UK Government’s Social Security Policies (Austerity aka Social Security Reform). According to a Shelter Scotland Press Release there has been a 24% increase in evictions 2016-17. This is of course linked to nearly 40,000 Notice of Proceedings with many thousands of actions being raised thereon.

Social Security Austerity includes issues such as the benefit cap, sanctions, changing the arrangements for the backdating of housing benefit and substantial cuts to disability benefits amongst others.

In any event, LSA has given evidence and made submissions to a range of investigations and enquiries in the past, related to all these issues, including of
course during the visit by your good selves to our offices in Fleming House, Glasgow.

2. The Evidence.

We note that in the call for evidence it is indicated that it would be helpful if submissions could address a number of questions.

Whilst we have views about virtually all the questions, the comments we make relate only to our direct experience.

Please note that Legal Services is an active member of the Campaign for Housing and Social Welfare Law. ("The Campaign"). Many of the comments in this submission arise from The Campaign’s highly successful recent conference on Destitution. In addition, this document has received support informally from a number of members of The Campaign. Owing to the timescales however The Campaign has not had an opportunity to formally confirm its support for our proposals. In due course The Campaign hopes to be in a position to formally confirm its position if this would be helpful.

3. Housing Options and Homelessness Prevention.

LSA, among other organisations within the Glasgow Advice and Information Network ("GAIN"), as well as through our Inverclyde Housing Rights Project, of course, is part of the advice sector providing vital assistance to people in disadvantage.

LSA receives financial support from amongst others Glasgow and Inverclyde Councils as well as, of course, from the Scottish Government.

The work of the sector as a whole unquestionably makes a major difference to people who threatened with, or actually are homeless and very generally we hope that the central and local government support for our work will continue. We are very aware that ultimately we all share the same objectives.

As a consequence of funding, LSA is able to provide comprehensive services and we attach a copy of our information leaflet.

This includes drop-in surgeries virtually every day of the week and appointments, as well as an in-court advice and representation service at Glasgow Sheriff Court in regard to defended evictions and mortgage repossessions. We also supply a similar service in Greenock Sheriff Court for the Inverclyde area.

The Section 11 system set up by Glasgow City Council has also improved matters in terms of engaging with clients at an early stage before their situation in terms of homelessness becomes critical.
When the City Council receives a notice from a landlord or mortgage provider that they are initiating eviction/mortgage repossession proceedings against a resident of Glasgow, there is an arrangement whereby we contact the person threatened with homelessness and in co-operation with other agencies we advise them of the options for advice, assistance and representation that they may have through us.

Whilst the number of people who respond via this route is not large, it is significant.

In addition, we have good relationships with a number of advice centres and CABx. We are able to cross-refer in regard to relevant areas of expertise.

LSA, as you will note from above, also undertakes a fair amount of publishing and training.

The information so produced does, we believe, inform the sector and, overall, the general knowledge of what can be done has significantly increased.

However, we are unable to comment on the impact that Housing Options may have had. Our work has increased and is increasing. Whether Housing Options has meant that it is not increasing as much as it might have otherwise is a matter of speculation.

4. Temporary Accommodation.

Our experience is that large numbers of rough sleepers are unable to obtain temporary accommodation on a regular, consistent basis. This is a problem both in terms of the availability of appropriate accommodation, including accommodation with appropriate support for people in a homeless situation, and a problem in terms of local authorities gatekeeping and failure to provide accommodation despite being under a statutory duty to do so.

There appears to be a significant crisis in the availability and quality of temporary accommodation. Often this accommodation does not have the necessary support systems for clients with complex needs. It ought to be used as a temporary measure, but in our experience people often have to remain in temporary accommodation for months. In our experience there is a significant reliance on hostel accommodation. Whilst we recognise that sometimes hostel accommodation is an appropriate way for a local authority to fulfil its duty to provide temporary accommodation, such accommodation often does not assist people in getting out of a homeless situation and into permanent accommodation, and it should be used for as short a time period as possible.
One of the central aims in terms of homelessness must be tackling the problem of people remaining in temporary accommodation for a long time without a secure tenancy agreement, and people stuck in a cycle of homelessness where they dip in and out of the homeless system, unable to obtain permanent accommodation. Where the homeless system prevents people from obtaining permanent accommodation timeously this must be seen as a failing in the homeless system. Increasing availability of alternative accommodation, such as temporary furnished flats, and accommodation with adequate support systems would go a long way in improving the system.

There is also a significant issue about the cost of temporary accommodation. We have identified that temporary homeless accommodation can cost significantly more than the amount a person would ordinarily pay. The rent charged can, on occasion, be wholly disproportionate to the value of the property as compared either with the private sector or Registered Social Landlord properties. This is an area in which we are pursuing Judicial Review proceedings.

There is a risk that this is causing more people not to engage with the homeless system where they might have a right to accommodation through it. People can be trapped in overcrowded or difficult housing situations due to the lack of affordable temporary accommodation. In our experience there is a barrier for people engaging with the homeless system without taking temporary accommodation, and it is difficult for these people to obtain permanent accommodation.

In our experience, there is a problem with gatekeeping in terms of temporary accommodation. A significant number of our homeless clients are people who have tried to obtain temporary accommodation but have been turned away by the casework teams and not provided with accommodation. We take action in these cases through corresponding with the local authority and taking judicial review proceedings. However, these are cases which should to occur in the first place, given the clear breach of statutory duty.

