



The Scottish Parliament  
Pàrlamaid na h-Alba

## Official Report

# INFRASTRUCTURE AND CAPITAL INVESTMENT COMMITTEE

Wednesday 13 August 2014

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**INFRASTRUCTURE AND CAPITAL INVESTMENT COMMITTEE**  
**20<sup>th</sup> Meeting 2014, Session 4**

**CONVENER**

\*Maureen Watt (Aberdeen South and North Kincardine) (SNP)

**DEPUTY CONVENER**

\*Adam Ingram (Carrick, Cumnock and Doon Valley) (SNP)

**COMMITTEE MEMBERS**

\*Jim Eadie (Edinburgh Southern) (SNP)

\*Mary Fee (West Scotland) (Lab)

\*Mark Griffin (Central Scotland) (Lab)

\*Alex Johnstone (North East Scotland) (Con)

\*Gordon MacDonald (Edinburgh Pentlands) (SNP)

\*attended

**THE FOLLOWING ALSO PARTICIPATED:**

Robert Aldridge (Homeless Action Scotland)

Rosemary Brotchie (Shelter Scotland)

Garry Burns (Govan Law Centre)

Rob Gowans (Citizens Advice Scotland)

**CLERK TO THE COMMITTEE**

Steve Farrell

**LOCATION**

The Robert Burns Room (CR1)



## Scottish Parliament

### Infrastructure and Capital Investment Committee

*Wednesday 13 August 2014*

[The Convener *opened the meeting at 10:00*]

#### Decision on Taking Business in Private

**The Convener (Maureen Watt):** Good morning, everyone, and welcome to the 20th meeting in 2014 of the Infrastructure and Capital Investment Committee. I remind everybody to switch off their mobile devices because they affect the broadcasting system.

Under agenda item 1, I seek the committee's agreement to take item 4 in private, to allow the committee to consider a paper on its 2015-16 draft budget scrutiny. Is that agreed?

**Members** *indicated agreement.*

## Homelessness

10:01

**The Convener:** Agenda item 2 is the committee's follow-up inquiry into homelessness in Scotland.

In 2011-12, the committee conducted an inquiry into the Scottish Government's commitment to abolish the priority need test from the assessment of homelessness applications. In its report, the committee undertook to

"monitor the implementation of the commitment for the remainder of the parliamentary session and address any issues of concern which may emerge".

As part of that work, we will hear today from four homelessness representative groups. I welcome Robert Aldridge, chief executive of Homeless Action Scotland; Rosemary Brotchie, policy and research manager of Shelter Scotland; Robert Gowans, policy officer of Citizens Advice Scotland; and Garry Burns, prevention of homelessness case worker from the Govan Law Centre.

We will go straight to questions. I ask you all to make some brief general comments on the impact of the abolition of the priority need test and its implication for the outcomes for homeless people in Scotland.

**Robert Aldridge (Homeless Action Scotland):** It is important to remember that the original legislation was passed in 2001 and 2003 and there has been a long process of local authorities adjusting to the abolition of priority need, which was finally implemented at the end of 2012. There has not been a big bang or a sudden change for people; it has been a gradual process that has involved embedding a culture change in how homeless people are dealt with, which has been extremely positive. It is pretty well ingrained now that people are looking for long-term outcomes for homeless people in general.

There are some specific areas to which we think that more attention needs to be paid—I am sure that we will come on to those later—but, overall, we are getting far better assessments of homeless people's needs, better support for homeless people and, with some exceptions, a real change in attitude that has been welcomed right across Europe. We are involved with a number of European organisations that look to Scotland as a beacon.

It is really important that we monitor this, keep a close eye on it and do not take our eye off the ball. In general, there has been a very positive impact over 10 years, not just over one year.

**Rosemary Brotchie (Shelter Scotland):** I echo everything that Robert Aldridge has said. We are

talking not just about the transition date of the end of December 2012 for the removal of priority need but about everything that happened up to that point. We should also remember that it is not just about that 10-year lead-in. We must look beyond the 2012 deadline and ask, just as the committee has, what the on-going impact is and what the on-going issues are for people who present as homeless.

Shelter Scotland is keen to stress that, at the moment in Scotland, with the advent of and focus on the housing options approach, there is perhaps a lack of attention to how homelessness services are being developed and delivered. We have been calling for a new 10-year action plan from now, with a new set of actions and priorities, to make sure that people who approach their council because they have a housing crisis are dealt with and get the right outcomes.

One of the key impacts of the removal of priority need has been the increase in the number of people in certain categories who are now owed a duty. For example, in 2013-14, 62 per cent of households that were assessed as homeless and in priority need were single adults aged over 18, whereas, in 2006-07, that group comprised only 46 per cent of such households. Such increases in the numbers of certain types of people who are entitled to the homelessness duty have had knock-on consequences for the local authorities that are trying to house them. Perhaps we can explore some of those issues in the questioning.

**Garry Burns (Govan Law Centre):** As front-line practitioners, we struggled with the idea of priority need because we always felt that those who became homeless were immediately vulnerable and were therefore a priority, if not in the legal sense. As a result, we welcomed the Scottish Government's abolition of the measure as a progressive move.

However, as with all public policy, it is all about the detail and the impact that the abolition has had. The Scottish Housing Regulator is reporting on the local authorities that have not been offering people accommodation, and the figures in that report might tell us the story of what the actual impact has been. On paper, things are great but, as I have said, it is all about the detail and we will have to wait until that report comes out, which I think will happen at the end of August.

Nevertheless, we supported this public policy and felt that it showed how progressive Scotland is in its homelessness legislation.

**Rob Gowans (Citizens Advice Scotland):** The percentage of cases that citizens advice bureaux across the country have advised on that have been related to homelessness has gone down from 1.25 per cent of all cases a couple of years

ago to 1.19 per cent. We are still talking about just under 6,700 cases in Scotland each year, which is a fair number; however, given the wider context of sanctions, food banks, payday loans, zero-hours contracts, the bedroom tax and rent arrears, that is quite a remarkable success story. That said, as the housing options approach beds in, there will be room for improvement.

On the whole, the fall in the number of homelessness applications is a quite remarkable achievement and a testimony to the policies that have been pursued.

**The Convener:** In Scotland, we are very good at beating ourselves up. As part of our evidence taking, we visited Turning Point Scotland, in Glasgow, and the people there told us that the rest of Europe is looking to Scotland on the issue. The question is whether those countries are copying what we are doing. It is important to stay ahead of the game—after all, nothing stands still. Perhaps in this evidence session we can discuss how we can do that and remain a beacon of good practice.

**Adam Ingram (Carrick, Cumnock and Doon Valley) (SNP):** That said, convener, I will kick off the questioning by looking at a downside. In their written submissions, Shelter Scotland and Citizens Advice Scotland comment on the need to examine the increase in the number of intentionally homeless decisions that local authorities are making, particularly the allegation that the use of the intentionality assessment has been changed to avoid statutory duties.

**Rosemary Brotchie:** If you look at the trend from 2009 onwards, you will see that, in 2009-10, 3.8 per cent of those who received homelessness assessments were assessed as being intentionally homeless and that, by 2013-14, that figure had increased to 6.2 per cent. The figure has risen gradually over that period, and we need to be aware of and concerned about that.

Because there is no clear evidence on the matter, we would like the increase in the number of intentionality decisions to be reviewed so that we can understand what is going on. Given that local authorities find themselves having a limited choice of options with a lower number of lets potentially becoming available, we need to understand how they are assessing homelessness and what the dynamics are in order to guard against what could be seen as a gate-keeping approach.

One fundamental point that I would like the committee to take away from my evidence is the need to understand that homelessness, which is a serious crisis in most people's lives and should be prevented where possible, often cannot be prevented. There are situations in which such a decision is the right outcome for a household and

offers those people a pathway out of a period of crisis in their lives and back into stable housing.

