Supporting Homeless People:

Implementing the housing support duty

Report to Shelter Scotland

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Shelter Scotland

<p style="text-align:center">**SUMMARY OF REPORT TO SHELTER SCOTLAND**</p>

<p style="text-align:center">***SUPPORTING HOMELESS PEOPLE***</p>

Introduction to the study

This study focused on the implications of the new statutory requirement on local authorities[1] to assess the housing support needs of homeless applicants who are unintentionally homeless, or threatened with homelessness, and who are in priority need. The local authority "needs to ensure that housing support services are provided to those assessed as being in need"[2] and to assess whether "any other person residing with the applicant, needs prescribed housing support services"[3].

The research was carried out by Ann Rosengard Associates between October and December 2011 and so it preceded the three month consultation exercise on what any regulations might contain which started in January 2012. The research involved a literature review and an interview programme covering representatives of national organisations and homelessness managers in 10 Scottish local authorities[4] in urban and rural areas. The interviews invited comment on aspects of the new duty and on what would assist successful implementation.

Key Findings

Housing support is a well established area of practice and local authorities already have in place processes and mechanisms for assessment and delivery. This duty recognises this but aims to ensure consistency of access and that all homeless people or those at risk of homelessness get the housing support they need to help them to sustain their accommodation. The delivery of good housing support must be person-centred and tailored to the individual needs of the household which means that whatever regulations or guidance are brought in must allow for flexibility to achieve the best possible outcomes.

- This research shows that practitioners would find it useful to have guidance to accompany the housing support duty.
- Considering the need for local authorities to exercise direction and flexibility, it could be that detailed guidance would be a better tool than statutory regulations which may be complex and too prescriptive, given that the primary legislation already sets clear parameters.

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[1] under section 32B of The Housing (Scotland) Act 1987 as inserted by The Housing (Scotland) Act 2010 section 158
[2] s.158(1) Housing Scotland Act 2010
[3] s.158(2) Housing Scotland Act 2010
[4] Two local authorities were consulted in each of the five regional local authority Hubs.

- This guidance should clarify best practice in relation to some of the issues listed below and allow for continued flexibility for local authorities in the assessment and delivery of housing support.
- This research has highlighted a number of areas which should be addressed in guidance (or regulations):
    o The definition of housing support in relation to this duty
    o The time period for which housing support should be provided and which allows for flexibility
    o The discharge of duty in relation to: those already receiving support; those who fail to engage with support and those who lose their accommodation along with their housing support e.g. supported accommodation
    o How local authorities should identify those to whom the duty applies and how to interpret the phrase 'reason to believe' in the legislation
    o How the duty applies to the assessment of housing support needs and to provision in respect of the whole household
    o How this duty will impact if there has already been a housing support assessment carried out before the homelessness assessment
    o How this duty will impact on services being supplied by other departments or organisations
    o Where this duty fits in for those who require long-term and continuing housing support and those who have multiple support needs.

In addition to the above pointers there are a number of other recommendations to be drawn from this research:

- The definition in the guidance and/or regulations accompanying the duty should be sufficiently broad to meet a wide range of needs, encompassing other homelessness prevention activities and housing options advice and information.

- The guidance should empower local authority staff to continue to use their judgement and discretion to provide the housing support that will help each household to stay in accommodation and avoid repeat homelessness. This means that the period for which support is provided should be tailored to each situation. Also where existing support is in place a judgement should be made as to whether there are additional needs and how services and departments co-ordinate delivery.

- When housing support is assessed to be necessary, it should be provided as quickly as is practicable, but more important than a set timeframe is the principle that support is dovetailed with the provision of accommodation so people do not find themselves with one but not the other.

- Where a person refuses to engage with either the assessment process or the support provided, an inquiry should be made into whether the right type of support is being provided, or any underlying reasons for a failure to engage, before duty is discharged. Equally, where a household has lost their accommodation, the local authority should investigate the contributing factors and make a judgement on continuing to provide housing support.

