



The Scottish Parliament  
Pàrlamaid na h-Alba

## Official Report

# EQUAL OPPORTUNITIES COMMITTEE

Thursday 5 February 2015



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**EQUAL OPPORTUNITIES COMMITTEE**

**2<sup>nd</sup> Meeting 2015, Session 4**

**CONVENER**

\*Margaret McCulloch (Central Scotland) (Lab)

**DEPUTY CONVENER**

\*Sandra White (Glasgow Kelvin) (SNP)

**COMMITTEE MEMBERS**

\*Christian Allard (North East Scotland) (SNP)

\*Jayne Baxter (Mid Scotland and Fife) (Lab)

\*John Finnie (Highlands and Islands) (Ind)

Alex Johnstone (North East Scotland) (Con)

\*John Mason (Glasgow Shettleston) (SNP)

\*attended

**THE FOLLOWING ALSO PARTICIPATED:**

Margaret Burgess (Minister for Housing and Welfare)

Marion Gibbs (Scottish Government)

Alex Neil (Cabinet Secretary for Social Justice, Communities and Pensioners' Rights)

**CLERK TO THE COMMITTEE**

Ruth McGill

**LOCATION**

The James Clerk Maxwell Room (CR4)



## Scottish Parliament

### Equal Opportunities Committee

Thursday 5 February 2015

*[The Convener opened the meeting at 09:15]*

### Decision on Taking Business in Private

**The Convener (Margaret McCulloch):** Welcome to the second meeting in 2015 of the Equal Opportunities Committee. I ask everyone to set any electronic devices to flight mode or turn them off, please. I will start with introductions. We are supported at the table by clerking and research staff, official reporters and the broadcasting services, and around the room by the security office. My name is Margaret McCulloch and I am the committee convener. Members will now introduce themselves in turn, starting on my right. They will also declare any interests and any other relevant information in relation to today's meeting. I declare such an interest.

**Sandra White (Glasgow Kelvin) (SNP):** Good morning. I am the MSP for Glasgow Kelvin and deputy convener of the Equal Opportunities Committee.

**John Finnie (Highlands and Islands) (Ind):** I am a member of the Scottish Parliament for Highlands and Islands.

**Christian Allard (North East Scotland) (SNP):** I am an MSP for North East Scotland.

**John Mason (Glasgow Shettleston) (SNP):** I am the MSP for Glasgow Shettleston.

**Jayne Baxter (Mid Scotland and Fife) (Lab):** I am an MSP for Mid Scotland and Fife. I declare an interest in an item that is later on in the agenda.

**The Convener:** The first agenda item today is a decision on taking business in private. Members are asked to agree to consider in private item 5, on the evidence heard during our follow-up work on the having and keeping a home inquiry. Are we agreed?

**Members indicated agreement.**

## Subordinate Legislation

### Equality Act 2010 (Specification of Public Authorities) (Scotland) Order 2015 [Draft]

09:16

**The Convener:** Under agenda item 2 we will hear evidence from the Cabinet Secretary for Social Justice, Communities and Pensioners' Rights on the order. It is laid under the affirmative procedure, which means that the Parliament must approve it before the provisions can come into force. Following the evidence taking, the committee will be invited to consider a motion to recommend approval of the order under agenda item 3.

I welcome the cabinet secretary and his accompanying official and I invite the cabinet secretary to make any opening remarks.

**The Cabinet Secretary for Social Justice, Communities and Pensioners' Rights (Alex Neil):** Thank you, convener. I introduce my official, Gaynor Davenport, who is from our equalities unit in the Scottish Government. Gaynor will help me this morning in answering your difficult questions when we get to that stage.

I will make one or two introductory remarks. First, thank you very much indeed for this opportunity, which I think is my first appearance in front of the committee in my new role as the Cabinet Secretary for Social Justice, Communities and Pensioners' Rights. I do not yet have to declare an interest in relation to pensioners' rights, before anyone asks me about that.

The draft order proposes to make routine amendments to the United Kingdom Equality Act 2010 in consequence of the establishment of new public bodies and office holders in Scotland.

If approved, the draft affirmative order will ensure that Historic Environment Scotland, our health and social care integration joint boards and regional boards for colleges are subject to the public sector equality duty in the same way as similar bodies and office holders that are currently listed in part 3 of schedule 19 to the 2010 act.

The committee will be familiar with the 2010 act, which introduced the public sector equality duty requiring listed public authorities to have due regard, when exercising their functions, to the need to eliminate discrimination, advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not.

It is clear that the new public authorities and office holders carry out public functions that should

be covered by the public sector equality duty and I will touch briefly on those general functions.