In short, there needs to be much more temporary accommodation of a higher quality.

The speed with which people are offered permanent accommodation needs to be increased in order to increase the availability of that temporary accommodation.

The costs at all stages for homeless people need to be kept within an affordable range in order to make the system workable and accessible for everyone.

5. **Permanent Accommodation.**

Our experience is that the allocation of permanent accommodation for homeless people is an imperfect system.
As stated above, obtaining settled, permanent accommodation for homeless people should be the ultimate goal of the homeless system. However the current system does not fully reflect this goal.

It is often a very slow process, and people can be waiting months to obtain permanent accommodation. Whether this is a failing in the length of time it takes to assess whether a person is entitled to accommodation under the homeless legislation, or a problem in the system of allocating accommodation is not clear. However, it is clear that there are barriers to people obtaining accommodation, and the process could be streamlined significantly to obtain better outcomes for homeless people.

A further problem with the allocation of permanent accommodation is the fact that often homeless people are offered only one property. If they refuse this property the local authority can discharge their duty to provide permanent accommodation. While this policy of only making one offer is not necessarily problematic in itself, there is a problem in communicating the seriousness of refusing such an offer to homeless people. There should be a system in place where people offered accommodation are directed to law centres to ensure they are fully aware of their rights and the possible consequences of refusing accommodation before they refuse the accommodation. This would streamline the system and allow more people to obtain permanent accommodation, and make it more likely that people refusing accommodation have access to appropriate advice and are more likely to have a good reason for refusing it.

However, there should also be more flexibility in the system, and we are not convinced that a blanket policy of only making one offer of accommodation is the right approach. Situations should be dealt with on a case by case basis, and there can be circumstances where multiple offers would be appropriate.

Overall, the system should be streamlined and providing people with permanent accommodation should be prioritised.

6. **Multiple and Complex Needs.**

There appears doubt as to whether the services provided for homeless people reflect sufficiently the needs of people with “protected characteristics” in terms of ‘equalities’ legislation in general and, in particular, people with mental health difficulties.

We appreciate that people with complex needs can be demanding to deal with and pressurised public services have difficulties in that regard.
On the other hand, reasonable adjustments by law require to be made. In our experience this does not always happen.

We are taking strategic litigation in this area. We are pursuing a claim for compensation under ‘equalities’ legislation as a consequence of a client having been refused any form of temporary accommodation for a substantial period of time. That client had very high needs and a significant disability. We hope that this approach will encourage local authorities to focus on their duties under ‘equalities’ legislation, and adapt their practices.

The background to this is, of course, that poverty, homelessness and disadvantage unquestionably increased mental health difficulties. For instance, the National Child Development Study found homeless children are four times as likely to experience mental health problems as settled children.

7. Rough Sleeping.

Our main office is at Fleming House, 134 Renfrew Street is located in Glasgow city centre.

As a consequence, we see significant numbers of clients who are either rough sleeping or may be required to do so. Others have had temporary accommodation on an insecure basis and require our assistance in order to secure further temporary accommodation. The number of clients ranges from 5 to 10 per week.

There is no doubt, however, that many rough sleeper do not access our services and there is room for work on uptake in that regard.

When resources permit, we will increase our publicity with a view to encouraging them to pursue the remedies that the law provides.

Our observation is that the number of rough sleepers has soared. They are younger and there appear to be many more young women than was previously the case.

This group appear to be very vulnerable.

We have also noted a significant number of people who have been granted refugee status engaging with our homelessness service. This group engage with us at several stages in the homeless application, including obtaining temporary accommodation and reviewing decisions to discharge duty after refusing permanent accommodation offers. Ensuring that refugees are given appropriate support and advice in the homeless system is vital.
8. **Specific Proposals.**

We would make the following specific proposals to improve the position.

1. **Information.**

   There should be systematic information given to homeless people, people in temporary accommodation or people sleeping rough as to the legal options open to them and where to access these rights. This should be available in a number of formats including written.

   There is no doubt that Scots Law in homelessness is progressive and there is much to be proud of.

   A right, however, is no use if you don’t know about it and, even when you do know about it, it is useless if you don’t know where to go to assert it.

   Given that public authorities have indeed made provision and organisations such as ourselves are available, this should be publicised so that the most vulnerable and the most isolated do not suffer as a consequence.

   Linked to this should be a systematic attempt to make sure that wi-fi is available to homeless people in all the places that they may be accommodated in, or attend.

   If people do not have access to the internet, it becomes very much more difficult to avail themselves of even the most basic services.

   Of course, information should be available in writing as well and LSA is proud of the attempts we have made in that regard.

   There is, of course, room for much more.

2. **Homeless Code of Guidance.**

   The Code of Guidance is an important document and very fully sets out important points that housing providers, public authorities and advisors need to know about.

   There might be value in reviewing it to take into account contemporary circumstances and to enhance the way that ‘equalities’ legislation is discussed in general and, in particular, the Code could provide more information about what reasonable adjustments should be made for people with mental health problems or other protected characteristics.
There is also fundamentally a problem about how the Code is regarded by the law. The Court of Session has held that the ‘Code is at best persuasive of the meaning to be given to legislative provisions’ (in Ellis v Angus Council, 2011, SLT 942 at para 14).