- To ease the transition from current housing support systems to fulfilling this new duty, local authorities should undertake a series of discussions with budget holders, commissioners and other departments to ensure 'readiness' for implementation. This could include a training needs analysis for delivery staff and for advice and information staff/services.

- The Scottish Government should undertake an assessment of current monitoring/recording of support provision to ensure that current systems can accurately monitor key outcome measures of the new duty.

- An evaluation of the effectiveness of the housing support duty should be carried out after two years to get an accurate picture of the cost of implementation and the outcomes for homeless people.

SUPPORTING HOMELESS PEOPLE

CONTENTS

Chapter One - History and Context of the Duty

1.1.   Introduction

(1) The study and its focus

This project, 'Supporting Homeless People', is one strand of Shelter Scotland's 'Making 2012 Happen' programme that involves research, information analysis and policy development. The programme has aimed to address key implications of the Scottish Government's policy commitment to ensure that all unintentionally homeless people are entitled to permanent accommodation by the end of 2012.

This report presents the findings of a study that reviewed the implications of the new statutory requirement on local authorities under section 32B of The Housing (Scotland) Act 1987 as inserted by The Housing (Scotland) Act 2010 section 158. The duty requires local authorities to assess the housing support needs of homeless applicants who are unintentionally homeless, or threatened with homelessness, and who are in priority need, and the local authority "needs to ensure that housing support services are provided to those assessed as being in need of them" [5]. Beyond this the duty requires that the local authority must assess whether "any other person residing with the applicant" needs prescribed housing support services[6].

(2) The background to the new duty

The amendment that inserted the duty within the Housing (Scotland) Act 2010 was the outcome of an active campaign for the housing support duty and associated rights. The thrust of the campaign stressed the need for equity of access to housing support for homeless people and a more consistent approach, to improve the response to support needs, increase the sustainability of housing options within the community and prevent repeat homelessness. During the debate that surrounded the progress of the amendment, concerns were voiced about the implications of the new duty, and particularly that this might place additional demands on local authorities at a time of resource constraints. Another concern was that legal provision could create perverse incentives[7] by increasing use of the homelessness route and/or diverting resources from other needs.

What was never in question during the debate was the value of housing support services in promoting sustainable ordinary living, working in partnership with other social care and health services as required. While there had been massive growth of housing support

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[5] s.158(1) Housing (Scotland) Act 2010, Section 158 - housing support for persons found to be homeless or threatened with homelessness, amends s.32A of the Housing (Scotland) Act 1987
[6] S.158(2) Housing (Scotland) Act 2010
[7] Scottish Government - Cosla Working Group report, 2010.

services for homeless people, initially from 1999 when transitional housing benefit funded enhanced housing support. This was followed by the Supporting People funded programme from 2003 until 2008 when ring-fenced funding to local authorities terminated. Since then the benefits of housing support have been identified through a variety of research and reviews of the Supporting People programme in England and Scotland[8]. Importantly, Scottish Government guidance has increasingly stressed that housing support is key to resolving homelessness and prevention of repeat homelessness.[9] Additionally it recognises that housing support can be delivered by a range of services including by local authorities, registered social landlords (RSL) or voluntary or private sector providers, with external providers often commissioning services to deliver these following a commissioning process and under a service level agreement.

It appears from the Scottish Government's homelessness statistics that in advance of the duty support needs were being assessed increasingly by local authorities. By the year 2010-2011, of all homelessness applications assessed in that year, 34% (14,005) of the 41,533 applicants had been identified as having one or more support needs (38% of those assessed as being in priority need and unintentionally homeless)[10].

1.2.   Housing Support Regulations and related consultation

The Commencement Order for the Housing Support duty (section 158) of the 2010 Act was issued on 20 September 2011 and came into force on 7th October 2011[11]. Initially the Order was for the limited purpose of enabling consultation by the Scottish Ministers in terms of section 32B(7) of the Housing (Scotland) Act 1987.