First, we have the integration joint boards for health and social care. As Cabinet Secretary for Health and Wellbeing, I was delighted to introduce the landmark legislation that became the Public Bodies (Joint Working) (Scotland) Act 2014—not the sexiest of titles. The act provides arrangements for integrating adult health and social care in order to improve outcomes for patients, service users, carers and their families. Health boards and local authorities will be required to enter into joint working arrangements in respect of certain of their statutory functions relating to health and social care services. Health boards and local authorities are already independently subject to the public sector equality duty in the exercise of their functions, so it is right that the duty is extended to the new integration joint boards to cover functions that may be delegated from health boards or local councils.

Secondly, the Historic Environment Scotland Act 2014 provides for the establishment of a new non-departmental public body—Historic Environment Scotland. The new body will replace the Royal Commission on the Ancient and Historical Monuments of Scotland—of which I am not one. The RCAHMS is a public body established by royal warrant. The new body will also replace Historic Scotland, which is an executive agency within the Scottish Government. The 2014 act gives Historic Environment Scotland the general function of investigating, caring for and promoting Scotland's historic environment.

Thirdly, we have the regional boards for the colleges. The Post-16 Education (Scotland) Act 2013 amended the Further and Higher Education (Scotland) Act 2005 to establish regional strategic bodies. The functions of a regional strategic body include funding and planning college provision in regions with more than one college of further education.

There are two types of regional strategic body. The first is a college or university that is given regional strategic body functions. There are two such bodies—New College Lanarkshire and the University of the Highlands and Islands—and both are currently subject to the public sector equality duty through existing provision in schedule 19.

The second type of regional strategic body is known as a regional board and there is currently one such body—the regional board for Glasgow colleges. The draft order inserts a reference to regional boards into schedule 19, which means that the regional board for Glasgow colleges and any new regional boards that are created in the future would be subject to the public sector equality duty.

Finally, I assure the convener and the committee that I received the required consent from the right honourable Nicky Morgan MP, Minister for Women and Equalities, before laying the draft order and I have consulted with the Equality and Human Rights Commission, which is content with our proposed consequential amendments.

I am happy to answer any questions.

**The Convener:** Thank you, cabinet secretary. As this is a straightforward instrument, committee members do not have any questions. Under agenda item 3, I invite you to speak to and move motion S4M-12227.

**Alex Neil:** I move,

That the Equal Opportunities Committee recommends that the Equality Act 2010 (Specification of Public Authorities) (Scotland) Order 2015 [draft] be approved.

**The Convener:** The question is, that motion S4M-12227, in the name of Alex Neil, be approved. Are we agreed?

**Members indicated agreement.**

**The Convener:** That concludes consideration of the affirmative instrument. We will report the outcome of our consideration to the Parliament. I thank the cabinet secretary and Gaynor Davenport for coming to the meeting.

**Alex Neil:** Thank you, convener. I wish every meeting was as easy as that.

09:23

*Meeting suspended.*

09:32

*On resuming—*

## Having and Keeping a Home

**The Convener:** Agenda item 4 is an evidence session on our inquiry into having and keeping a home: steps to preventing homelessness among young people. I welcome Margaret Burgess, Minister for Housing and Welfare, and her accompanying official. Please introduce yourselves and make some opening remarks.

**The Minister for Housing and Welfare (Margaret Burgess):** I am glad to be here this morning with Marion Gibbs from the homelessness team to talk about what the Scottish Government is doing on homelessness, in particular for young people. Preventing homelessness wherever possible is and will remain a priority for the Scottish Government and I recognise young people's particular vulnerability to homelessness.

I provided a full written report to the committee a year ago and I have noted with interest the evidence that you received over the course of the past year. In the past 12 months we have seen the development of the housing options approach to prevention, with further funding committed to the housing options hubs and publication last week of the first PREVENT1 statistics. We have seen further falls in homelessness among young people and the passing of the Children and Young People (Scotland) Act 2014. The next 12 months will see further significant steps, including the publication of guidance on housing options and the introduction of a private rented sector bill.

Scotland has strong, progressive homelessness legislation, but I believe that it is important to focus on what homelessness means to people, including young people, as individuals. It is clear that the housing options approach has led to welcome reductions in homelessness numbers; perhaps more important, it has led to the instillation of a person-centred principle at the heart of delivering homelessness services across Scotland.

The current development of national guidance on housing options will need to reflect the needs of young people if we are to see continuous improvement in this area. In the past year we have seen the specific needs of young people highlighted in revised guidance for the housing support duty and those needs are also informing the revision of guidance for the Scottish welfare fund. The housing options approach has led to the development of mediation services to address the key issue of relationship breakdown, which remains the most likely reason for homelessness among young people. We have acknowledged the

importance of that by committing funding to the Scottish centre for conflict resolution for a further year.