Support is needed to go along with that. We need a person-centred homelessness service, which is another way of saying that the needs of an individual should be fully assessed and taken into account. We also need a good range of housing options for the individual. For most people in those circumstances, the right housing option will be social housing—a long-term, stable let in the social rented sector. Throughout Scotland, however, we are seeing a decrease in the amount of social housing and there is not the level of new house building that we need. Until we fix that, and until there is a much stronger focus on having a sustainable and improved supply of social housing, we will always see pressures on homelessness services.

**Rob Gowans:** We have certainly seen cases in which clients have been found to be intentionally homeless seemingly as the result of inconsistent decision making.

Picking up on Rosemary Brotchie's point about national statistics, the number of intentionally homeless decisions has risen considerably. That may be due to the abolition of priority need or it may be a result of inconsistent decision-making processes. It would be interesting to find out whether there are differences between local authorities throughout the country in the policy and practice of how they arrive at intentionally homeless decisions.

**Adam Ingram:** Are there particular black spots? Is that why you are calling for the situation to be monitored across the country? Are you aware of particular local authority areas in which there has been a significant rise in the number of people who are declared intentionally homeless?

**Rob Gowans:** We focus on the national picture rather than on the performance of individual local authorities, so I do not think that further investigation into that would be helpful. We do not have the full picture at the local level to show whether something is going on.

**Adam Ingram:** Would Garry Burns and Robert Aldridge like to comment on the issue?

**Robert Aldridge:** The issue is complex. Before priority need was abolished, there were four hurdles that people had to get over. First, they were asked whether they were homeless; they were then asked whether they were in priority need. Only if they got over those two hurdles were they assessed on whether they were intentionally homeless. With the abolition of the priority need hurdle, more people will be asked the question, "Are you intentionally homeless?" We would, therefore, expect some change in the statistics, as

some of the people who would have been filtered out are being caught at that stage.

Nevertheless, there are some quite significant inconsistencies in the statistics. The Scottish Government's statistics are broken down by local authority and there are some large variations, so it is important that we get behind the issues. We were in touch with one or two of what you might call the outlier local authorities that are implementing good practice. Even when they find a homeless person to be intentionally homeless, they seek to maintain contact, engage in support and find a solution for the person.

We need to understand the picture a little better rather than simply look at the statistics.

**Garry Burns:** The level of intentional homelessness has certainly gone up. One problem is that, in the 40 cases that I have dealt with in the past two years at the Govan Law Centre, there have been only two decisions that I have been unable to overturn. There is a real issue about justice. Some people may know about the Govan Law Centre and others may go to the Legal Services Agency to get an advocate or solicitor to overturn a decision, but what about the people who do not have access to such services? That is a major issue for us.

Some of the decisions that are made are really poor, which is why they are easy to overturn. It is pretty clear that treating people as intentionally homeless is being used as a way not to offer a service to vulnerable people. We talked earlier about new ideas. The intentionally homeless decision is a tool that should not be used. If we get almost every decision overturned, surely that means that such decisions should not be being made in the first place.

10:15

**Rosemary Brotchie:** The homelessness task force originally made a suite of recommendations, of which abolishing priority need was only one. That recommendation was enshrined in legislation. The task force also recommended that the intentionality test should be removed, and the logic for that is still intact.

If we look at the needs of somebody who applies as homeless and what they get as a result of the determination of homelessness, we see that choosing to say that somebody is intentionally homeless simply prevents the duty to rehouse them from applying. Such people should still receive temporary accommodation and should get certain types of housing support to enable them to avoid homelessness again and move out of the crisis period. In looking at what we are seeking to achieve in the next 10 years, we should ask why, if the task force said in 2001-02 that we should

remove the intentionality test, we should not still look at doing that now.

**Adam Ingram:** Do you suggest that we bring the task force back together to look at what we want to focus on in the next 10 years?

**Rosemary Brotchie:** Yes. We need a renewed focus and a renewed plan. Shelter Scotland published a paper, which I am sure that we can share with the committee, entitled “People not process: An action plan for the delivery of Scotland’s homelessness commitment”. It says that, although strong rights are now enshrined—that has been recognised throughout Europe, as was suggested—we need to focus on getting them right on the ground. We need to look at how services are delivered to ensure that they are person centred and integrated and that they are tailored for at-risk groups.

**Adam Ingram:** In the meantime, how do we stop the alleged gate keeping through the intentionality assessment? What should we do about that in the short term?

**Garry Burns:** The decisions are being made by workers who are supposed to be trained in homelessness and housing legislation. If they make erroneous decisions, that is a case for their being given further training or information so that they can make the right decisions. However, I fear that the problem comes not from individual workers but from higher up—from management—because there are pressures on accommodation.

The expectation is that, if there is a chance to exclude somebody from accommodation or from getting a service, people should go for it. That attitude exists more at a strategic, higher level in local authorities than among individual workers. A lot of workers dislike making such decisions but feel that their hands are tied and that they are being pressured into deciding to exclude people from services.

**Rosemary Brotchie:** Perhaps we will discuss the issue in looking at the housing options approach. Before somebody is asked whether they are intentionally or unintentionally homeless, they must be allowed to apply as homeless. It is suggested—a recent report by the Scottish Housing Regulator backs this up—that even the opportunity to apply as homeless might not be being offered or made available to people in some local authority areas.

I agree with Garry Burns that the decision is often made not by individual caseworkers or housing options workers but higher up. The suggestion is that we should ensure that each local authority takes a corporate approach to providing the right outcome and the right option for each individual.

We very much welcome the regulator’s recommendation that the Scottish Government should produce guidance on how housing options should be implemented. We know that the Government has accepted that recommendation and is working to develop guidance. We want to help to draft that guidance. Given our conversation today, I add that it is important that people who apply for housing are represented in that process.

**Mary Fee (West Scotland) (Lab):** I will follow on with a few questions about housing options. The Scottish Housing Regulator has found that the implementation of the housing options approach varies between local authorities. Some are further ahead with the process than others, which has resulted in some homeless people being diverted from making a homelessness application. In turn, that has led to an underreporting of homelessness. Do you agree with that finding, and how could the practice be improved?

**Rosemary Brotchie:** We have seen that. In preparing evidence for the committee, we conducted a survey of our staff who deal with people who come to us for help, and what the regulator has suggested about underreporting really does tally with what our advice services are seeing.

Whenever somebody approaches their local authority for help with housing, they are given an interview to look at their circumstances and what their options may be. However, even with that initial approach, there is still a statutory duty to assess households for homelessness where there is reason to believe that they might be homeless. We are concerned that, in some cases, people to whom the statutory duty applies are not receiving a homelessness assessment even though that should always happen.

That is not to say that the homelessness outcome is the right one for people in all cases, as other housing options may be more appropriate to their circumstances. Making a homelessness application entitles the person to permanent accommodation, and the local authority has certain responsibilities towards them. However, going into temporary accommodation, potentially for a long time, before being offered permanent accommodation might not be what the person would choose or the right route for them. Entering the private rented sector or getting a house through a housing association might be a better route for them. Nevertheless, people should always have the option—a statutory duty exists—of having a homelessness assessment.

**Robert Aldridge:** I agree. The housing options approach is still very much in its infancy and bedding in, and there are different interpretations of it. Sometimes, the message from the strategic level is not understood in the same way at the



operational level and people assume that there are targets for reductions in numbers and so on even though there are none. All of that needs to be sorted out as the housing options approach evolves.

Because the approach is so new and there are those problems, which chime with our experience, it is important that the regulator continues to keep a close eye on what is happening and reviews how the approach is developing. The one-off report has been extremely useful, but we want to see progress being made and a bit of pressure being kept on to ensure that the concept of housing options is interpreted consistently throughout Scotland, in a way that does not allow for gate keeping but ensures that there is a proper options process.

Linked to that is the question of whether there are any options open to people—the issue of housing supply is another matter. However, the understanding and implementation of the housing options approach need to be consistent throughout Scotland.