Under the 2010 Act, housing support services are defined as:

"any service which provides support, assistance, advice or counselling to an individual with particular needs with a view to enabling that individual to occupy, or to continue to

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[8] Cameron, A. (2010) "The contribution of housing support workers to joined up services" , *Journal of Interprofessional Care*, Vol. 24, No.1, pp. 100–10; Civic Policy Consulting Research Report (2008) *Research into the effectiveness of floating support services for the Supporting People programme: Final Report*. Civic Policy Consulting Research for Department of Communities and Local Government. April 2008; Morris, J. (1995). *Housing and floating support: A review*. York: Joseph Rowntree Foundation; Scottish Government (2008) *Towards 2012: Homelessness Support Projects, Homelessness Support Project*. Report to COSLA, ALACHO and Scottish Government April 2008 (Ch.4) http://www.scotland.gov.uk/Publications/2008/03/27152416/5.

[9] The Code of Guidance on Homelessness (2005) states in regard to prevention that 'solutions to homelessness should be based on a thorough assessment of the household's needs, including support needs.' The Guidance on the Prevention of Homelessness requires councils to take a proactive, early intervention approach, stating that 'homelessness prevention activity should focus on providing sustainable housing outcomes based on person-centred assessment and planning measures'. Quoted in Shelter Scotland Briefing: Access to support to prevent homelessness http://scotland.shelter.org.uk/__data/assets/pdf_file/0005/253445/Access_to_support_-_Shelter.pdf

[10] Scottish Government homelessness statistics: Operation of the Homeless Persons legislation in Scotland: national and local authority analyses 2010-11; Scottish Government Edinburgh

[11] The amendment was commenced some 10 months after the 2010 Act had received Royal Ascent (9 December 2010) which enforced other sections (161, 163, 165 to 167)

occupy, residential accommodation as the individual's sole or main residence". (Section 158, subsection 9)

Prescribed housing support services may be specified by the Scottish Government in draft regulations that will set the terms for implementing the duty. A three month consultation period on what may be included in regulations started in January 2012.

1.3.   The study and the report

As the duty has now been passed into legislation, and being aware of ongoing change and development in housing support services, Shelter Scotland considered it timely to assess national and local stakeholders' current views on the duty and its implementation. This study was carried out between October and December 2011; it included a literature review on the context of the duty and an interview programme involving consultation with:

- representatives of a range of stakeholders in the national context of policy and provision, including from within Scottish Government, representative bodies of local authorities and support service providers; 10 interviews were conducted, some of which involved two or more participants.

- homelessness service managers in 10 Scottish local authorities, covering two local authorities in each of the five regional local authority Hubs.[12] The Hubs' remit is to promote a housing options approach and to focus on homelessness prevention by sharing best practice, joint training and commissioning research.

The rationale for sampling two local authorities in each of the local authority Hub areas was to ensure geographic coverage as well as to take account of the Hubs' role in addressing homelessness. In part the study design required a focus on threatened homelessness and although its brief did not focus specifically on homelessness prevention, it was considered important to address the links between housing support for homeless people and the Hubs' focus on prevention.

It is intended that the research findings will be of interest to local authorities and other stakeholders as well as inform Shelter Scotland's response to the regulations. The remaining structure of the Report is as follows:

- In Chapter Two we report on the views on the new duty and the regulations.

- Chapter Three focuses on assessment and sustainability, considering pre-duty developments in housing support assessment and provision, including in respect of challenges in addressing multiple and complex needs. It also considers the import of parallel developments in support for implementation.

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[12] Five regional local authority Housing Options "Hubs" were established in Autumn 2010 to share knowledge and learning across different local authorities. Amongst their wider interest in housing options approaches, the Hubs have an interest in the prevention of homelessness.

- Chapter Four focuses on perceived enablers and barriers in relation to implementation of the duty
- Chapter Five covers recommendations.

Chapter Two - Interviewees' views on the Duty and imminent Regulations

2.1. Introduction

The interview programme with national and local stakeholders invited comment on both the new duty and its implications and on what they would find helpful to successful implementation both within (and of) the regulations. Three key themes were explored in relation to the and implementation of the duty - namely, the scope of the definition of housing support services and its implications; the time-frame or period of housing support provision and the issue of when the duty might be considered to be discharged. The first two of the three themes were defined at the start of the study, while the third emerged as an issue throughout the programme.