Of course, mediation will not be appropriate for everybody. We know that we need flexible responses to particular needs, such as those of young people with a history of care. We have an opportunity to address that in the coming period through the provisions of the 2014 act. Homelessness officials will contribute to guidance on that and I will ensure that the points raised by the committee inform that contribution.

I am pleased that alongside this inquiry the committee has recently launched an inquiry into social isolation, because it is clear that there are strong links between the issues. That is why the Scottish Government is continuing to fund a national co-ordinator on rebuilding social networks for homeless people, through the housing voluntary grant scheme, alongside other national co-ordinators that we fund.

Mediating conflict, developing life skills, use of temporary accommodation and housing education are just some of the areas that can have an impact on homelessness among young people. The homelessness prevention and strategy group, on which I sit as minister, has young people and homelessness on its agenda as a standing item. In light of the range of issues involved, that allows us to make links to important policy developments such as health and social care integration or the proposed publication of a national missing persons strategy, which is due later this year.

We look to make progress against the background of welfare reform that is affecting young people. Progress must be underpinned by adequate housing supply and I am pleased that we are on track to meet both our affordable housing targets: to deliver 30,000 additional affordable homes by March 2016 and, within that, to deliver 20,000 houses for social rent.

We know that homelessness can be profoundly damaging to those starting out in life and the effects may last for years, but with the strong foundation of rights for young homeless people already established, I am confident that we can continue to make progress, working with local authorities, their partners and young people themselves to prevent homelessness and improve outcomes.

**The Convener:** Thank you. The 2012 commitment and the housing support duty have been positively received in general, but there are some remaining concerns for young people and, in particular, care leavers. During its evidence taking, the committee heard concerns about the use of the intentionality criteria. Citizens Advice Scotland also raised that point in evidence to the

Infrastructure and Capital Investment Committee, which recommended in its report that the Scottish Government investigate and report on the reasons why the number of those who are classed intentionally homeless has risen and whether the Government intends to take any action to encourage greater consistency.

How does the Scottish Government monitor the number of people who are classed as intentionally homeless?

**Margaret Burgess:** The intentionally homeless assessment is carried out by each local authority, which sends its returns to the Scottish Government. That is done regularly and is part of our standard statistical data collection. It is important to highlight that the number of people assessed as intentionally homeless is low. About one in 20 people who make applications are assessed as intentionally homeless. However, if someone is assessed as intentionally homeless that does not mean that no services are provided; they are provided with advice, support and temporary accommodation. In about a third of cases, the outcomes result in settled accommodation and the person maintains contact with the local authority.

We are in discussions with local authorities about any increases in the number of people who are assessed as intentionally homeless, although the number of such assessments is small, and to check that the assessments are consistently recorded. Local authorities are feeding back that, before the priority need test was removed, some applications were not assessed against intentionality because the priority need test was not satisfied, so the removal of the test might have increased the number.

We are looking at that, but I must stress that the number of people who are assessed as being intentionally homeless is small and such an assessment does not mean that no services are provided. We are in discussion with local authorities and we will look at the issue with the statistical monitoring group, which will review the assessments to ensure that they are recorded consistently. If there is an increase, that must be looked at, but the proportion of people who are assessed as intentionally homeless is very small.

**The Convener:** Thank you very much.

**John Mason:** We have heard mixed evidence. Young people who have been in care attended committee. Some had had good experiences, and there was quite a lot of positive comment about the fact that they could now return up to the age of 21, which was not previously the case. That seemed to be pretty positive, but my impression was that we were seeing more able young people who are quite able to fight their corners and who

have had good support from other organisations. What is your feeling about the general picture for young people who are leaving care? Is there room for improvement?

**Margaret Burgess:** There is always room for improvement in anything, anywhere, so I will not sit here and say that everything is absolutely sorted.

The picture for young people who are leaving care is improving. There is the Children and Young People (Scotland) Act 2014, and the Scottish Government has put in £5 million a year to allow young people up to the age of 21 to stay in foster care, kinship care or residential care. There is also additional support for people up to the age of 26 if support is required in some element of their life or in getting housing.

We are building good relationships between the Scottish welfare fund, housing departments and housing options services. Young people who are leaving care should not necessarily present as homeless. If co-ordination exists—it is coming together—there should be a planned programme into settled accommodation without their necessarily having to go through the homelessness route. That involves work with the Scottish welfare fund to ensure that the items that people require to set up a home are in place. There are very good examples of such practice, and we want to ensure that practice improves and is consistent across the country.

**John Mason:** I suppose that what young kids do in families varies; some do the washing and ironing, or cook and some do not, but there is a feeling that, traditionally at least, many young people in care did very little for themselves, so their being entirely on their own was a big jump for them. There is a feeling that support is needed as they move on.

