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Briefing for the Public Petitions Committee on petition PE2261: Reinstate the local connection rule for homeless people in Scotland, lodged by Joanna Kerr

Brief overview of issues raised by the petition

The petitioner argues that the local connection rule, in relation to local authority referrals of homelessness applicants, should be reinstated. The petitioner argues that the lack of such a rule has "enabled the mass influx of mainly male asylum seekers into Glasgow and Scotland" and that such people "in reality are prioritised in terms of having their homelessness needs met over locals."

Asylum policy is reserved. Most asylum seekers are housed in dispersal accommodation managed by a contractor on behalf of the UK Government. Asylum seekers are not entitled to homelessness assistance under Scottish housing legislation.

Once an asylum seeker receives a positive decision and is granted refugee or leave to remain status, they must leave their Home Office asylum accommodation.

At this point, refugees become entitled to homelessness and housing support under devolved legislation. The laws on housing allocation and homelessness are mainly set out in the Housing (Scotland) Act 1987 as amended. Refugees who apply as homeless are assessed under the same rules as other homeless applicants.

The 1987 Act also sets out the framework for housing allocations It requires social landlords' allocation policies to give "reasonable preference" to certain groups, including people who are homeless or threatened with homelessness and who have unmet housing needs. Being homeless is therefore one factor that can give someone priority for social housing, but this applies to all homeless applicants, not just refugees.

Detail of the local connection rules

If someone applies to a local authority as homeless, the local authority must assess whether the person is homeless as defined by the legislation. Local authorities also have a discretionary power to assess whether someone is intentionally homeless or has a local connection to the area in which they have applied.

Local connection is defined in section 27(1) of the Housing (Scotland) Act 1987. Previously, if a local authority decided to assess for local connection, they could refer the applicant to another local authority area if a local connection was established elsewhere.

From 29 November 2022, the ability of local authorities to refer a homeless applicant to another local authority in Scotland, based on their local connection to the area, were suspended.

The policy intention of this change was to provide homeless people with more choice about where they lived with access to the support they need. This follows a Homelessness and Rough Sleeping Action Group recommendation made in 2018.

Local authorities can, in some cases, still refer an applicant to a council in England or Wales.

If a homeless applicant has received a positive asylum decision, the time spent in Home Office asylum accommodation does not establish a local connection for newly recognised refugees. This is provided for by section 7 of the Homelessness etc (Scotland) Act 2003.

Therefore, the suspension of local connection rules in 2022 has not had a direct effect on refugees moving on from asylum accommodation, as the rule did not apply to them anyway.

In practice, local connection referrals in Scotland were used relatively infrequently prior to their suspension.

Most homeless applicants have a local connection to the area they apply to as homeless. Of the households assessed as homeless in 2025-26, 86% had a local connection to the council where they applied, 5% had a local connection to another Scottish council only and 9% had no known connection to any council in Scotland.

However, there are geographical variations. In 2025-26, Glasgow had a relatively high proportion of applications, 26%, with no known local connection to any council in Scotland. This partly reflects a higher number of refugees seeking homelessness assistance in the area. Glasgow houses the majority of asylum seekers in Scotland. The increasing number of refugees in the homelessness system has been driven partly by the UK Government's fast-track asylum process. Glasgow City Council has noted the impact of costs on their homelessness services from the UK Government's streamlined asylum process. These issues are covered more fully in a SPICe blog on the subject.

Scottish Government actions

The Scottish Government does not plan to reintroduce local connection rules for homeless households, as set out in this PQ (S7W-02864) response:

> Question Asked by MSP for Glasgow Thomas Kerr: To ask the Scottish Government whether it will reintroduce previously applied local connection rules for access to social housing and, in light of reported concerns that people with longstanding connections to communities may be disadvantaged in accessing social housing, what safeguards are in place to ensure that the allocation of social housing does not unfairly disadvantage Scottish residents.
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> Answered by Shirley-Anne Somerville on 18 September, 2026: The Scottish Government has no plans to reintroduce previous local connection rules for homeless households. Social landlords are responsible for the allocation of their housing, and each landlord's approach is set out within their published Allocations Policy. Allocations policies give priority to homeless people and those threatened with homelessness who have unmet housing needs; people

living in unsatisfactory housing conditions with unmet housing needs; and tenants occupying homes that are under-occupied. A decision to allocate housing is based on a fair, transparent and objective assessment of an applicant's housing need.

The Scottish Government also supports the call from Glasgow City Council for the UK Government to provide adequate funding to allow local authorities to support newly recognised refugees and communities.

Scottish Parliament actions

The issue of local connection rules has been raised in various parliamentary questions (see example above). The Cabinet Secretary for Social Justice and Housing, Shirley-Anne Somerville MSP, gave evidence to the Social Justice, Housing and Local Government Committee on 16 September 2026. The issue of local connection was raised and the Cabinet Secretary repeated her views as outlined above.

Key Organisations and relevant links

- Association of Chief Local Authority Housing Officers (ALACHO)
- Scottish Federation of Housing Associations (SFHA) and Glasgow and West of Scotland Forum of Housing Associations
- Scottish Refugee Council
- Positive Action in Housing

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21 October 2026

The purpose of this briefing is to provide a brief overview of issues raised by the petition. SPICe research specialists are not able to discuss the content of petition briefings with petitioners or other members of the public. However, if you have any comments on any petition briefing you can email us at spice@parliament.scot

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