2.2. Interviewees comments on the new duty

There was variable appreciation and differing perceptions of the new duty amongst those consulted. Some interviewees were familiar with the earlier debate that accompanied its passage; others felt unable to *"comment on the detail of the new duty, nor on the position across local authority areas",* as one national interviewee said.

Although some national interviewees had not supported the amendment to insert the new duty in 2010 - largely so because of resource implications and a view that not all homeless people need housing support - there was a broad 'in principle' agreement about the critical need for systematic assessment of housing support needs and for the provision of housing support to meet these for homeless applicants. A national interviewee (representative agency) commented: *"I think local authorities broadly agree with the aim underpinning the legislation … by and large they engage with the spirit of 2012".* However one national interviewee expressed surprise on two fronts: that homeless applicants were not routinely provided with a housing support assessment and that some local authorities may object to the duty. They enquired, *"might assessments be provided then ignored if support was required?"*.

The distinctiveness of the duty was highlighted by one national interviewee, who described it as "*ground breaking".* They compared it with the community care legislation, *"where there is no clear duty to provide services even when someone has been assessed as requiring these. …. Seldom does legislation say you will provide".* In their view some local authorities may find this obligation challenging.

Amongst the national support service providers who worked with homeless people and groups with particular needs, there was broad support for the new duty and its associated rights. They largely saw the duty as a means of increasing access to housing support to help people resettle positively and to prevent homelessness crises and repeat homelessness. One said, *"It is vital that there is a right to have a needs assessment".*

However an area of concern for some interviewees centred on the cost implications of the duty and the resources required for implementation. An interviewee from a representative agency commented that the Homelessness Task Force had considered the costs of implementing the duty as difficult to gauge - like *"writing a blank cheque",* and another national interviewee commented, *"… the main issue is the whole question of resources associated with the extra duty".*   However while resource uncertainties were also mentioned by local authorities, some described how they were preparing to implement the new duty. And one national stakeholder (a representative agency) commented:

"You know, local authorities are essentially pragmatic and they will move forward on this. The duty is essentially a humane addition to the legislation - centred on support to enable disadvantaged people to sustain tenancies. We know what happens when young people, for example, or other vulnerable people, are housed without support … it can end up with them surrounded by four walls … like being in prison"

Amongst the local authority homelessness service managers consulted, even those who spoke of their earlier reservations during the passage of the Act, stressed their support for the duty "in principle". However most had questions and issues to raise and were keen to see what the draft regulations would bring - a gearing up alongside a 'wait and see' perspective. A number of those consulted said they were yet to consider in detail the implications of the legislative duty.

There was a broad agreement amongst interviewees that over the past decade there have been many positive developments in housing support services, including in the range of models and the expansion of pro-active outreach services, which were seen as key to prevention. However positive views were coupled with some concerns often discussed in terms of resource issues, which are defined in this report to cover the financial, organisational and staffing capacity for assessment and support.

In late 2011 Scottish Government consultees were involved in drafting the regulations and gearing towards the consultation on these. Actively liaising with the local authority Hubs they considered that these provided an important focus for local authorities' homelessness services to exchange information about local developments in homelessness and housing support strategies and good practice. Although it appeared that local authority Hubs had

not focused specifically on the new duty, several interviewees saw the potential for the Hubs to play a role in regard to implementing the duty, alongside their primary focus on preventing homelessness and the housing options approach.[13]

2.3. Views on the Regulations

The amendment to the Housing (Scotland) Act 1987 that contains the housing support duty allows the Scottish Government to make regulations regarding further provision in relation to the prescribed housing support services which local authorities have to provide to those who are assessed as homeless or threatened with homelessness and who require them.

As stated, the Scottish Government issued their consultation document on the regulations in January 2012, allowing three months for responses. The consultation is "seeking views and proposals on making regulations". The Scottish Government outlined a three stage approach before implementing the new duty which consists of: the first consultation exercise; drafting regulations and consulting on those, and putting the regulations to the Scottish Parliament for debate and approval.