**Garry Burns:** In order to do what Robert Aldridge says, the Scottish Government should perhaps define precisely what the housing options approach is and produce a minimum standard. Some local authorities do it well, but some do not do it well at all—in fact, they do it really badly and it is used as a gate-keeping exercise. That came out last month in the Housing Regulator's report, which we have spoken about.

The homelessness guidance that the Scottish Government produced in 2005 is really good and strong. If a local authority is not behaving as it should be in relation to homelessness, practitioners can refer to that guidance and tell the local authority what responsibilities it has not met but should be meeting. Something about the housing options approach should be pegged on to that guidance. It is not going to be easy, as different local authorities have different problems—for example, urban local authorities have different problems from rural local authorities—but there should be a minimum standard.

The Scottish Government should consult local authorities, the organisations that are represented at this meeting and tenants who have gone through the housing options process in order to get evidence of both the good and the bad and come up with how it should be done.

**Mary Fee:** So there should be more specific guidance that allows less wriggle room for different interpretations by different local authorities.

**Garry Burns:** Yes. We have spoken about that several times. For a practitioner such as me, the homelessness guidance is excellent, because

whenever a local authority deviates from it, we can always go back to it. We have some problems with it and we do not think that everything in it is great, but the fact that we have it as a tool means that we can always say, "Hold on. You're not doing what you're supposed to be doing. Here's what should be done."

That opens up another area, because some local authorities do not have great advocates or great systems in place for challenging local authority decisions, but that is a different issue. The Scottish Government should release some guidance.

**Robert Aldridge:** There is some confusion among local authorities about the guidance, because they have to follow the "Code of Guidance on Homelessness", which was published before the housing options approach was developed. There is likely to be some housing options guidance and it is important that it and the guidance on homelessness are integrated. We also have opportunities with health and social care integration and guidance related to that, and we have the Children and Young People (Scotland) Act 2014, which has implications for care leavers that link to homelessness. All the guidance relating to those areas needs to be looked at so that it is integrated and complementary and we do not have any problems with local authorities' interpretations of it.

**Rosemary Brotchie:** We have not yet mentioned that the Government is collecting statistics, which we anticipate will be published towards the end of this year. The Government is calling the work "PREVENT1" and it aims to give a fuller picture of what is happening.

We currently have figures on the number of homelessness applications. A lot of information is collected, but we do not know the number of households who are approaching a housing options team where homelessness is one of the options but it is not taken. Basically, we need to understand much more about what happens as a result of the housing options approach to see whether people are being prevented or discouraged from making homelessness applications and what their outcomes are if they are not taking that approach.

**Mary Fee:** Rob, do you want to comment on that?

**Rob Gowans:** Yes. We have seen CAB clients who have been prevented or deterred from making a homelessness application. In some cases it is because they have been told that no temporary accommodation is currently available so there is no point in applying, and they have been asked to try other options.

We support having updated guidance with a view to clarifying for local authorities where their different duties come in. They have a duty towards homeless people, but there are also housing options, where I suppose the triggers move towards local authorities taking a homelessness application regardless of whether they have temporary accommodation or whether it means more work for them. Updated guidance would lead to more consistency across the country and a consistent experience for homeless people.

**Mary Fee:** I would be interested to hear Robert Aldridge comment further on what Homeless Action Scotland's submission says about the

"understanding of housing options within the third sector"

and the variation in practice across that sector. I am particularly interested in your comments on young people and homelessness, because it is more often the third sector that is involved in helping young homeless people, whether they are care leavers or they have had difficulty at home and have left home. How can the understanding across the third sector be improved? Would it be done simply through guidance or is there something else that could be done?

**Robert Aldridge:** Guidance is going to be important. I echo Rosemary Brotchie's comment that it is important that the voluntary sector is involved in helping to shape the guidance before it is finalised.

On the point about young people, there is an issue about those who do not understand that they may be homeless—the message has not got through. It often involves young people who are sofa-surfing, who wait until all the options have run out before they think that they can go for assistance at a housing options interview and so on. There is a need out there for education so that people understand what they can do and that they have options before they reach the crisis point.

10:30

On the involvement of the voluntary sector, it is a two-way process. In some areas, local authorities and the voluntary sector are not as closely involved with each other as they could be. That could be referred to in the housing options guidance. There is also an onus on voluntary organisations to ensure that they are proactive in getting involved in discussions about housing options.

As I said at the beginning, we are at an early stage of development of the housing options approach. In some areas it has gone really well, but in others it is still embryonic. If we get guidance and a bit more assistance for people to develop along the right lines, we can address most

of the issues around the lack of involvement of the voluntary sector and the communication about what the rights and options are.

**Mary Fee:** It is almost about joining all the strands together. There are young people, but there are also people who are leaving prison. What are their options and where do they go? Where do they fit in? All of that needs to be pulled together.

**Robert Aldridge:** Another issue that is partly linked to housing options but has been a general issue since the days of the task force is how to ensure that, when people leave institutions, particularly prisons, arrangements are made in advance so that they do not have to become homeless on release. That affects the criminal justice budget, because people are more likely to reoffend if they do not have somewhere stable to go.

I understand that there are difficulties because prisons can be overcrowded and quick decisions might need to be made about releasing some people early. Release dates are not always fixed. However, it is important to ensure that prisons are involved in and have a responsibility for the throughcare of people on release from prison and that they link into the housing options approach so that people do not have to become homeless on release.

The same is true for hospitals. People who are on short stays or in psychiatric care often end up with nowhere to stay.

**Rosemary Brotchie:** All of that has been recognised, but not enough has happened during the past 10 years to ensure that specialist services are targeted to people who are known to be at risk. We have mentioned prison leavers and people who are coming out of the care system, and we have vulnerable people who are repeatedly sleeping rough. Evidence shows that a whole range of groups are overrepresented in homelessness figures. Targeted, specific and integrated services need to be developed for them.

Shelter Scotland has some experience of developing such services. We have the safe and sound project operating in Tayside and Fife—we have spoken to the committee about that before. It is specifically designed to help people who have had experience of running away as children and who are more at risk of homelessness as they become adults, and the project helps by intervening earlier to help them to escape from that pathway. We have also developed a supporting prisoners advice network in co-ordination with Sacro. It does exactly what Robert Aldridge said, providing pre-liberation housing advice to prisoners to ensure that, once they are

released, they get into a permanent and stable home.

However, we need a much more co-ordinated approach and much more emphasis on developing that, so that we do not have a postcode lottery effect that means that people might have access to certain services depending on where they are, but people do not have access throughout Scotland.

One of our recommendations for the next 10 years is a strong focus on at-risk groups and the development of services specifically to meet their needs.

**Mary Fee:** Does anyone else want to comment on that?

**Garry Burns:** If we can teach young people valuable lessons, it prevents bad habits that will otherwise affect them throughout their lives. Services for homeless young people in Scotland are oversubscribed and there are cases in which young people have been put into unsuitable accommodation such as what we would think of as traditional hostels. That is not to say that things do not go wrong in young people's accommodation, but a young person is being set up to fail if they are put into a hostel that is designed for long-term homeless people with mental health and/or addiction problems—they are simply being put into a lion's den.

The alternative is to have enough accommodation or supported accommodation for young people. If a young person can go into a flat with floating support, that tends to work quite well. There are a couple of such places in Scotland, but there is always a massive waiting list to get young people into them. If there is a massive waiting list and massive need, surely we should be talking about increasing the provision. If that is needed, it is needed. We need to put more into providing for young people.

**Rob Gowans:** Housing options may have a role to play, particularly for young people where there has been a family breakdown. We tend to find that young people are represented among the clients who come in with homelessness issues, which are quite often the result of a family breakdown. Mediation may be needed or the family may have to be told, "Look, the reality of the situation is that it is likely that they will be in temporary accommodation for quite a long stretch of time. It's not necessarily going to be a short, sharp shock." Sometimes that may work better than other approaches. We have seen a case in which a local authority contacted a client whose mother had evicted her from the family home. It contacted the mother and said, "She may take legal action against you," which was not an option that she

was considering. When she went back, the locks had been changed.