The law should be amended to give a stronger status to the Code. Public authorities/local authorities should be required not only to have regard to it but, as far as is practicable, **comply with it**.

This would turn the Code of Guidance from guidance to a regulatory requirement with some “teeth”.

3. **Referrals.**

There appears to be a significant problem with the ability of some local authorities to make referrals to housing associations under the Section 5 referral procedure. Thought needs to be given to significantly tightening this procedure. Possibly housing associations in receipt of public funding should be given an explicit duty to provide homeless accommodation. This comment is made in the context that it has been said that, at any one time, there are over 3,500 void houses in the socially rented sector in Glasgow, yet temporary accommodation is “jammed” with people who cannot find housing accommodation, hence the rough sleeping problem, at least in part. This issue is overdue for reconsideration.

- RSLs in receipt of public funding should be given an explicit duty to provide homeless accommodation, and should see themselves as having an equivalent responsibility to the LA for the achievement of sustainable outcomes for statutorily homeless households.
- There appears to be a number of difficulties with the informal system of “pre-referrals” – a term used to describe the initial contact made between a local authority (LA) and a Registered Social Landlord (RSL) to discuss the appropriateness of putting forward a particular household under the Section 5 process. We are concerned that this informal process gives the RSL the opportunity to reject the Section 5 referral before a formal referral is ever made. Due to the risk of under-reporting of rejections, we recommend that LAs make referrals under Section 5 without pre-screening by the appropriate RSLs. In such a way, housing will be provided to those who are most in need of it.
- RSLs should give greater priority to re-housing statutorily homeless households. In a more practical sense, this might involve RSLs requiring to make the same level of their available lets of statutorily homeless households as the council do.
4. Temporary Accommodation Rent.

The practice of charging rent in temporary accommodation that is significantly over the fair market rent should cease.

Under the terms of the Housing (Scotland) Act 1987 (‘the 1987 Act’), a local authority which secures temporary accommodation for an applicant pending the provision of permanent accommodation has the power to require that person to pay reasonable charges for that temporary accommodation. In addition to the legislative provisions, a local authority, when exercising its homelessness functions, is obliged by the terms of section 37 of the 1987 Act to have regard to a statutory Code of Guidance on Homelessness. Paragraph 9.83 of the Code makes it clear that the Council must take into account what the applicant can pay in the longer term. It should also take into account the likely level of housing benefit when considering the charge. However, the terms of the legislation and guidance do not specify that the applicant’s personal financial situation is the only factor that can be taken into account when assessing its reasonableness.

Although it is within the Council’s discretion to decide the appropriate level of charge, it is unlikely to be exercising that discretion reasonably if the homeless person in question is required to pay a level of rent which would leave him/her with insufficient resources for the basic necessities of life. Unfortunately, this appears to be current practice for many local Councils. There are groups who are not entitled to housing benefit, such as students, EEA nationals and people who earn over the limit to obtain housing benefit. If the rent for temporary accommodation is not set in accordance with the amount that a person can afford to pay, these people will have to pay the same amount as someone with the benefit of housing benefit would. A person who is not eligible for housing benefit may have a similar disposable income to a person on benefits, but would have to pay rent from their own funds. This is a problem where the rent is high as it is for temporary accommodation.

It is therefore essential to explore a definition of reasonable charge which takes a realistic approach to the valuation of temporary accommodation and does not deter people in need from engaging with the homeless system from the outset. The question of reasonableness would be more appropriate assessed by having regard to the charge made for similar property in the area and market rentals.

5. Rent in Advance.

Other practices by housing providers could be improved to assist people who are homeless. The socially rented sector should not charge rent in advance
and the letting procedures should include plenty of information about how to obtain free or cheap furniture and assisting people with related practical problems. We appreciate that good practice includes this already.


We are aware that many prisoners on release have outstanding housing problems and become very speedily part of the homeless population. We would look to working with prisons in the provision of advice, assistance and representation for people in this situation in general.

We recognise, in particular, the important role that the provision of Housing Benefit can play in the prevention of homelessness among the prisoner population. Under present arrangements, a person who is being held in custody pending trial or sentencing, or who must stay somewhere other than that person’s home as a condition of bail, can continue to receive Housing Benefit for up to 52 weeks. If that person is subsequently sentenced for more than 13 weeks, any Housing Benefit claimed by that person will be discontinued after the expiry of the initial 13 week period. Thereafter, no assistance is paid – resulting in an increased likelihood of arrears, loss of tenancy and, ultimately, homelessness on discharge from prison.

A homeless ex-prisoner is more likely to reoffend as one who has a home to which he or she can return. Ensuring that prisoners have access to appropriate housing and accommodation upon release is fundamental to the rehabilitation process. It is our view that any undue restriction on Housing Benefit received by prisoners, whether remanded in custody or serving their sentence, is therefore likely to greatly reduce the effectiveness of any attempt by the Scottish Government to facilitate the rehabilitation of ex-offenders into society and improve the chances of those persons leading crime-free lives thereafter.

Consequently, thought should be given to extending the period for which Housing Benefit is paid whilst a prisoner is in custody from 13 weeks to 1 year. Such an extension will prevent prisoners from building up rent arrears whilst in prison which may then impede their ability to obtain accommodation on release. The current arrangements seem to enhance many problems rather than reduce them.