**Margaret Burgess:** Interim support is often provided. Many young people in care now also receive support from third sector organisations for the very reasons that John Mason talked about. I have visited projects in which young people learn to go out and do the shopping, and then return and cook it. When they leave the table, the dishes are not miraculously washed; they have to participate in that. Young people find that to be a challenge to start with, but in some of the projects that I have visited I have seen them really getting into that, and I have seen their pride in being able to do that. Those are skills that many people take for granted, but those young people feel that those things will help them as they move on in life. They need such skills as well as employability support, which is also very important for young people. A wide range of things have to come together if we are to get it right.



**John Mason:** My next question, about housing options, is linked to that. I think that it was suggested that not all the staff who deal with young people are aware of all the housing options, so training is needed. Have you picked that up and can you comment on it?

**Margaret Burgess:** The housing options hubs, which the Scottish Government funds, meet regularly to discuss training and sharing of good practice. Currently, the guidance is being revamped; a new guidance manual on housing options is being produced.

All the approaches must be taken into account. The purpose of the housing options approach is to ensure that the people who deliver the service know all the options that are available in their area, and that if something cannot be provided from within the local authority third sector partners can provide the service.

The quarterly hub meetings, at which practitioners get together to discuss issues and share practice and experience, are helping. We recognise that the housing options approach is still fairly new. The Scottish Housing Regulator's thematic inquiry looked at training needs on housing options. The issue has been taken on board and it will form part of the new guidance.

09:45

**Jayne Baxter:** Good morning, minister. You mentioned guidance; I agree about the importance of consistency. How mandatory will the guidance be? That is almost a contradiction. Is it just guidance? Will it be made clear to local authorities that it is very important? How will we achieve consistency across Scotland? What about the use of enhanced housing options? Will that also be rolled out across Scotland?

**Margaret Burgess:** First, I say that there is strong will among those who work in the housing options hubs to provide the best possible service for people who present as homeless, and to ensure that people get the services that are available. The guidance is guidance, but we expect all the hubs to follow it. The approach has been agreed across the board, so when the regulator looks at homelessness services it will investigate how much attention has been paid to the guidance on housing options. We do not anticipate a problem.

The issue is to get it right and to achieve consistency. If there are any inconsistencies, they will emerge at the quarterly meetings when people from across the country get together to look at the issues, which would include the enhanced housing options service that Jayne Baxter mentioned.

The housing options approach is a continuous process; it is about continuous improvement and innovation. Where something good is happening, that can be looked at. Some things might work well in one area but might not be right for another area, so flexibility must be built into the system. If something is happening that produces good outcomes for homeless people and for young homeless people, we want that approach to be developed in other areas. I would certainly ask questions if something that produced good outcomes in one place was not happening where it would fit with what is required in an area. We want good practice in one place to be adopted elsewhere.

**The Convener:** We have heard that the housing options approach is limited by housing stock. How will the Scottish Government address the lack of suitable housing?

**Margaret Burgess:** As I said in my introductory remarks, the Scottish Government has a target of building, during this session of Parliament, 30,000 affordable homes, 20,000 of which will be for social rent. We have ended the right to buy and we have introduced regulation of the private sector in order to make it available to people for whom it is the right option. We are looking at getting finance to build houses at scale in the private sector and we have funded a new private rented sector champion to try to grow the sector. We are also looking at the creation of a new tenancy to give tenants more protection.

We are doing everything that we can within the resources that we have. We are building more houses for affordable rent than any previous Administration built, and we are trying to get them built at scale by using the money to attract more money and get the best investment. There are several examples of how we can do that—one being the national housing trust. People might move from a social rented house to a national housing trust house or to one that is bought through our LIFT—low-cost initiative for first-time buyers—schemes, which would leave the social rented house available for someone else. We are doing everything that we can with the available funding, but we accept that there must be supply in order to provide people with houses.

**John Mason:** Shelter raised the issue of isolation, which, as you said, the committee will look at in its next inquiry. There is obviously an overlap, because some young people—not only those who are coming out of care but young people in various situations—find themselves isolated. The suggestion is that shared tenancies might be a way forward—they can obviously help to deal with isolation. They also help young people to share costs, so they could have advantages. What is your view of shared tenancies?

**Margaret Burgess:** There is no one-size-fits-all approach. A range of options exist, and a number of organisations—some of which are funded by the Scottish Government and some of which are not—are looking at shared tenancies. They are a solution for some people.