The first consultation exercise initially seeks views on whether or not there is a need for regulations before implementing the duty. In relation to any regulations the Scottish Government is seeking views on the following.

- If the types of inquiries local authorities must carry out in determining the housing support required should be prescribed and if so what inquiries?
- If matters to which local authorities must have regard in carrying out the assessment should be specified and if so what matters?
- If the housing support services for which an applicant is to be assessed should be prescribed and if so what should and/or should not be covered?
- If the period for which housing support services are provided should be specified and if so what the prescribed period of provision should be?
- If matters to which a local authority is to have regard to when ensuring provision of housing support services should be specified and if so what matters?
- If different provision for different purposes and different areas should be made and if so what these provisions, purposes and/or areas should be?
- If there are any other matters relating to the provision of housing support services by local authorities which should be considered?

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[13] While the intent was for the research team to attend Hub meetings, this proved not to be possible in the time-frame of the study.

As part of the consultation, respondents are asked to detail the likely business impact of their proposals and to provide any comments they have on (a) the equalities impact of the proposals and (b) their draft Equalities Impact Assessment.

While our investigation took place prior to the consultation document being issued, some uncertainties and concerns were expressed by interviewees about some operational implications of the new duty, and these will be considered in this and later chapters. Emerging from discussion of these areas of uncertainty was a clear view that beyond the regulations, guidance would be helpful to avoid wide-ranging interpretation and discretion in regard to the regulations. Several interviewees thought that the regulations could usefully provide more detail on or clarify certain areas, and one national interviewee remarked, "It needs to be clear what the housing support criteria are so you don't end up with 32 different methods; there needs to be confidence in the assessment". It was suggested that complex needs and issues would be best addressed through guidance. Additionally it was suggested that the Code of Guidance on Homelessness could be usefully updated to take account of the new duty.

(1) Defining housing support - detail or generality

The definition of housing support in the 2010 Act Section 158 is similar to that contained within the 2001 Housing (Scotland) Act although the 2002 regulations defined housing support in terms of specific tasks[14]. There was keen interest amongst our consultees in what the regulations and associated consultation would have to say on the definition beyond that stated in the legislation.

Some divergence of views emerged on the issue of definition and particularly regarding preferences for specificity and clarity, or generality of, definition. It should be noted that divides on this front were reflected in both national and local perspectives. Some national and local interviewees considered aspects of the definition of housing support services contained in the Act to lack clarity and wanted the regulations to be more specific. The definition refers for example to homeless applicants 'particular needs' and a national interviewee suggested the need for further clarification on, *"how particular needs are going to be defined … unless it is, then it may depend on the person interpreting it".*

Some local authority consultees also felt the definition was unclear about the reach of the duty: *"(it is) quite vague - it does not really define what housing support involves clearly or specifically - it could imply that housing support covers all support".* Another commented, *"it is fairly vague and wide and there could be differences in interpretation, people can fit*

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[14] Housing (Scotland) Act 2001 (Housing Support Services) Regulations 2002 SSI 2002/444

what they want into it". Another local authority expressed preference for *"a clear definition, parameters and expectations about what can be achieved".*

However the generality and breadth of the Section 158 definition was viewed very positively by some consultees. As one national stakeholder commented, *"it is relatively broad on the face of it – being able to sustain accommodation - this would include the impact the person could have on others"* . Some national and local interviewees expressed a concern that any narrowing of the definition might exclude people in need of housing support, as reflected in the following comment by a national stakeholder:

"…there may be less scope for housing support services to bolster people up for preventative work to prevent repeat homelessness. Today many local authorities are more creative about support and don't stick rigidly to the 21 tasks. Also services are more confident in making personalised assessments….. There is a risk if the regulations are narrowly defined that housing support could become less personalised … if they were to focus on the most basic housing-related support, this could neglect opportunities such as access to training and work, social interaction and creative activities".