Mediation may be useful, but the approach needs to be right and tailored to fit the situation.

**Mary Fee:** There are different pressures on housing in rural and island areas. Is the housing options approach advancing at a different pace there? Are there specific problems in those areas that are being dealt with differently?

**Rosemary Brochie:** The pressures on accommodation and the potential options that are available are very different in rural and island areas. The committee will be aware that people may be isolated from local support networks, which may exist in only a small number of places around a particular village or area. If they are in desperate need of housing but the only available housing is many hundreds of miles away, that will create problems for them in being able to sustain that accommodation.

In any housing options approach, we need guidance, a strong national framework and an understanding of a local delivery model that is based on the available options. The housing options model is potentially positive in getting local authorities to look at what options are available, perhaps to be a bit more creative and to think through a bit more how to make more housing options available in particular areas in which there is pressure.

**Robert Aldridge:** A particular advantage in smaller local authority areas and probably in rural areas is that the teams are often smaller and people may know one another better. The opportunity for joint working and a close collaborative approach to get an holistic solution is potentially easier in some of those areas than it is in urban areas that have vast departments and huge protocols that have to be dealt with.

**Mary Fee:** So it could be said that rural and island areas have the best model. If we roll that out everywhere, we could perhaps go a long way towards solving the problem.

**Robert Aldridge:** It will have to be horses for courses. There may not be enough demand for certain kinds of services, such as specialist services, to operate in rural areas, and there will be more specialist supported accommodation in urban areas. The picture is quite complex. It is not a question of saying that rural is good and urban is bad, or urban is good and rural is bad. There are good parts in both.

**Mary Fee:** There is a mix.

**The Convener:** To follow on from what Robert Aldridge said, the teams might be more integrated and well known in a smaller area. Obviously, Garry Burns has a specific area that he deals with.

Is the fact that the local authority does not have any housing of its own a problem in some areas?

**Garry Burns:** Absolutely. There are specific problems in Glasgow. When someone becomes homeless, the council—Glasgow City Council—has a duty to accommodate them. They might go into a temporary furnished flat, but the council does not have a great deal of power in accessing a house for them. The council has to go to the housing associations and make a section 5 referral for accommodation, but there is not much transparency in that process.

An example of that is the fact that some cherry picking seems to go on. I have worked on many cases in which someone who has had issues might be in temporary accommodation for 12 months before they get an offer of a flat, which will be in a hard-to-let area, whereas we sometimes work with people who are working and who have come into homelessness because they just cannot find a house. We find that, in those cases, a section 5 referral will be made to a housing association and the person will be housed in a matter of weeks. There is a bit of unfairness in that.

I think that Glasgow City Council has a lot of problems in getting housing associations to take people from the homeless community. The council is trying to fix that, but all the housing associations have different and competing interests. Some housing associations are good at finding houses for homeless people and some are not so good at it. Glasgow City Council has to box clever; it does not want to irritate or annoy the housing associations, because then it would not get anything. We would like the Government to introduce a statutory instrument that would put more of an obligation on housing associations to take in homeless people. That would address quite a lot of the problems in Glasgow, but it would also have a knock-on effect on other local authorities that have a significant amount of social housing, which would not always have to deal with the issue.

**Rosemary Brotchie:** We have spoken to the committee about the issue previously, most recently during consideration of the Housing (Scotland) Bill. We called for the section 5 process that Garry Burns mentioned. It amounts to no more than filling in a form when a local authority is looking to get a homeless applicant a let through a housing association, and collecting that data. The purpose is to formalise the process and make it much more transparent.

Garry Burns is absolutely right. We are now in a situation in which roughly the same number of houses are provided by housing associations as are provided in the local authority sector. It is not a problem just for Glasgow; across Scotland, local

authorities need to be able to access housing association lets to ensure that options to provide for homeless people are available.

We find that local authorities are increasingly relying on what is called an informal nomination route, which involves a housing officer phoning up someone they know in a housing association, saying that there is a person who has applied as homeless whom they have a duty to house and asking whether the housing association has a let for them. They can share information and details, and the housing association can come back and say yes or no. We want that process to be formalised. Those phone calls can still take place, but we need to have a record of the basis on which decisions are made and on what basis applicants are accepted or rejected, not just so that organisations such as ours or the Government can monitor and review the extent to which housing associations are contributing to helping people out of homelessness, but so that the local authorities can identify which housing associations they have great relationships with because they are extremely co-operative, and which housing associations are not pulling their weight by not making lets available.

We want to improve the relationships between local authorities and housing associations and to ensure that, when appropriate, housing association lets go to homeless households. We want there to be more transparency, not just for national monitoring, but so that people such as Garry Burns can challenge decisions, if necessary, by saying that housing association X has refused their client and the basis on which it has done so is not legitimate. It might be because the housing association does not like the fact that the person is not working, or something along those lines.

We have repeatedly called for the section 5 process, which is in law and is available to all local authorities to use, to become mandatory so that data collection takes place and we have information available on what is happening with housing associations.

**Robert Aldridge:** When we saw the most recent set of Scottish Government homelessness statistics, we were quite concerned that the fall in the number of lets by housing associations to homeless households was much greater than the fall in the number of homelessness presentations. The statistics were not broken down by area, so I do not know whether the issue was specific to one or two geographical areas, but it is a concern and something that we need to have a look at.

I echo most of what Rosemary Brotchie has said. Many housing associations play an active and progressive role in assisting local authorities with the homelessness functions—they more than play their part—but others are less enthusiastic.

10:45

One point that needs to be clarified is that although the section 5 referral is a powerful tool in the hands of a local authority, many local authorities have, with the best of intentions, become involved in quite complex protocols with registered social landlords that almost get in the way of straightforward referrals. The protocols are put in place with the best will in the world, but there are all sorts of issues. For example, a protocol might say that a housing association wants the full support arrangements to be in place before a referral is made. We can understand that that might be the best thing, but sometimes it is not possible and it would be better for a person to be housed and for the support arrangements to follow quickly after that.

**The Convener:** Not for the first time, Mary Fee has strayed into somebody else's line of questioning. I ask Gordon MacDonald whether he has any questions.

**Gordon MacDonald (Edinburgh Pentlands) (SNP):** I have one point. I was going to ask about vulnerable groups, but most of the issues have been covered. The Scottish Housing Regulator's report "Housing Options in Scotland—A thematic inquiry: May 2014" states:

"Local authorities have introduced effective referral schemes to help vulnerable people successfully move on from institutional care for ex-offenders, people discharged from hospitals and looked-after children."

Are there examples of good practice among local authorities in assisting people from vulnerable groups to find settled accommodation? If so, how can we replicate that across all councils?

**Robert Aldridge:** There is good practice, but it is very much a postcode lottery. We have good guidelines on throughcare for young people. In some areas, the guidelines are well implemented, but in other areas, at operational level, young care leavers are forced to become homeless before they are assisted, which is ridiculous.

With prison leavers, good arrangements are often made for long-term prisoners, because there is a long time to prepare and to sort out support arrangements, and the precise time that the person will leave prison is known. The problem is often with those who are on short-term prison sentences. Similarly with hospitals, for somebody leaving long-term hospital care, arrangements can be made well in advance because there is a lot of time. However, with relatively short stays, things often happen too quickly for all the arrangements to be made.

Quite a lot of work needs to be done to improve the arrangements for people on shorter-term sentences and for people who have shorter stays in hospital. Health and social care integration

perhaps gives an opportunity for some of the healthcare stuff to be done better. There is a general recognition that throughcare is one of the themes of the moment, so I hope that the Scottish Prison Service will be more involved in its throughcare responsibilities for prisoners who are leaving prison, especially short-term prisoners.