7. Legal Aid.

LSA has benefited in the provision of our advice, assistance and representation for homeless people from grants from not just local authorities but also the Scottish Government. We also use the Legal Aid scheme in
connection with much of our work for homeless people. It should, however, be noted that the payments through much of the Legal Aid scheme is well below cost and policy makers need to recognise that, if legal advice, assistance and representation is to be made available, it will require to be in part funded by core grants, which, as above indicated, LSA has benefited from. We appreciate that there is an ongoing Legal Aid Review but this issue is worthwhile bearing in mind in considering the generality of homelessness issues.


We have a number of concerns surrounding the introduction of certain provisions of the Immigration Act 2016, which aims to “introduce new sanctions on illegal working, prevent illegal migrants accessing services and introduce new measures to enforce immigration laws’ (Home Office 2015, Immigration Act 2016).

At present, the Home Office provides support to failed asylum seekers by way of Section 4 of the Immigration and Asylum Act (known as Section 4 support). Families with children who have had their asylum claim rejected, continue to receive support under Section 95 of the same Act (known as Section 95 support). Whereas Section 4 support covers the provision of accommodation and vouchers (the latter credited weekly onto a pre-paid card which can only be used in certain stores), Section 95 support can encompass both accommodation and cash support.

Section 66 of the Immigration Act 2016 (which is not yet in force) aims to severely restrict the support which is currently given to people whose claims for asylum have been rejected and their dependents. As well as abolishing Section 4 support, the 2016 Act also aims to remove Section 95(5) support from asylum seeking families following the determination of their claim and the exhaustion of all rights of appeal.

We are particularly concerned that Section 66 will negatively impacts some of the most vulnerable people in society – including children and families, as well as individuals who have fled persecution. We highlight that the Immigration Act 2016 appears to be using destitution as a policy lever, which is frankly inhumane. We concur with the report: “Hidden Lives – New Beginnings: Destitution, Asylum and Insecure Immigration Status in Scotland” (Published 22 May 2017) that the Scottish Government, prior to making any regulations in respect of these changes, undertakes a nationwide consultation to properly assess the impact of destitution on this already vulnerable group.
9. The Right to Rent

Shelter Scotland’s blog on the “Right to Rent - Immigration Checks in Scotland” describes these as ‘Recipe for Confusion, Complexity and Discrimination?

We agree with this analysis. The Immigration Act 2016 seeks to add measures to the statute book which compel private landlords to carry out checks on prospective and current tenants’ immigration status. We understand this has not yet been implemented in Scotland.

We understand that the Secretary of State is empowered to make regulations to amend Residential Tenancy Law in Scotland seeking to draw in a new ground for eviction where a tenant fails to meet the ‘right to rent’ check.

Leaving aside the significant humans rights and devolution issues, we fear that this move will directly and indirectly discriminate against persons private landlords consider may be of an insecure immigration status, whether accurate or not. An attempt to ‘drive underground’ people who may have resolvable immigration issues is highly undesirable. The proposed changes may increase homelessness and are not directed towards a mischief that needs to be solved. We support Shelter's concerns.

10. Conclusion.

Scotland can indeed be proud of the historical concern that policy makers have had about reducing homelessness. There have, however, been unintended consequences of some policy decisions, such as the closure of hostels and stock transfer. In addition, austerity has impacted on the most vulnerable in highly disadvantageous ways. Our national commitment to not only tackling the causes of homelessness but also assisting people who are homeless, or threatened with it, needs, accordingly, to be enhanced.

The fact that this inquiry is being undertaken is, of course, an indication of the recognition from policy makers on this point.

We would be very happy to provide further information or give verbal evidence if required.

Paul D. Brown
Chief Executive/Principal Solicitor
Legal Services Agency Ltd.
Written Submission from the City of Edinburgh Council

Introduction

On Wednesday 3 May 17, the Scottish Government Local Government and Communities launched a call for views from all interested organisations and individuals as part of the work it is undertaking on homelessness. The City of Edinburgh Council was invited to respond.

Organisations and individuals are invited to submit written evidence to the Committee setting out their views on homelessness, the reasons why people become homeless, what services are available and what can be done to help prevent homelessness.

The call for views can be accessed at: http://www.parliament.scot/parliamentarybusiness/CurrentCommittees/104570.aspx.

Question responses

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?

In Edinburgh, the number of homeless presentations has fallen year on year, since peaking 2006/07 at 5,500. In 2016/17, this has fallen to 3,400 representing a 38% reduction. The main reason for this reduction is an increase in early intervention and prevention work, focusing on a multi-agency approach.

Some examples of a multi-agency approach to early intervention and prevention include:

A team comprising officers from various departments including homelessness services; communities and families; and through care and aftercare has been created. This team works in partnership with a third sector organisation to provide increased support to 16/17 year olds and carer leavers under 21 who present as homelessness. This initiative has resulted in a reduction in young people presenting as homelessness (from 285 in 2012/13 to 198 in 2016/17) as they are supported through mediation services to return home if it is a suitable solution. The team also offer tailored support from the point a young person presents as homelessness and will support them with their housing advice interview, benefit application, and provide them with emotional and housing support as well as travel with them to accommodation if this is required.