A similar preference for a generalised definition was voiced by local authority interviewees who were anxious that work on preventing homelessness was not undermined - *"it could push people towards homelessness crisis going against the work that has been done on homelessness prevention".* And another commented that *"the assessment of housing support is key to homelessness prevention – the definition is loaded in the wrong direction".* This local authority expressed some concern about the possible level of bureaucracy that might result.

"At the moment the system works well. As it is not a duty there is no need to evidence … the problem with the duty is that there will be too much emphasis on the process and not the person. You need to find a balance in performing duties where the person is the starting point".

It was notable that neither local authorities nor support providers applied a sharp divide between the role of housing support in tackling homelessness at the point of application and preventing homelessness for tenants threatened by this. They were concerned that any qualification or clarification of the definition through regulation should not undermine local authorities' preventative activities.

Some local authorities did not feel phased by the new duty or the issue of definition, because of the direction they had been moving towards in the past year or so. One for example had changed its systems six months previously as a response to the Bill and

following a review of housing support services it was agreed that they were, *"not reaching enough people or reaching them in time for the support to be useful"*. About implementing the new duty the manager said, *"I don't think it would change what we are currently doing that much – we just need to make sure we are doing it"*.

(2) Views on the time period of support

The legislation states that the period for which housing support services are to be provided is an issue that the regulations may address. Most of the local authorities described their current approach to the delivery of housing support in their local area as being person centred, so that the period of support provision is based on the assessed and reviewed needs of the service user or applicant. However some local authorities and social care providers work according to initial time periods for support and extensions may be determined following a review, sometimes conducted by a panel. As one local authority described the process:

"If they need more support than was originally allocated then this is raised with the review officer and any increase in hours is to be in line with the agreed outcomes".

Two local authorities consulted referred to limits on the period for the provision of support. One authority acknowledged that a personalised approach is important, but said: "generally housing support should be time-limited e.g. three to six months after being in temporary accommodation". The other consultee described the situation in their local authority area the where the time limits were more specific:

"Currently housing support is provided while people are homeless and until eight weeks after they have moved in to accommodation ... there is no capacity to go beyond eight weeks and other support would be required. In fact additional support should be arranged as early on as possible if this is needed - this can be a struggle".

Another local authority consultee wished to see at least a minimum time set for the provision of housing support:

"It would be quite helpful and enabling to have a minimum (period) stated. The Code of Guidance stresses the need for follow on work, but the issue for providers is how much, given resource issues. I think that reviewing outcomes of support should continue for up to six months as this would help to ensure prevention and sustainability".

Some national representative consultees also considered that there needs to be a period of time that support is provided within which local authorities must not stop providing

support, and one felt strongly that *"the duty should not be able to be removed while the person is in temporary accommodation"*. However the importance of having a review process was seen as a key mechanism for setting the appropriate period for the provision of housing support; and one authority commented, *"it is important that regulations or guidance drive that home - it is not a period of time"*.

Overall consultees stressed the case for housing support and the period it is provided to be based on individual needs and circumstances. It was also stressed that many homeless people have additional and complex needs and some are highly vulnerable. There were concerns that specified time limits would be in tension with the needs led, personalised, pro-active and flexible approach to housing support that is required .

(3) Discharge of duty

Although not mentioned in the legislation, nor the subject of a specific question in the interviews, the issue of discharge of the housing support duty was raised by several interviewees. On reflection, some interviewees said they hoped that regulations or guidance would address this issue.

Related to the length of time that housing support should be provided was the question of when the statutory duty to provide housing support ceases if a specific period of time is not prescribed by regulations. National stakeholders enquired:

"When does a support need stop being a statutory support need, at the review date? If the review says support is still required is it statutory housing support or does the statutory duty end and transfer to another housing support service?"

"Would the statutory duty end after the first review in permanent accommodation then would it be one of the priorities for non statutory housing support along with other groups of people? What will be the circumstances when it stops being a statutory requirement?"