I visited one project in Fife to which young people who have been homeless go and are given accommodation. The idea there is to match people, to find out whether they can get on together and to find out whether they might be able to take on a shared tenancy. The project lets young people get to know one another and find out how they get on. We cannot just put two people who do not know each other in a house together. We have to ensure that they can get on and work together. We need to know what they are good at—for example, one of them might be able to cook and the other might be able to wash up. That project was really interesting, and I have visited several other projects on shared tenancies, which enable people to find out whether they get on before they are in a house, thereby avoiding their finding out further down the road that things are not working.

Shared tenancies are a way forward for a number of people and for a variety of reasons. Isolation should never be ignored; isolation in a home can cause as many problems for a young person as other issues. Young people need social networks, which is why we fund a social network co-ordinator. There is recognition of the problem. Marion—did you tell me that the Rock Trust is doing work in this area?

**Marion Gibbs (Scottish Government):** The Rock Trust has the national co-ordinator of social networks. The aim is to develop that area. The post has been funded for a number of years. There is recognition of the fact that when people are given a tenancy, a lot of work needs to be done to ensure that it is sustainable.

**John Mason:** You have dealt with some of the follow-up points that I was going to make, but I will make them anyway. I had a young constituent who was a student and who could not stay with the family, although he still had a good relationship with them. He got put in with someone who had a totally chaotic lifestyle and they could not agree on how to pay for the electricity or anything else. It was quite difficult for him to change the person he was sharing with—he was still happy to share with someone. I had to get involved. It should not be necessary for an MSP to get involved in a young person getting a better tenancy. Eventually, the situation was sorted out.

Looking back, when I left home at 21, I shared accommodation until I was about 33. It used to be quite common, although maybe that is changing a bit now. I certainly think that shared tenancies are

worth considering, and I appreciate your comments. Is that an area in which improvements could be made? Could some landlords be more flexible?

**Margaret Burgess:** It is an area that we can look at and in which improvements can be made. However, there are problems that we must acknowledge, which is why I think the support projects are good. Many of the people concerned have problems that mean that putting them in shared tenancies is not straightforward. We need to give them an initial opportunity. It can take two or three months—in some cases, it might take longer—to be able to determine whether two people could share a tenancy. We need in place systems for when things do not work out. A shared tenancy might work out to start with, but we all know that something that looks good from one side of the fence might not look as good from the other side of the fence. A situation might not be as simple as we think.

Opportunities might exist to consider how shared tenancies could be arranged, but it is still necessary to have people who want to give it a go, who can work with each other and who are happy with that. Shared tenancies should not be forced on anyone. People must want to enter a shared tenancy and must be given the opportunity to understand what is involved. Although a person might not want to live alone, it is not always that easy to share accommodation, which involves compromise and so on. Introductory projects are an excellent way of ironing out difficulties before a tenancy is signed up to.

**John Mason:** Finally, I will touch on the slightly different subject of data collection and homelessness. My impression is that there is a bit of inconsistency in that area. Can the Scottish Government encourage or establish improvements in collection of data, especially by councils?

I have a specific example. A person came to me—I think that you met the person yourself, minister—and said that people who were sofa surfing and would not give information on where they were staying to Glasgow City Council, in this case, were being left out of the statistics because they would not fill in all the boxes.

**Margaret Burgess:** Marion Gibbs will talk about the statistics in a moment. Collecting statistics on homelessness has been mandatory for a considerable time and collection is relatively consistent across local authority areas. We have recently introduced the PREVENT1 specification, which focuses on the options and places that people are given and the outcomes for people who present as homeless. Scottish Government statisticians meet regularly with the people in local authorities who collect and input the data, in order

to ensure that everybody is doing it correctly and effectively.

On the point about sofa surfing, such people would not necessarily be left out of the statistics because they would still present as homeless. There are many other issues at play in the specific case that you mentioned.

The statistics are pretty good and fairly accurate, but we are still seeking to improve them. We are discussing with chief housing officers whether another mandatory field should be added to tell us the length of time for which people are placed in temporary accommodation.

Marion Gibbs can say a bit more about sofa surfing.

**Marion Gibbs:** It is important to say that everyone who presents as homeless should feature in the statistics, irrespective of what happens to their case subsequently. I am aware of the complexities of the case to which John Mason referred, and I know that the minister is, too. I am not saying that 100 per cent of people will get into the statistics, because systems work in different ways in different places, but the mechanism is there.

To back up what the minister said, I stress that we have comprehensive statistics collection on homelessness, which means that we can find out an awful lot about homeless people. That is a real benefit when we are seeking to develop interventions, particularly in terms of prevention, because we can look at the reasons why people present as homeless and think about what we can do to move our work on.

The key element that we have introduced addresses a gap in collection of statistics that the Scottish Housing Regulator picked up. With the move to the housing options approach, people may not make a homelessness application and may not feature in the homelessness statistics. The new specification, PREVENT1, is aimed at collecting information on what happens through the housing options approach. We can then trace the route that a person takes and see whether their application becomes a homelessness application at some point, or whether that is preventable.