**Rosemary Brotchie:** I do not want the committee to think that we are in any way negative about the housing options approach. Let us be clear that it is a transformational approach to delivering housing services for people. It has the potential to be extremely successful, to really be person centred and to lead to the right kind of outcomes, rather than being just an administrative process in which boxes are ticked and people are moved about. The approach definitely has the potential to change the mindset and how people with housing needs are dealt with.

However, the approach is in its early days and local authorities are adapting and changing how they deliver services, which requires quite a big mindset change. Our staff are seeing cases in which vulnerable people, including young people—potentially those who have lower levels of life skills and who have never dealt with a local authority before, or have never had to go through such a system—are finding it difficult to navigate what is potentially a complex set of arrangements and a complex system. They need to work with multiple agencies, information technology systems and referral forms. All those things act as barriers to access for those young people, and to their getting what they need.

Garry Burns has referred to the fact that some people know to come to Shelter or go to the Govan Law Centre or other advice services to help them, but many people do not. Therefore, as the system develops, we want the training of staff and the systems that are put in place to be audited and assessed from the point of view of the vulnerable person. What makes sense for them? Is the system person centred? Does it really help them to get through the period of crisis?

That crisis can be a case of, "My mum's chucked me out. She's locked the door on me and my bag's up on the doorstep." How does somebody deal with that situation when they have all the emotional issues to deal with as well as having to navigate a complex system?

We want there to be better support and training for staff so that they can understand the process from the perspective of somebody who is vulnerable and in need. The housing options approach has the potential to be that kind of service. In many respects, we welcome it, notwithstanding all the issues that we have just discussed about the potential for gate keeping.

There are a number of things that we need to get right. We need to ensure that there is a good supply of social housing. We also need to ensure that the options that people are offered are right—that the statutory duties are fulfilled and that staff know when it is appropriate to make the offer of a homelessness application. Fundamentally, we need to ensure that, when somebody in housing need approaches their council, it is easy for them to get through the system and that the system is accessible.

**Garry Burns:** We ensure that local authorities have in place the measures about which we are speaking by having checks and balances for the local authority. In Glasgow, for instance, there are my organisation and the Legal Services Agency. If somebody is released from prison and is not getting a service that they should get, they can come down to my agency and we will take them back to the local authority and tell it what it must do and what we will do if it does not.

During the bedroom tax campaign, when there was a lot of publicity and we were quite well known, people phoned us from all over Scotland and it became apparent that they had nowhere to go and no organisation to help them, either because there was nothing or because the local organisation was funded by the local authority and was therefore not good at challenging the decisions that the local authority made.

I guess that that rolls into what is happening with the housing options approach. How do we ensure that that is implemented properly? That ties in with ensuring that there is an organisation in each local authority area to represent people and ensure that they are told what their rights are. That would not cost an awful lot of money.

There will always be people who miss that system and do not know that they can go to it. That is about the promotion of organisations, but it is also crucial that they be independent from the local authorities and from Government. My organisation is independent of Glasgow City Council; that independence means that we can challenge the local authority without worrying about whether we will lose our jobs in two years. That is important and would provide a way of ensuring that each local authority fulfils its duties to vulnerable people such as prison leavers, people with mental health problems and people who are coming out of institutions.

**Rob Gowans:** More can certainly be done and there are some practical ways of doing it, such as ensuring that people are housed close to their support networks, which can be difficult when there are pressures on accommodation.

We have seen people with complex health needs for whom the only available temporary

accommodation was 40 miles away. We have also seen a young mother who was away from the family home after she had a baby and for whom no support or accommodation was available locally. Such things can make a big difference in people's lives. Similarly, clients have been discharged from hospitals after short-term stays and have lost their places in temporary accommodation or not previously had a place to stay. Nobody checked and asked them, "Have you got anywhere to stay tonight?"

Some simple things can be done, but steps are being taken in the right direction with the approach that local authorities are taking.

**Mark Griffin (Central Scotland) (Lab):** I have a number of questions about temporary accommodation. First, do you have any evidence of how local authorities' use of temporary accommodation has changed since the abolition of priority need?

**Robert Aldridge:** Going back to the first remarks that I made, I note that the initial legislation in 2001 was where the big change happened, because it gave all homeless applicants a right to temporary accommodation. If we look at the statistics on presentations and so on, there was a big leap when people suddenly got that right. The growth in the use of temporary accommodation has been going since 2002 or 2003.

The problem is with the move-on accommodation, as there is simply not the required supply of that. That has not been helped by the bedroom tax and changes to housing benefit relating to the private rented sector. It used to be that people aged 25 or over could get self-contained accommodation, whereas now they must be 35 or over, so there is a big pressure on smaller accommodation and a bottleneck has developed with single people caught in temporary accommodation. There is a combination of greater entitlement to assistance for single people and a restriction on the options that are open to them in both the social and the private rented sectors.

The types of temporary accommodation in Scotland are very different from those in England, because in Scotland it is primarily temporary accommodation in the social rented sector. There are some concerns that the funding of temporary accommodation might change under the welfare reforms and produce a financial penalty for local authorities, which would be hard to meet.

It did not happen instantly in 2012, but there has been a large growth in the use of temporary accommodation. One of the big issues is how we get rid of the current bottleneck.

**Rosemary Brotchie:** There is huge pressure on temporary accommodation just at a time when, as

Robert Aldridge said, there is also pressure on funding streams for it. That is caused not just by the change in people's rights but, probably more important, by the availability of lets. People should be able to move out of temporary accommodation swiftly and the system should work effectively. Probably one of the most significant problems in addressing people's homelessness crises is that a huge amount of money is spent on temporary accommodation. It is an extremely expensive resource, but it is also a pivotal one. It is vastly important that somebody who is in a housing crisis gets a place in a good-quality temporary let to help them out of that crisis. It should be a stepping stone; we want stays in temporary accommodation to be as short as possible. That stay should be a time when we deal immediately with the crisis and put in place support if necessary, and then the person moves quickly into a permanent let.

What we do not want to see is what we increasingly fear—that people will spend longer and longer in temporary accommodation. We do not currently have figures on how long people are spending in it because such figures are not publicly available. We believe that we should be focusing more on that.

A priority for Government, in considering where it can best focus resources on preventative spend, should be the provision of good-quality temporary accommodation. Two things need to happen. First, we need to increase the supply of social housing and ensure that people have pathways out of temporary accommodation as quickly as possible, by ensuring that enough social housing is available. Secondly, we need to ensure that temporary accommodation is of a high standard.

We have been calling on the Government to implement standards for temporary accommodation. They should cover physical standards, because we need to ensure that people are not put into really grotty hovels. We see people being put into accommodation where the walls are dripping with condensation and mould and there are draughty windows—places that you would not want to spend any time in. We need to ensure that we get that right, but we need also to ensure that what surrounds temporary accommodation is right. Support needs to be put in place for people to help to make it a valuable time for them. We want national standards for temporary accommodation that all local authorities would have to follow.

11:00

**Mark Griffin:** I have had issues locally with the quality of temporary accommodation, and I think that that is an excellent point. I have had other issues around costs. Temporary accommodation can sometimes put people who are not on any

form of housing benefit into a worse position than they have been in.

Other problems arise around the concentration of temporary accommodation. Temporary lets tend to be concentrated in areas in which it is hard to let houses, which makes that problem worse. Areas can become quite chaotic simply due to that high level of turnover.

**Garry Burns:** More and more often my organisation is dealing with working people who are becoming homeless because they cannot afford to pay their rent, perhaps because they are working less than they were before. When they present as homeless to the local authority—this is where we return to the issue of gate keeping—they are told, “You can't afford to pay for homeless accommodation” or, “You will need to give up your job.” That is a ridiculous position.

Our advice is usually that people should pay what they would pay if they were in social housing. To be fair to Glasgow City Council, it has been quite good about not pursuing those debts. The cost of temporary accommodation in a furnished flat can be anything from £200 a week to £250 a week. I could not afford to pay £250 a week, and I do not think that anybody who was in that situation could.