This question of when the local authority duty ends or has been discharged was also raised by some local authorities and particularly so where homeless people do not engage with the service. Specific situations highlighted included:

- If an applicant refuses to have a housing support assessment - *"if someone refuses an assessment when is the local authority's duty discharged?"*
- *"If following an assessment housing support needs have been identified and responded to but the person does not engage with the support?"*

One local authority consultee commented that external providers frequently report that people refuse to engage with them and reject support from other services. They were concerned about, *"how the new duty would deal with that issue and how will the duty be monitored and reported to even quantify it?"*.

Several local consultees described what their current practice is in such situations. Examples included:

"We continue to try and engage with the person, record where there is a refusal to accept support and have to give reasons why a case is closed"

"The Council has staffed interim accommodation and unless they are going to engage there is no point in them being there. For those not engaging we reassess after six weeks. Guidance needs to tackle how the Council's duty ends if the person is not engaging".

The common strand was pro-active working and repeated attempts to engage the person, recording attempts at contact and outcomes, reviewing the case and giving reasons for closure.

It is clear therefore that the preference is for clarity regarding the extent of the duty and particularly about when and in what circumstances the duty can be considered to have been discharged.

2.4. Key Points

This chapter has reported on consultation in regard to perceptions of the new housing support duty and national and local interviewees interest in the regulations on the duty which are currently due out for consultation. Key points include that:

- There is broad 'in principle' with the housing support duty coupled with concerns about resource implications in the current financial context.
- There are a range of concerns about implementation as well as expectations that these will be clarified by the regulations or guidance.
- There was a clear view that future guidance may help to clarify detailed points of concern and uncertainty, in regard to the definition and therefore the scope of housing support; the issue of the time-frame of support and the issue of when the housing support duty is considered discharged.
- There were different views on the level of specificity sought in the regulations in regard to the definition of housing support and time-frames of support. Some felt that high specificity of definition could restrict access to housing

support when needed and/or that tightly defined time-scales would contradict person-centred support.

- A particular area of concern related to that of non-engagement with support and specifically for people with multiple and complex needs. There were indications that housing support providers may employ approaches that are pro-active in regard to engagement, coupled with review and recording systems that evidence why a case may be closed. It was not clear how commonly such a system is applied.

- Local authorities were in different ways and to different extents in a process of gearing up to the new duty.

- There were indications that local authorities do not see a stark divide between the role of housing support for homeless applicants and its role in preventing homelessness for existing tenants.

These points will be explored further in Chapter Three.

Chapter Three - Assessment and Sustainability and the Housing Support Duty

3.1. Introduction

This chapter begins by considering the current (pre-duty) approaches to assessment of the local authorities consulted. It then focuses on the views of the local and national interviewees on the implications of the new duty for assessment practice, access to support and sustainable housing solutions, including in relation to addressing complex needs. It also considers the links between homelessness and prevention services and whether parallel developments, such as housing options, shared assessment and personalisation/ self-directed support (SDS) may have a bearing on implementation.

3.2. Current assessment models and developments

All 10 local authorities consulted use some form of a 'two tier' model of assessing housing support needs. This involves a preliminary assessment as part of the homelessness or housing options interview followed by a subsequent in-depth assessment of housing support needs. The in-depth assessment is carried out by housing support specialists within the Council or devolved to specialist support providers. Most authorities also use some form of matrix-based assessment model, which is also relevant to reviewing support outcomes. Some authorities had developed shared assessment systems to be used across the local authority and support providers, while there were others who were interested in doing so. Some systems were supported by targeted joint assessment and review protocols to address particular or multiple needs. Most indicated that assessment models were subject to ongoing review and development. The table below highlights the patterns across the 10 urban and rural local authorities consulted.

Key current housing support assessment practices	Local authorities
Preliminary assessment by local authority homelessness or housing options staff followed by full assessment conducted by housing support staff within local authority (LA) or by external support provider	All the 10 LAs use two stage approach with a preliminary assessment
LA has own housing support service and refers to specialist housing support providers	All LAs in sample
Use of matrix system to gauge type and level of support needs e.g. Better Futures or Outcomes star	8 of 10 LAs
Use of shared assessment by LA and providers	3 of the 10 LAs

Recent or ongoing review and development of housing support assessment system and provision	7 of the 10 LAs

Assessment systems used by local authorities consulted are outlined in Appendix Two, which also represents assessment pathways.