We are beginning to build up a comprehensive picture not only of homelessness, for which information has been in place for more than 10 years, but of the housing options activity in local authorities, which is really useful. The first statistics on housing options cover six months and were published in January this year. That is our first publication, so we cannot give too much detail at present, because the statistics are experimental—as statisticians put it—at this stage.

However, we will soon be able to trace trends and see where we need to focus our activity.

We have an awful lot of good material, and we are now adapting to the new world of housing options, so we are building up a comprehensive picture.

**Sandra White:** Good morning, minister. In your opening remarks, you mentioned the effect of welfare reforms—specifically, the introduction of the bedroom tax and the change in eligibility for the accommodation allowance from 25 to 35 years old. What is the Government doing to mitigate the effects of those on young homeless people and their ability to get accommodation?

Another issue that has been raised in reports, in particular by Citizens Advice Scotland, is just how much young people have to go through to find out what benefits are available to them.

10:00

**Margaret Burgess:** I will start with your last point. The benefits system is quite a maze for anyone, and in particular for young people, who may not have experienced it before and may find it very difficult.

The benefits system remains reserved, so we try to ensure that young people get the services that they should get. Part of the work of some of the projects that deal with young homeless people is about getting them into the benefits system, helping them to complete their applications and ensuring that they get everything to which they are entitled.

We know that young people are disproportionately sanctioned. Young people form only 20 per cent of the total of those claiming jobseekers allowance, but more than 40 per cent of them receive sanctions. We are aware of that, and we have changed our Scottish welfare fund guidance to ensure that people who are sanctioned are not excluded from the scope of the fund.

We have fully mitigated the impact of the bedroom tax in the social sector, and we will continue to do so. On the shared accommodation allowance, we want to ensure that when young people take on a property, they know what is available and how much housing benefit they are entitled to. They can still claim the discretionary housing payment, which is not connected to the bedroom tax but covers a number of things.

Those are the ways in which we assist people to get through the system. There are a number of things that we can do, but we must bear in mind that there is a limit, because welfare is still reserved. Our work is aimed at helping and supporting people to get the benefits to which they

are entitled, by helping them to get their application forms in, by challenging sanctions where possible and by helping them to access the Scottish welfare fund.

That is what we are currently doing, and as we take on any new powers we can look at what more support we can give young people, particularly with regard to employability, because we all want young people to have a bright future and to be able to access employment.

**Sandra White:** The reforms seem to be a double whammy. There is the bedroom tax, and there is the lack of one-bedroom flats and the change in eligibility for the accommodation allowance, which hits 25-year-olds.

I thank you for your reply regarding discretionary housing payments. There is a knock-on effect when we look at getting young people into education and employment. South Lanarkshire Council and others have commented on the education maintenance allowance. The council said that we could look at EMA as a way of giving young people more money so that they would not have to apply for discretionary housing payments. What are your thoughts on that?

**Margaret Burgess:** I am not quite sure about the angle that you are taking. You talk about young people getting more money but not applying for discretionary housing payments. If someone is in receipt of housing benefit, the level that they get depends on their income, so if they had more money, that would constitute more income. I am perhaps missing the point that the council was making.

Some students in full-time education are not necessarily eligible for housing benefit under the rules. We want to ensure that people who are in school and are eligible get the education maintenance allowance, and that, if they go to college and are eligible for a bursary, they can claim it easily. Although that area is not in my portfolio, I think that college students can claim a bursary of up to £93 a week.

If people are having difficulty accessing bursaries, the housing options team can look at and discuss that. If people who present as homeless want to go to college but do not find it easy to access the grants that are available, we will look at that.

I have visited a number of projects. At the last one that I visited, a project worker and a young person were going through the bursary application and making sure that forms for all the benefits were filled in. However, I accept that not every young person is getting support from such projects. We can certainly look at the area and discuss with our education colleagues whether

there is an issue with people accessing the funding that is available.

**Sandra White:** I understand that education is not part of your brief, but the issue came up in replies on the EMA.

You have mentioned the sharing of information. Some concerns have been raised around information about the community care grant, which is now part of the Scottish welfare fund, not being shared across the board. Can improvements be made to the sharing of information on the Scottish welfare fund and its application to younger people?

**Margaret Burgess:** We can always improve. If there is good practice out there, we can look at that. There have been improvements since the Scottish welfare fund was introduced, but we can certainly look at the area again. The issue has come up at the practitioners working group. A Convention of Scottish Local Authorities development worker is funded through the Scottish welfare fund to talk to local authorities and practitioners and to share best practice to make sure that young people are accessing the fund.