The creation of a family and household support service has bought together housing support, community safety and family solutions teams into a single multi-disciplinary team. The team will help to tackle inequalities, improve health and well-being and to support more resilience and safer communities. Part of the team’s role is to build relationships with families, and support them to sustain their tenancies.
As Edinburgh has a buoyant private rented market, it is difficult for homeless clients who are welfare dependant or on low incomes to access this form of accommodation. The changes to the welfare benefit system has also made it much harder for homeless clients to access the private sector.

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

The Council works with a range of third sector partners to provide services for homeless people. Some of the services provided in partnership with the third sector include, street based outreach, hostels, supported accommodation, multiple and complex needs services and housing support.

The Council continues to work in partnership with the third sector and several co-production processes are currently underway to ensure that services commissioned by the Council are developed in partnership with third sector organisations and service users, to better meet the needs of homeless people.

The Council has well established and maintained positive working relationships with the third sector despite considerable funding reductions for commissioned service in recent years.

The Council continues to work with the third sector to look at best practice, innovation and service improvement through forums and working groups. The Edinburgh Homelessness Forum takes a lead role in tackling homelessness across Edinburgh and has Elected Member representation alongside council officers and third sector partners.

The Council and its housing association partners have committed to delivering 16,000 new affordable and low cost homes in the city over the next decade, providing a range of affordable housing options to meet the varying needs and circumstances of different households. The significant investment in house building provides an opportunity to strengthen joint working between housing and health and social care partners to develop homes and integrate services in a more planned and strategic way. There is a commitment from housing partners to invest up to £300 million of the housing investment programme to build around 3,000 affordable homes, integrated with health and social care services, to meet the needs of older people and people with complex physical and health needs.

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

To improve the delivery of housing options and homelessness prevention services, investment is needed to increase the resources available to provide prevention and early intervention services. In order to cope with the demand expected and provide a more holistic housing options, employability services, welfare benefit advice and income maximisation needs to be embedded into homelessness case management.
There is an opportunity to review the pathway for homelessness clients when accessing health or social care services, and identify better linkages with the homelessness teams to ensure opportunities for prevention are identified before the client’s situation becomes urgent or critical and preventative services are too late.

However, there is a recognition that there will be reduced budget settlements over the next few years and the changes and impact of welfare benefits haven’t had the impact expected, however this assumption could possibly change next year.

The Council alongside housing association have committed to building 16,000 new affordable and low cost homes in Edinburgh over the next 10 years. It is the largest house building programme in the country and will provide a range of affordable housing options. As stated earlier, 3000 of those homes will be designed and allocated for older people, and people with complex needs, helping to support better integration between health and care services.

**Temporary Accommodation**

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

Pressure on temporary accommodation services has increased significantly in recent years. Although homelessness presentations have decreased, the average homeless case length has increased from 175 days in 12/13 to 286 in 16/17 which is an increase of 111 days. This is primarily due to the current acute shortage of affordable housing in the city. A buoyant private rented market and welfare benefit changes are also major contributing factors to this.

5. **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?**

An increase in available housing options would assist in reducing the stay in temporary accommodation. In the longer term (and mid-term), the creation of 16,000 affordable homes in Edinburgh will help to relieve some of the pressure within temporary accommodation.

There is also an opportunity to look at ensuring that benefit checks and income maximisation checks are carried out as early as possible to make homeless client’s experience of the homelessness pathway and temporary accommodation pathway as seamless and easy as possible.

Where there is high usage of temporary accommodation officers are ensuring, where families are placed in bed and breakfast, that their stay is kept as short as possible and they are moved as soon as alternative accommodation is available. Due to the demand for temporary accommodation, placing families in bed and breakfast is only carried out as a last resort. Reducing the length of time spent in unsuitable accommodation doesn’t consider the challenges local authorities are currently facing.
in managing demands. However, the proposal does not consider that some local authorities do not have alternative options to bed and breakfast.

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

Edinburgh has significant concerns about the funding of temporary accommodation. There are growing pressures on the Council thus:

- Year on year growth in the use of bed and breakfast due to a lack of move on accommodation;
- The impact of the removal of management fees from April 2017. It is anticipated the additional grant from Scottish Government will only address 50% of the funding gap created from the removal of the management fee.

It is expected there will be further budget pressures relating to Welfare Reform which is due for implementation beyond 2017/18. This will include:

- The risk of non-recovery of rent from tenants when full universal credit rolls out;
- Loss of income to the Council due to the restriction in claims to Local Housing Allowance rates.

The lack of clarity, as well as continual changes in policy has created confusion and implementation of welfare reform and makes financial planning in future years difficult due to uncertainty about the welfare reform proposals and the impact of this on the local authority.

The implementation of welfare reform as expected currently could potentially cause significant financial pressures for temporary accommodation. To mitigate some of the financial pressures reconsideration could be given to the timing and scope of the welfare reform programme.

Due to the unique position of Edinburgh and other local Authorities where demand for accommodation outstrips supply, additional Scottish Government funding would help support the development of additional sustainable housing reducing the reliance on temporary accommodation.

**Permanent Accommodation**

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

Edinburgh Council operates a choice based lettings scheme in conjunction with several Registered Social Landlords. Additional priority is awarded to homelessness clients, by allocating additional priority a significant number of the properties advertised through the choice based lettings scheme are allocated to homeless clients.
Multiple and Complex Needs

8. 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?