Guidance from the Government on that issue could be quite helpful, because more working people are becoming homeless. If they are being told by their local authority that they cannot afford to go into homeless accommodation, they go to stay with their uncle, aunt or someone like that. I guess that you would say that they are the victims of prejudice, because they are being treated differently because they are working. They are being told that they cannot access homeless accommodation when they actually can, because people cannot be priced out of going into homelessness. That is a position that cannot be held. I think that the Government should offer local authorities some guidance on that.

**Rob Gowans:** We have seen cases in which people are placed in temporary accommodation that is too expensive for their needs. In one example, a client who was evicted after getting into financial difficulties and building up rent arrears was allocated temporary accommodation in a place where the rent was higher than it was in the accommodation that he had just left, which was not full. He was working and unable to claim housing benefit.

The bedroom tax has had an impact as well. If the only accommodation that is available is too large, the person is subjected to the bedroom tax. We have seen cases in which surcharges that have been applied for furnishings and white goods have caused people to be unable to cope

financially. Quite a bit could be done around that with regard to ensuring that the accommodation is not so expensive that it exacerbates the person's money problems.

**Rosemary Brotchie:** The cost of temporary accommodation is a significant issue. It costs a lot to deliver temporary accommodation, because people are paying for not only the rent of the property but all the services that go along with it. As we have mentioned, people frequently moving in and out of the accommodation imposes additional costs on local authorities.

For people who are out of work, the full cost of their temporary accommodation, where that is provided by the local authority, is currently met by housing benefit. There is a suggestion that that might not be the case in the future. That has prompted the Government to work with local authorities to do some modelling of the costs of temporary accommodation. That is the first real insight into what the costs of temporary accommodation cover and what sort of costs we are talking about. The modelling has shown that it is extremely costly to local authorities to provide temporary accommodation. That underlines again the fact that, given that temporary accommodation is expensive and is seen to be an important stepping-stone out of homelessness, we need to ensure that it is delivering on that and that our funding of that accommodation is delivering value for money. It needs to meet the right standards to help people to move out of homelessness and into a permanent, stable home.

**Robert Aldridge:** Some important work has been done to examine the costs of different types of temporary accommodation. One of the fairly obvious ironies is that the more temporary the temporary accommodation is, the higher the cost. There is a high throughput of people and therefore furniture and so on gets worn out more quickly, and wear and tear and management costs are much higher.

One of the problems with the Westminster Government's current consideration of the funding of temporary accommodation is that it bases it around people staying for lengthy periods in temporary accommodation, which is the case for example in London. However, if we are organising temporary accommodation in the best way, which is when people are there for short periods, it will be relatively expensive but people will not be there for long. That is quite important.

The other fairly obvious thing to say is that one of the key things that we need to do—it is one of the things that housing options is all about—is to prevent people from having to go into temporary accommodation in the first place. If we reduce the inflow to temporary accommodation, we can perhaps deal with some of the bottleneck. Housing

options has a big role to play in ensuring that we prevent homelessness and prevent people from having to go into temporary accommodation, where that is at all possible.

**Jim Eadie (Edinburgh Southern) (SNP):** Good morning. I would like to ask about the housing support duty, which was introduced through regulations in 2012 and came into effect on 1 June last year. The duty requires local authorities to assess the need for housing support for every homeless applicant who is assessed as unintentionally homeless or threatened with homelessness. Do you believe that the housing support services that are prescribed in the regulations hit the mark? Do the regulations specify all the support services that they need to, which can therefore be identified and provided by local authorities?

Secondly, how successful have local authorities been over the past year in implementing the duty, given that its purpose is to prevent homeless people from taking on a tenancy and being unable to sustain it?

**Rosemary Brotchie:** Shelter Scotland has recently published a research review of the implementation of the housing support duty. We called strongly for such a duty and we were pleased that the Government accepted that call and implemented the duty. From that relatively early assessment—we are just six months into the duty—we have established that some of the fears that were expressed by local authorities when the duty was implemented have generally proven unfounded. Most local authorities have found that they were already meeting the requirements of the duty, and some found that the duty itself had a beneficial impact on the services. It built on existing processes, sharpened focus and fostered joint working to create the leverage for more resources in some areas. Across Scotland, the picture is generally positive. People are implementing the duty and taking it in their stride. Having a duty has put a renewed focus on the provision of support and looking at innovative ways of bringing in the support that is required, if it is not already there.

As you would expect when a new duty is applied, there are some areas for potential improvement. We are looking particularly at how the housing support duty might link to other kinds of support that is provided, such as support for young people, or employability. Looking to the future, we are considering what impact the plans to integrate health and social care services will have on the provision of housing support specifically. We need to ensure that those things do not sit in separate silos. Provision needs to be person centred—we need to look at the needs of the individual. Some of that will be for housing



support but some of it may be support that is provided by other providers. A corporate approach needs to be taken to assessing support, understanding the individual's needs and ensuring that the required support is available.

**Robert Aldridge:** We undertook what I suppose was a quick and dirty survey of local authorities, asking some very basic questions; 24 local authorities responded, which was a good response. I would echo most of what Rosemary Brotchie—

**Jim Eadie:** Do you wish to name and shame any of those that did not?

**Robert Aldridge:** No. There can be all kinds of reasons why people do not respond. It is not compulsory and we always agree not to name anybody, on the grounds that it may incriminate them.

The local authorities generally said that the duty made no particular difference to what they were already doing. The duty was formalising the good practice in which they were generally engaged; although the 24 authorities that responded may have been the 24 best, that has generally been the view.

When the support duty was being considered, we expressed a concern that the statutory duty to provide housing support at the time of a homelessness crisis might draw funds away from more preventative support or support for tenancy sustainment. I am glad that at this stage those fears appear to have been unfounded, with the responses to the survey showing that funding had not been removed from preventative services.

However, although I am really pleased with that, we will still need to keep an eye on the matter if, as seems likely, local authority resources are going to get tighter and tighter. After all, the £1 spent on low-level preventative support can often save a lot more than the £1 spent at the time of crisis.

**Jim Eadie:** You said that, according to the responses to the survey, the introduction of the statutory duty appeared to be formalising good practice. In that case, has it made any difference in driving the wider dissemination of good practice across the country?

**Robert Aldridge:** There were two other interesting aspects to the survey. First, a number of local authorities confirmed something that we had seen in some responses by the voluntary sector to another survey, which was that the duty had created better joint working practices. That is still evolving, but it is a good development.

As for the second aspect, I am sorry but I seem to have lost my thread.

**Rosemary Brotchie:** Our research, too, supports that view. We found that even in those that were already exceeding the duty its introduction had triggered a review of housing support and had promoted and instituted a corporate approach to providing support. Having the duty meant that there was now a real focus on delivering it, and it was noted that with future challenges emerging—I have already referred to a number in health and social care, but there is also the self-directed support agenda—housing support was being properly considered as part of the group of specialist support services. This is a really good example of a legislative duty promoting a preventative approach and forcing local authorities to take a good look at how homelessness can be prevented in future.

That said, we should review the fact that the duty does not apply to the intentionally homeless, about which, as we have already discussed, there might be an issue. After all, someone who is intentionally homeless might well need even more housing support than someone who is unintentionally homeless to get out of that situation.

**Jim Eadie:** Thank you. That was excellent.

Before I come to Mr Burns, I wonder whether Mr Gowans can illustrate some examples of good housing support services.

**Rob Gowans:** Good support services consider the needs of the individual and work to find the best options for them, whether that be moving them out of temporary accommodation or, even if they are found to be intentionally homeless, supporting them in getting a sustained tenancy. Incorporating into housing options guidance some guidance on dealing with particular groups such as those with mental health difficulties, young people, those who have left prison and those with a history of antisocial behaviour or rent arrears who have caused local authority problems before would be helpful if we are to find ways of supporting those who might say, "I don't need any support," or who might have had previous difficulties with the local authority as landlord that need to be resolved. As I have said, housing people close to their own support networks also makes a big difference.