The figures for the past 18 months show that at least 1,000 young homeless people have received community care grants for a new tenancy, although more than that have had community care grants and crisis grants. We want to encourage that.

The working relationships between the housing options teams, the homeless teams and the Scottish welfare fund teams need to be seamless. An application can be made eight weeks prior to the date of the tenancy starting, which gives a young person who is moving into a new tenancy the opportunity to get the goods or whatever they require.

We are improving. Communication networks in a local authority area should be able to deliver such seamless services.

**Jayne Baxter:** I return to the Children and Young People (Scotland) Act 2014. Part 9, which is about corporate parenting, says that all corporate parents, including housing departments, should understand the needs of looked-after young people and care leavers. What has been happening to date with the implementation of part 9, and what is planned for the future?

**Margaret Burgess:** The Government is looking at developing a child impact assessment model across all portfolios. In general, that will mean that, in any policy decision, children's needs will have to be considered.

I will take your question about part 9 back with me and write to the committee once I have

contacted the Minister for Children and Young People.

**Jayne Baxter:** I have always been interested in the role of getting it right for every child. I appreciate that GIRFEC is not within your brief but I have often thought that housing should play a much bigger part. Local GIRFEC groups do not seem to include housing, although they talk about all other aspects of a child's life and circumstances. In my view, housing is not always sufficiently appreciated or accommodated in the GIRFEC framework. It is just my opinion, but could the need for a safe and sustainable home be made more important within the GIRFEC context?

**Margaret Burgess:** Housing could be part of the preventative approach that GIRFEC takes to ensure that every child has the best start in life, in education and in every other aspect, to help them to join the adult world.

The named person provisions will be very useful in that respect. If someone is there who can identify that a child faces homelessness or another housing issue, that can be dealt with at a very early stage.

I do not think that there are many aspects of anyone's life in which housing does not play a central role. You referred to a sustainable home, and that provides critical security for a child. The 2014 act will help, but I can certainly discuss with the Minister for Children and Young People whether there is anything further that we can do to make the housing aspect more prominent.

Packs are being produced for schools about housing and what children should expect from a home, but there is more that we can do in the area. We can certainly look at that, because if a child's house is not right, we are not getting it right for every child.

**John Finnie:** Good morning, minister. If I noted this correctly, you said that mediation is a key issue in relationship breakdown. Given the financial climate in which everyone is operating, what are the challenges that the statutory and third sectors face in delivering services such as mediation? What priority would you give those services?

**Margaret Burgess:** A priority is placed on mediation, which is why, through the third sector early intervention fund, we have extended funding to the Cyrenians. The last time that I said that name, Sandra White thought that I was talking about Syrians because I did not pronounce it properly. We fund the Cyrenians for its work through the Scottish centre for conflict resolution. We hope that we can learn from and develop that model of mediation.

A number of other organisations that get funding from the housing voluntary grant scheme and other Scottish Government services are also looking at mediation. I understand that there are pressures on all publicly funded organisations, including those in the third sector. However, we did not cut funding for the housing voluntary grant scheme, which got £2.3 million this year and last year. We recognise the valuable work that the scheme does. We will learn from the centre for conflict resolution project for which we are funding the Cyrenians, and we will assess how much further we can roll out that work.

**John Finnie:** Thank you. That is reassuring. How can you ensure that young people will have access to high-quality mediation services via the work that you have mentioned?

**Margaret Burgess:** That is covered by the housing options approach and the code. The housing professionals who work with the housing options teams look at the circumstances in which mediation might be appropriate. If mediation is appropriate, we need to ensure that mediators who are trained to deliver that service are involved. That is what we are looking at. I have not had any feedback that that mediation is not happening. If people were not getting access to mediation, or if mediators were not properly trained or skilled, I would take that on board. However, I have had no indication that that is the case.

**John Finnie:** I know from my experience as a councillor that mediation is often offered to people when it is wholly inappropriate. Has guidance been prepared on that? I think that you have acknowledged that mediation is not always appropriate.

**Margaret Burgess:** The guidance is quite clear that mediation is not appropriate for everybody. It will be obvious in some circumstances that mediation is not appropriate, but there will be other circumstances in which mediation should be looked at and discussed with the young person concerned, because it cannot happen without their agreement. Mediation must always be a two-way thing; it cannot be forced on someone. The guidance and training are being ramped up to ensure that mediation is offered or discussed only when appropriate. We accept that it is not appropriate for every case.

**John Finnie:** Thank you. That is reassuring.

10:15

**Christian Allard:** Good morning, minister. I have three questions. First, in its evidence, Dundee City Council referred to the use of befrienders and volunteers and said that they are used not to replace paid officers but to work

alongside them. For example, befrienders or volunteers go with clients to appointments so that the clients have someone to chat to. What does the Scottish Government think about that approach?