Work is ongoing to develop a service that focussed on getting it right for everyone. The service will focus on those clients with multiple and complex need and aims to help adults achieve their full potential by delivering services that are person centred and focussed on delivering appropriate outcomes. A psychologically informed environment will also be developed to support wellness; promote safety, security and respect; and allow continuous, joint improvement through consistent learning, development and reflection.

A good practice example is the multi-disciplinary service for those with multiple and complex needs in Edinburgh called The Access Point. This service combines homelessness services, social work services and health services, including access to GP’s. The service has been in operation for several years and currently operates over several sites, although most of the staff are co-located but managed through separate structures.

The forward plan is to eventually move to a one site where all services will be offered in a single location. The main advantage to this being that it will be managed by a single manager, and will aim to achieve aligned goals.

Consideration needs to be given to working with individuals with multiple and complex needs as long as the service is needed. Restricting support to a timescale can be detrimental to the client as there is a recognition that those with multiple and complex need require support over a longer period. It is also recognised that the levels of support clients require will fluctuate over time. Sufficient funding should also be flexible enough to accommodate the needs of the individual.

9. What scope is there for improved joint working with all agencies and groups supporting those with multiple and complex needs, which would also include the health sector?

As part of Edinburgh Council transformation programme and the recognition that the Access Point required service integration. Work is now underway to redesign the Access Point, by developing a service so that it focusses on “getting it right for everyone”.

The service will continue to focus on those clients with multiple and complex need and aims to help adults achieve their full potential by delivering services that are person centred and focussed on delivering appropriate outcomes. A psychologically informed environment will also be developed to support wellness; promote safety, security and respect; and allow continuous, joint improvement through consistent learning, development and reflection.
As part of the service redesign, new ways of working will be developed to strengthen and improve services, while working more effectively with key partner agencies and the third sector.

There is further work required to identify rough sleeper profiles to better respond to the needs of a rough sleeper. There is also a significant problem when dealing with clients from abroad, with no access to benefits due to financial restrictions on what services can be provided, and/or accommodation paid for.

10. How can access to general health services, including preventative health services, be improved for homeless people?

In Edinburgh, many areas of good practice exist which ensure homeless client can access health services and this should be further strengthened by the integration of Health and Social Care services. A Housing, Health and Social Care Forum has been set up within the Edinburgh Health and Social Care Partnership’s governance structure. It has key representatives from housing, health and social care, including representation from the Council’s homelessness team. This forum will provide further opportunities to discuss the complex relationship between health and homelessness and to seek solutions to issues such as information sharing between partners, which continues to be a challenging area. The Council is engaged with heath partners to assess how we can improve information sharing to provide a more joined up approach to reducing demand for acute services such as accident and emergency.

11. What role could the “housing first” model play in improving outcomes for homeless people with multiple and complex needs?

Housing First could work for several customers who have multiple and complex needs. The Council is currently assessing whether a pilot of this model would be viable. Edinburgh Council recognises that Housing First has been successful in other areas and is looking at implementing or adapting the model to meet the needs of vulnerable homeless clients in Edinburgh. There should be a recognition that Housing First should be an option as part of a range of options available to homeless clients and not the sole option available.

Rough Sleeping

12. 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?

In terms of rough sleepers, the number of homeless clients who have slept rough the night before has decreased from 368 to 114 in 16/17 showing a significant decrease. This reduction is also confirmed by the number of homelessness clients who have slept rough in 3 months before presentation reducing from 571 in 12/13 to 237 in 16/17.
13. What type of accommodation is offered to rough sleepers?

Accommodation is allocated based on the needs of the person who presents for advice, assessment and accommodation. Where support needs exist we will attempt to match the person to the correct accommodation, either at the point of presentation or at the earliest point possible.

14. What type of approaches can contribute to the reduction of rough sleeping and achievement of sustainable housing solutions for rough sleepers?

Effective street based outreach, flexible routes into service provision and accommodation options which recognise the additional needs of rough sleepers.

Other

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

The primary reasons for homelessness clients presenting as homeless, is due to:

- domestic ejection from parents, family, friends or non-violent dispute with a partner;
- the loss of a private sector tenancy; and
- domestic violence.

Over the last five years, there has been a 6.9% increase in the number of clients who have become homeless due to the loss of their private sector tenancy.

16. What data is used to measure homelessness numbers in an area?

All homeless cases, (both assessment and ongoing case management) are recorded on an in-house bespoke database. All questions for HL1 and Prevent 1 return are logged on the database. The HL2 and HL3 questions are also logged on the system and this allows Edinburgh Council to provide the data for the relevant statutory returns to the Scottish Government.

17. What are the barriers to providing homeless people with sustainable housing solutions and how can these barriers be addressed?

Changes to the welfare benefits system has reduced the amount of money available to people who are welfare dependent, this combined with the buoyancy of the private rented market limits people’s housing options significantly.

Nicky Brown
Homelessness and Housing Support Senior Manager

Garry Sneddon
Senior Insight and Engagement Officer
Written Submission from the Scottish Refugee Council

About Scottish Refugee Council

1. In 2015 Scottish Refugee Council celebrated 30 years of working to ensure that all refugees in Scotland are treated fairly, with dignity and that their human rights are respected. Our vision is for a Scotland in which all people seeking refugee protection are welcome. As an independent charity, we provide essential information and advice to people seeking asylum and refugees in Scotland, campaign for political change, raise awareness about issues that affect refugees, and work closely with local communities and organisations.