11:15

**Garry Burns:** All the housing support agencies have great mission statements—they all say the same thing—but I think that it is about staff. Quite a lot of the housing support agencies pay just slightly above the minimum wage, so anybody who gets any good experience and becomes good will leave to get a better wage somewhere else. However, I guess that that is a separate issue.

The legislation is great. It is so great that it should be extended. When people are going to become homeless, we know that they are going to become homeless. Somebody knows—their housing association knows. Currently, section 11 notifications are in place where a financial eviction is going to take place and the local authority is informed. If we put tenancy sustainment in after someone becomes homeless, it is not a great leap of logic to think that maybe we could get in there before they become homeless. Perhaps we can create some kind of duty whereby we stop the homelessness happening in the first place and the tenancy sustainment stays in place until the individual gets to a stable period in their life and the support can be withdrawn.

Whenever I come here everything that I suggest sounds as if it will cost money, but that would not, because the figures show that if a family is prevented from becoming homeless, the local authority saves between £10,000 and £20,000. Stopping a family becoming homeless by getting tenancy sustainment in place before the homelessness occurs would be a positive step.

**Jim Eadie:** I want to ask about the situation that faces young people. Mr Aldridge, you mentioned the latest homelessness statistics, which highlight a trend. Between 2006 and 2007, 15,000 people aged 24 and under were assessed as homeless or potentially homeless, but by 2013-14 that had dropped to 8,321—a decrease of 44 per cent. Does that suggest that we are getting it right?

**Robert Aldridge:** Partly.

**Jim Eadie:** What could we do to make further progress?

**Robert Aldridge:** This goes back to some of the issues that were raised in the report by the Scottish Housing Regulator on housing options. There has been a welcome increase in the use of mediation services by local authorities across Scotland as a means of trying to prevent homelessness. That has not always been done at the right time and it has not always been appropriate, and some young people are turned away. There is a mixture of really good practice, with people being helped to find solutions before they become homeless, which is to be welcomed, and an element of people being turned away. When people are younger and less experienced in understanding what is being said to them, if the tone of voice that is used suggests, “You might as well not bother; you are better off where you are,” that will prevent them from making a homelessness application. There are positive elements, but there is a bit of gate keeping, too.

**Garry Burns:** We are talking about a 44 per cent decrease since 2006 at a time when young people have less access to housing benefit and

there are fewer jobs and less money. Maybe the statistics are hiding the fact that young people were simply not presenting for homelessness assistance and are stuck in the hidden homelessness that we all know about. It is notoriously difficult to find out what is happening with hidden homelessness.

There have been some changes in practice, which have had some impact, but, given the facts that we know about how young people’s access to housing, funding and money has decreased, I do not think that we can say that that has manifested itself in there being fewer young homeless people. I think that they are just not presenting or we are missing them. We should do something about that.

**Rosemary Brotchie:** There is a mixed picture. There are some really good examples of mediation being used with families to prevent homelessness happening among young people. However, given what we said earlier about the housing options approach, if someone is approaching a local authority for help, they think that they have made a homelessness application, only to find out later that they had actually had a housing options interview. There are clearly some issues for young people in navigating and understanding the system.

There is also the fact that temporary accommodation is not a great place to be. A young person might choose to stay at home and put up with what is often an intolerable situation if they think that the alternative is a long time in temporary accommodation. We need to get housing supply and options right, and we need better preventative services that mediate between young people and their families.

**Jim Eadie:** I do not believe everything that I read in the newspapers, but it has been suggested that the Westminster Government might alter the eligibility criteria for housing benefit for under-25s. Have you considered the impact on homelessness in Scotland of a policy change that removed housing benefit from under-25s?

**Robert Aldridge:** I think that we would all regard that as a disaster.

It is encouraging that all parties appear to take the view that, regardless of the referendum result, housing benefit will be largely if not totally controlled by the Scottish Parliament. We have a good opportunity across the parties to build a situation in which people who need rent subsidy and who happen to be under 25 are assisted and do not fall into homelessness—because without assistance they would face not only homelessness but destitution.

**Rosemary Brotchie:** Removal of housing benefit from under-25s would be disastrous. Although 25 might seem very young, let us not

forget that there are plenty of 25-year-olds who have young families. If such an approach were taken we would argue strongly against it and for the right safeguards. Scotland is world renowned for the way in which it deals with homelessness, but we could not provide the level of rights and services that we currently offer in a situation in which some people under 25 were excluded and could not get access to the subsidy and services that they needed.

**Garry Burns:** It would be the worst thing that could happen. I cannot think of anything worse in all my time working in homelessness. It would be awful.

**Rob Gowans:** We too would be very concerned about an age limit being put in place. The suggestion is that people under 25 can stay with their parents, but that is not an option for a number of young people. Such a move would seriously concern us.

**Jim Eadie:** In 2010, the Scottish Government created five housing option hubs, to promote a housing options approach to homelessness and share best practice across Scotland's 32 local authorities, with enabling funding of just under £1 million—£950,000. How are the hubs developing in Scotland? What impact have they had?

**Rosemary Brotchie:** Hubs are a good idea and potentially provide a positive forum for discussion, sharing best practice among local authorities and enabling cross-border sharing of resources. In some hub areas the approach is working effectively and has been positive, but there is a lot of variation between hubs.

These are reasonably early days in the delivery of what is a radical new approach to providing services for people in housing need. Hubs perhaps need to be more outwardly focused. They could look at how they can maximise the availability of options for accommodation for people.

The Housing Regulator has underlined that although the approach to delivering a housing options system has worked well it is not enough on its own. We need strong national standards and national guidelines on delivering housing options if we are to embed throughout Scotland the good practice that has developed in some areas.

**Robert Aldridge:** The experience has been largely positive. Some hubs have been more progressive than others, and I think that hubs will continue to evolve in a constructive way. Concern has been expressed that a number of hubs need to be more inclusive of the voluntary sector. Some would benefit from greater health involvement. Given how welfare reform is going, it would also be useful to involve people from the Department

for Work and Pensions and Jobcentre Plus, to get a broader and more holistic way of working to prevent homelessness, which is what we all want to do.

**The Convener:** I will follow on from Jim Eadie's question about the possible removal of housing benefit for under-25s. The United Kingdom Government has also suggested that it will consider lowering the cap on housing benefit outside London, possibly to as low as £18,000. What effect would that have on homelessness in Scotland and on young families?

**Rosemary Brotchie:** With regard to the pattern of how the cap has affected households in Scotland, many of the reforms—as has been mentioned—focus on the problems of the housing market in the south-east of England, and they have a different impact in Scotland.

When we look at the housing benefit cap in particular, we can see that a large number of those whom it affects are people in temporary accommodation, in which housing costs are very high for the reasons that we have already discussed. It is clear that any further reduction in the cap will affect the same people and put additional pressures on the local authority that is delivering that accommodation.

The recent modelling on the cost of temporary accommodation has shown that there is a potential funding gap; that we cannot rely on housing benefit to fund temporary accommodation; and that, in Scotland, if we believe that temporary accommodation has a role to play and we believe in what we are trying to achieve in delivering homelessness services to people, we need to look at and address that gap in funding and ensure that people are not just left out and suffering because of decisions on housing benefit reform.

**Garry Burns:** We are already feeling the impact. It is mostly related not to temporary accommodation but to large families who are living in private sector flats. The local authority cannot accommodate them, because if a family has seven or eight children there are certain duties in relation to how many should share a room. A family can choose to go into a private flat or rent a five-bedroom or six-bedroom house, but those families have already been hit by the housing benefit reform as it stands, and any further erosion would obviously make the situation a lot worse.

**Alex Johnstone (North East Scotland) (Con):** I notice that Shelter Scotland's submission comments on the increasing number of applications from households living in the private sector. Would it be possible for the panel to comment on the levels of homelessness among

people who have lived in the private sector previously?