**Margaret Burgess:** My view has always been that there is a role for volunteers if that role is clear and if it does not take over a function that a local authority or other organisation should provide. I have visited a number of projects in which people are trained to be befrienders and are matched with someone. Sometimes, befriending is just about accompanying a person to claim a benefit if the person does not have the confidence to go on their own.

I would not rule out anything that would assist a young person to take a further step, even if it was just a small one. If it could help, why would I consider ruling it out? I am in favour of anything that helps people along the route. However, I am not suggesting that everything should be done through the use of volunteers. I have a background in the voluntary sector and I have great respect for volunteers—I know about their training, skills and dedication. It is not straightforward for someone to volunteer as a befriender, because training is involved—they must go through lots of things to become a befriender. However, there is a place for befrienders in helping young people to move on even just a wee step.

**Christian Allard:** Provision looks patchy among local authorities. Dundee City Council's idea is that third sector volunteers and paid officers should not work in silos but should work in partnership. Do you favour that approach?

**Margaret Burgess:** A partnership approach always works better. A partnership between the third sector, the local authority and the service user will always have a better outcome. I absolutely support such partnerships.

**Christian Allard:** On housing options, in evidence we have heard a lot about inappropriate temporary accommodation and whether bed-and-breakfast accommodation should be acceptable. For example, Who Cares? Scotland said that it is not appropriate for young homeless people to be accommodated with older men and women in bed-and-breakfast accommodation. You have said that we should not force shared tenancies on young people, but bed-and-breakfast accommodation is a kind of shared tenancy.

I checked on the situation in Aberdeenshire Council and was surprised to find that, even though the numbers had reduced, in the previous financial year as many as 165 people aged 24 or under were sometimes in bed-and-breakfast accommodation.

What is your view? Should bed-and-breakfast accommodation still be a housing option for young homeless people? What can we do to ensure that young people are not placed in inappropriate temporary accommodation?

**Margaret Burgess:** When a local authority is placing anyone in accommodation, it is up to it to look at the accommodation that is available in its area and the suitability of that accommodation for the person. The local authority has to make that decision. However, nobody should be placed in inappropriate accommodation. I cannot say that all bed-and-breakfast accommodation is inappropriate if the local authority's other temporary accommodation is at capacity. However, accommodation should be appropriate to the needs of the individual. The housing options approach is about looking at the individual and what is appropriate for their needs and for how long. As Marion Gibbs said, we will have a better understanding of how long people have been placed in temporary accommodation. What might be suitable for a very short period would not be suitable for a longer period.

Young people who are in bed-and-breakfast accommodation should still be receiving support—I do not know whether you checked that. Young people still require support, whether that is support through social networks or support to claim benefits. If support has been identified as being required for a person, it should still be with them in such accommodation. Local authorities have a legal duty to provide support that is deemed necessary and appropriate, and most young people come into that category.

**Christian Allard:** The evidence that we received was that bed-and-breakfast accommodation is not suitable because there are already older people living in it, and there is no support at all with soft skills and so on. The evidence was quite strong.

**Margaret Burgess:** Certain support would not necessarily be provided in someone's house, but they would still be connected to or matched up with a support agency in the area if they had been identified as requiring support.

**Christian Allard:** My final question goes back to Jayne Baxter's points about the getting it right for every child approach. I know that that is not in your remit, but the approach can help young homeless people. In evidence, the Care Inspectorate said that GIRFEC provides

"a strong emphasis on early intervention",

but

"a number of services that prevent young people being homeless often come under adult protection".

I am happy to hear that you are going to speak with the Minister for Children and Young People but, although everybody who spoke to us recognised GIRFEC as an opportunity, the evidence was that there is no proof of how it helps younger people who end up homeless.

**Margaret Burgess:** I go back to the remarks that I made to Jayne Baxter. Changes have come in. The 2014 act puts additional responsibilities on corporate parents—local authorities—and introduces the named person, who will be able to make a more holistic assessment of children that brings together all their needs, including in education, housing and public health. They will consider what support is required and ensure that the support agencies follow the young person as long as they require support. Also, the Scottish Government is considering developing a child impact assessment model across all parts of Government, which will help to ensure that we get it right for every child.

**Christian Allard:** Do you agree that it is a bit too early to say?

**Margaret Burgess:** At this stage, with the 2014 act, we are just moving there.

**The Convener:** As there are no further questions, I thank the minister for coming and for answering our questions.

That concludes the public part of the meeting. Our next meeting will take place on Thursday 19 February.

10:24

*Meeting continued in private until 10:53.*





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