2. Our Scottish Refugee Integration Service assists new refugees and their family members reunited in Scotland to access their rights and entitlements, including their rights to housing and homelessness assistance. We provide advice, advocacy and assistance in a range of areas, including housing, social security, health, education, employability, and encourage people to participate in their communities and wider society.

3. Along with the Scottish Government and Convention of Scottish Local Authorities (COSLA), we lead on the implementation of Scotland’s Refugee Integration Strategy, New Scots: Integrating Refugees in Scotland Communities.

Introduction

4. Scottish Refugee Council welcomes the opportunity to respond to this call for evidence. We have not endeavoured to answer all of the questions set out in the consultation document. Instead we focus on the key areas of homelessness which may affect refugees in Scotland.

Background

5. In 2015 (the latest figures released by Home Office) 39,968 people applied for asylum in the UK, 7,235 of these applications were from “dependants”. While the Home Office does not publicly release figures about how many people are dispersed to Scotland, it is estimated that around 10% of people are dispersed to Scotland, amounting to around 4,000 people, approximately 700 of whom are likely to be children. These figures are subject to change according to the Home Office’s dispersal priorities and, from meetings with the Home Office, we know that the number of families with children being dispersed to Scotland has increased rapidly in the past year.

6. Although the Home Office releases data on the outcomes of asylum decisions made at a UK level, it does not release data at a Scottish level, nor does it break these down. According to Home Office Figures, approximately 50-60% of initial applications for asylum are granted or overturned at appeal stage.
7. Refugees and people granted Discretionary Leave, Humanitarian Protection or Indefinite Leave to Remain are all entitled public funds and have access to full housing options, including homelessness and social housing.

8. In its strategy, “New Scots: Integrating Refugees in Scotland's Communities”, the Scottish Government recognised the need for action to intervene early to address the housing needs of newly granted refugees, increase housing options for refugees and improve refugees' access to suitable housing. We will pick up on many of these themes throughout this response.

Aims of this call for evidence

9. After a range of fact-finding visits and oral evidence, the Scottish Parliament's Local Government and Communities Committee has launched a call for written evidence on homelessness. The committee is interested to find out the reasons why people can find themselves homeless or threatened with homelessness and what can be done to tackle this effectively.

A system where homelessness and destitution is “built in”

10. In the asylum process, refugees are not entitled to access public funds which include homelessness or statutory social security which might allow them to access accommodation of their own (for example Housing Benefit or Universal Credit). Most asylum seekers are also prohibited from working as part of their application for asylum meaning that they are unable to fund accommodation of their own. Under its asylum accommodation contracts, the Home Office provides accommodation to people seeking asylum on a no choice basis in a number of areas across the UK. Glasgow is the local authority receiving the largest number of dispersed asylum seekers in the UK. People are also able to apply only for financial support from the Home Office while their applications are being assessed. When refugees gain their status, they become entitled to access local authority housing duties and other forms of social housing. Refugees also gain the right to access social security benefits at this time and gain the right to work in the UK.

11. Once granted refugee status, refugees have 28 days in which to find accommodation and alternative financial support. This is undoubtedly the main driver of homelessness amongst refugees with status in the UK and often means that refugees rely on local authority duties to accommodate them under homelessness legislation.

12. From, 1 April 2016 to 31 March 2017, 535 new households granted leave to remain and accessed advice from our Integration advisers. 487 (91%) of these reported a problem accessing settled housing and 455 (85%) reported homelessness. Most of these individuals applied to Glasgow City Council as...
homeless after receiving their status\textsuperscript{38}. However, accessing temporary accommodation at the point of need presents difficulties and at least 42 of our clients were unable to access temporary accommodation when they became homeless because the Local Authority did not have temporary accommodation available for them. It is partly because of these failures that some 17\% of those refugees that we know about moved on from their asylum accommodation to live with friends and family, rather than in their own accommodation.

13. Refugees then face lengthy waits in hostels, supported accommodation units and other forms of temporary accommodation before they are able to find settled accommodation. Our latest statistics show that individuals accessing our service take an average of 32.6 weeks to find permanent accommodation. This is likely to be something of an under-estimation as our service focusses on assisting new refugees. Many refugees who have had their status for several months cease to engage with us and, instead, access mainstream services such as housing support providers.

14. Our Holistic Integration Service evaluation report provides detailed statistical and qualitative accounts of the impact of the homeless system on refugees in Scotland. It highlights that too many refugees have difficulties finding temporary accommodation because none is available in Glasgow, that the times taken for refugees to access permanent accommodation are too long and that, too often, temporary accommodation is unsuitable and too expensive for to allow refugees to effectively integrate through employment and education. The report makes a number of key recommendations including:

- Scottish Government must confirm its commitment to refugee integration by renewing the New Scots strategy, 2014 – 2017. The next Refugee Integration Strategy should set the national standards for the integration of refugees in Scotland and set the premise for an innovative Integration Bill and clarify refugees’ rights and entitlements.
- Local Authorities must uphold their homelessness prevention duty by creating dedicated pathways for new refugees to access temporary housing and progress promptly to settled housing without having to access emergency homeless services when their asylum support ends. This could be achieved by adopting similar systems to those implemented as part of the Syrian Vulnerable Persons Resettlement Programme 2015/6.
- Local Authorities should provide affordable temporary accommodation to avoid creating additional barriers to employment and education by creating a ‘poverty trap’ for refugees and others who are homeless.
- Local Authorities should ensure that all households in temporary accommodation have access to advice on the implications of any change in employment or education circumstances, and full knowledge of options available to enable the pursuance of opportunities.
- Local Authorities should invest in equality sensitive housing support for refugees to ensure all groups are provided with appropriate support,

\textsuperscript{38} Homeless applications in Glasgow are dealt with through a specialist team called the Asylum and Refugee Service. This team is one of the busiest in Glasgow.
including single men, who are disproportionally affected by homelessness. To be in line with the Scottish Government’s policy that integration starts from day one, the UK and Scottish Government must implement the devolution of asylum support, accommodation and advice as set out in the Smith Commission and ensure availability of integration services.

- The UK and Scottish Government should work together to plan the widening of asylum dispersal in Scotland and ensure properly resourced Integration Services are available in all local authorities taking part in the dispersal of asylum seekers. This should be done in respect of asylum seekers rights and by aiming to meet suitable housing and support standards.

15. We echo these recommendations in this response and emphasise our strongly held belief that the system of provision for asylum seekers and refugees in Scotland need not and should not accept the position where homelessness is “built in”.

**A two-tier approach to Scotland’s refugees**

16. The [Scottish Parliament’s Equality and Human Rights Committee 2017 Report on Destitution](https://www.parliament.scot/Publications/Details/10166) and the [UK Government's All Party Parliamentary Group on Refugees 2017 report on Refugee Integration](https://www.parliament.uk/documents/ APPG-for-Refugees/2017-05-Refugees-Integration-Report.pdf) both touched on the above issues and said that a two tier approach is developing between those refugees who have been resettled through schemes such as the Syrian Vulnerable Persons Relocation Scheme (for whom Local Authorities have been able to secure settled housing from day one) and those that claim protection through the asylum process who face sustained and severe poverty with a persistent threat of homelessness. And, if refused protection, then they will often fall into what is in UN global poverty terms, the absolute poverty of destitution, suffering mental and physical health deterioration, and amongst other adversities, be at risk of exploitation including from organised crime. The Equality and Human Rights Committee report asked the Scottish Government to take a range of actions to prevent and mitigate the risk and reality of destitution facing those seeking, those granted and, in particular, those refused protection including:

- The creation of a 'Scottish anti-destitution strategy' to inform a national approach to mitigating destitution.
- The creation of a new Scottish Government advocacy service for destitute people with insecure immigration status.
- The creation of a national coordinated practitioners’ network, which would include Scottish Government officials, representatives from health boards, local authorities, non-government organisations, third sector organisations, and legal practitioners.
- The Scottish Government should examine the feasibility of extending the Free Bus Travel Scheme to allow destitute people with insecure immigration status to attend appointments.
- Where clinicians consider an individual with insecure immigration status has an infectious disease that requires accommodation, this should be funded by the Scottish Government as a preventative measure.
• The creation of a new 'Destitution Fund' by the Scottish Government for women experiencing domestic abuse unable to access other sources of help.
• Update the COSLA/Local Authority guidance so that local authorities dealing with people with insecure immigration status are clear on help available.
• The guidance should be unambiguous about carrying out human rights assessments.
• Asylum seekers should have the right to do paid and unpaid community work in Scotland – allowing for better integration opportunities, supporting asylum seekers’ mental and physical health, and the opportunity for asylum seekers to receive an income.

17. We broadly support these recommendations and would ask the Committee to consider the issue of asylum seeker and refugee homeless within their findings, highlighting the issues faced by this group of people, regardless of whether they have recourse to current homeless duties.

The need for advocacy services

18. The evidence gathered in the evaluation of our Holistic Integration Service, Equalities and Human Rights Committee and All Party Parliamentary all highlighted the need for effective advocacy services focused on prevention to ensure that asylum seekers and refugees are able to practically access their rights and entitlements, including the right to adequate housing. They point towards the fact that funding for advocacy services is short-term and grant-based, leaving projects unstable and vulnerable to project termination. We back the calls in these documents for the establishment of a statutory funded holistic asylum advocacy service, which is a tangible prevention approach to the destitution of those seeking or granted protection. For those refused protection such an advocacy service is a more humane and therefore more effective way to minimise the scale and the severity of both human suffering as well as financial resources stemming from crisis interventions and wider cost-shunting upon Scottish public authorities, especially in health and social care and homelessness services as well as by NGOs and communities.

Conclusion

19. The above evidence points towards a system which accepts homelessness as a built-in consequence of one’s status. We also show that, in Scotland, considerable work has been done to highlight the issue and the momentum for change is clearly there. We ask the committee to ensure that the above evidence is included in its report and that it reflects the recommendations put forward therein.

20. We thank you again for this opportunity to submit our evidence. For background on destitution, please see appended our briefing for the recent Scottish parliament debate on the report by the Equalities and Human Rights Committee's inquiry into destitution, asylum and insecure immigration status.
Should you have any questions about this matter, please do not hesitate to contact the undersigned.

Jamie Stewart
Housing Development Officer