**Rosemary Brotchie:** Yes—the proportion of homeless applicants who have come from a private let has increased. The absolute number has fallen, but not at the same rate as homelessness applications have fallen overall. We have therefore seen a growth from 13 to 18 per cent between 2008-09 and 2013-14.

That suggests that we need to look carefully at why people are having to leave the private rented sector and make a homelessness application. There are clearly issues around affordability in the private rented sector, and there are potentially issues around suitability.

Shelter has consistently been looking at what people get for a private let in terms of standards, relationships with landlords, repairs, and issues around stability and security in the private rented sector. At present, a private let is no more secure than the minimum tenancy period, which is often six months, and after that tenants are on a month-by-month rolling contract and can be asked to leave any time.

Increasing numbers of young families and families in general are spending time in the private rented sector because they have no other options. There is not enough social housing, and people who would normally have had a social let are spending time in the private rented sector with those levels of insecurity. It is clear that, when there are pressures on the market and landlords are seeking to evict people or asking them to leave, those people often have no choice but to go and to make a homelessness application.

**Alex Johnstone:** How should local authorities be using the private rented sector in the context of the housing options approach?

**Rosemary Brotchie:** Carefully, I think. When a local authority receives a homelessness application, their duty towards a person can be discharged into the private rented sector, but only with specific criteria. The person has to agree to the arrangement, it has to be affordable, and they have to be given a longer let than is normal.

We also need to consider, when we assess someone through the housing options approach, whether a private rented let is the best option for that person. Will it give them affordable housing? Will that be secure for them and will they be able to make a stable home? Some of that is to do with the individual capabilities of that household and the local market.

11:30

The private rented sector differs across Scotland. We talked earlier about island and rural

communities. When there is a shortage of social housing in any concentration in rural and island Scotland, the private rented sector might very well be the best solution for a family, but we need to use it carefully and think carefully about whether the accommodation is sustainable or whether we are putting somebody in a situation where they will be in housing crisis down the line.

Having said all that, we welcome the Scottish Government's private rented sector tenancy review. A key point that we want is to create a private rented sector for the future that is more secure and which offers stability. It needs to work for landlords, too—we do not want to reduce the supply of accommodation—but, if private renting is to play a greater role in meeting housing need, we need to ask how we can get it to work effectively for people.

**Robert Aldridge:** I echo that. A key point is that the private rented sector must play a role, because it is quite large. Private rented accommodation is often in a better location than social rented options, but it comes with a lot of risks, which need to be made clear to people.

Affordability is an issue, but most important is security. That is where the discussions about reforming the private rented sector tenancy are important. If somebody wants to get their child settled in a school, they need to know that they can maintain their tenancy and that their child can go to the same school for the medium or long term. Tenants in the private rented sector are legally on one month's notice of removal. That makes the sector a difficult option for people who are trying to invest in their community or make long-term plans and escape from the unsettling and unsettled position of being homeless.

**Rosemary Brotchie:** A particular issue in the private rented sector is that young people who are under 25 and who have a low income or no income are entitled to housing benefit only to cover the cost of a room in shared accommodation. That is having an impact on our clients, such as people who cannot afford self-contained accommodation and who have shared access to children. Young people in such circumstances face significant pressures.

**Garry Burns:** The private sector is an expensive option not just for folk who are on housing benefit but for people who are working. It is unfair that, if someone rents a flat in the private sector but their next-door neighbour has a social landlord, the difference in rent is about £200 a month. If someone works on the minimum wage, an excessive amount of their money goes on rent for exactly the same house as their neighbour has.

Plenty of people who have approached us have been in a private let and have no longer been able

to afford to pay for their home because their hours have been cut. As I have said, we ask the Scottish Government to look not just into tenure but into whether anything can be done on the cost of private sector renting to benefit not people who are on housing benefit, because the majority of that is picked up by the taxpayer, but people who are working. It is unfair if somebody's neighbour pays £200 a month less than they pay.

**Rob Gowans:** Affordability and security of tenure are important general issues. As for what more the private sector can do, we still see cases of people being illegally evicted. We need to clamp down on the minority of landlords who would lock the doors and throw people's belongings on the street.

There is a role for local authorities to recognise the situation that people are living in. I have seen a couple of cases in which a person was refused the opportunity to make a homelessness application because their landlord had not submitted the appropriate notice to quit forms. The client said that the landlord would not do that and that they would be out on the street in the next couple of days unless something changed.

Some action is needed in relation to repairs in the private rented sector, particularly in temporary accommodation. There can be quite a delay in getting repairs done, and disputes over who is responsible for repairs can lead to poor-quality accommodation. The view is that the private sector and local authorities can work together to improve things.

**Alex Johnstone:** I see that I have been allocated the free hit question, so I will ask it. Do you wish to make any other comments about how housing options and homelessness services can be improved?

**Rosemary Brotchie:** I finish by reiterating what we have all said and agreed all along. The housing options approach is only as good as the options that are actually available to people. The country needs to invest properly in more housing across the board, but particularly in more affordable social rented housing. We know that we are consistently building far fewer homes each year than what is needed to meet minimum affordable housing needs. We need approximately 10,000 new homes a year to meet the growing need. Until we have enough housing options and enough affordable homes are available, we will always be under pressure when allocating scarce resources.

In the meantime, before we get to that point, we need to make sure that the housing options approach is working effectively. We welcome the guidance that the Government is going to produce,

and we would like to be part of creating and drafting that guidance.

We are also looking for the Government to set homelessness up for the next 10 years. We have achieved a lot in Scotland—we have transformed the way in which we deal with people who are in housing need—and we need to maintain that progressive movement. We need to keep the focus on homelessness by looking to the next 10 years and asking where we want to be and what kind of thing we need to work on and put in place now. We are, in effect, looking for an action plan to cover the next 10 years in Scotland.

**The Convener:** As there are no further questions, I thank you all for that evidence. It was helpful. We will also pass what you have said on to the Equal Opportunities Committee, which is looking into homelessness specifically among young people.

11:37

*Meeting suspended.*

11:42

*On resuming—*

## Petition

### Blacklisting (PE1481)

**The Convener:** Agenda item 3 is for the committee to consider public petition PE1481 on blacklisting in Scotland. The committee has received a response from the petitioners that is included with the cover note for this item. I invite comments on the petition.

**Jim Eadie:** The petitioners performed a valuable service that helped to inform the development of the Procurement Reform (Scotland) Bill when it was going through the legislative stages, and the petition helped to improve the legislation by highlighting an important issue. I understand that, as a result, extensive dialogue has taken place between the Scottish Government and the trade unions that has resulted in extensive guidance and the promise of secondary legislation. I am therefore in favour of keeping the petition open so that we can keep the issue under review and, if appropriate, seek further evidence at a later stage about implementation of the guidance and any subsequent legislation.

**Alex Johnstone:** My instinct with these things is to say that it is a historical problem and it is not a problem any more, but I have no evidence to support that view in this case. I would like to think that the problem is solved, but I agree with Jim Eadie that we should keep an eye on the situation and ensure that there is not still a problem that has to be dealt with.

**Mark Griffin:** I also agree with Jim Eadie. The Procurement Reform (Scotland) Bill has taken steps that were welcomed by the petitioners. Perhaps we could write to the Scottish Government on the final point to ask whether it has any intention of instructing a public inquiry on blacklisting.

**The Convener:** There are some pretty serious things mentioned in the reply from Pat Rafferty, and I agree with Mark Griffin that we should write to the Scottish Government with a copy of the reply and ask for its comments on what progress has been made and what discussions have taken place with the trade unions on further guidance. Are we agreed on that?

**Members** *indicated agreement.*

**The Convener:** That completes item 3, so we now move into private session.

11:45

*Meeting continued in private until 11:53.*

Members who would like a printed copy of the *Official Report* to be forwarded to them should give notice to SPICe.

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