3.3. The implications of the new duty for assessment

We now focus on interviewees' views on the implications of the new duty for assessment and access to support. Key issues highlighted include the requirements of Section 158 subsection 1; the challenges involved in extending access to assessment; the issue of 'gate-keeping' and the links between assessment, housing support and prevention.

(1) Interpretation of 'reason to believe'

On the requirement that the local authority must assess the applicant's support needs where it has 'reason to believe' that they require housing support services, local authority interviewees were uncertain how this might be interpreted. Some considered 'reason to believe' could be interpreted differently within and between councils, resulting in inconsistent, uneven responses. One manager questioned the implications for feedback and written notification to applicants, specifically if it was decided not to provide a housing support assessment; and they asked, *"how should this be evidenced, recorded and related to the applicant, such as in written notification?"* A national respondent also expressed confusion about how it is going to work - *"You have to be given an assessment if the housing or homelessness officer has reason to believe you require it";* they were concerned about how this will be measured in terms of outcomes, particularly given resource constraints.

(2) Extending access to assessment and support

Implications for routes to support: The duty was seen as likely to widen access to support assessments, and this was seen both to present challenges to local authorities and their partners and to extend rights and opportunities for housing support. However it was suggested that some applicants may not want to be assessed by the local authority and one interviewee stressed, "*it shouldn't be the case that people can only access housing support through a local authority homelessness assessment".*

Addressing wider household needs: A key area of uncertainty related to the requirement to assess the housing support needs of those living with the applicant   Here there was a broad 'in principle' agreement that this is appropriate; however issues were

raised about putting this into practice. Both national and local authority stakeholders referred to the fact that there is already a corporate responsibility for the welfare of children, whereby local authorities have developed procedures in response to GIRFEC. However questions were posed about how this aspect of the duty might be carried out for other adult members of the household. These included: if the household member was not present at the homelessness assessment would the homeless officer have to accept the applicant's assessment of any support needs or make their own assessment? Or what would be the implications if a young person was staying temporarily with a grandparent who might have unmet support needs? One local authority interviewee wondered if *"this could change the assessment process and make it more formalised and undermine more informal person centred approach".* Overall it was felt that the duty is likely to mean that more people have their support needs assessed, which may have some resource implications, although clearly such an impact cannot be measured prior to the experience of implementation.

Overall the logic of the requirement to extend the focus of support assessment to meet wider needs of households was seen as legitimate, but uncertainties were emphasised in relation to both operational matters and resources. There was broad agreement that accessing appropriate support will depend on the quality of assessments and that better and more systematic assessments may be needed, as well appropriate follow up, including making relevant enquiries and joint working.

(3) Gate-keeping via assessment?

Gate-keeping in the context of homelessness generally refers to approaches and practices that discourage or divert homeless people from making homelessness applications[15]. Gate-keeping as an issue for assessment was mainly raised by national rather than local interviewees, although for some authorities the issue had been raised by Inspectors.

Some national stakeholders were concerned about the potential for gate-keeping to restrict access to assessment as well as to housing support, and particularly given resource constraints. Comment included: *"Will local authorities assess people in or gate-keep people out?"; "Assessment should not be led by resource constraints … there could be a risk of gate-keeping in terms of assessments".* Local authorities also pointed to the need to guard against gate-keeping. In contrast with these concerns, others did not expect "any real filtering out as a result of the assessment process" - in their view, once an assessment has been conducted, *"the local authority is more likely to follow through".*

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[15] Scottish Government and COSLA (2009) Prevention of Homelessness Guidance. June 2009, para 16

Below we shall consider interviewees' views on matters that enable and constrain access to assessment and support.

3.4. Implications for demand and access to housing support

There were differing views on whether the new duty will affect demand. For several interviewees it seemed that the new duty will increase demand for assessment and support, just as one commented, *"It would seem reasonable to expect that the impact would serve to increase demand for housing support services. At the very least it won't lessen support needs or the demand on capacity".* Others were less sure about the impact in terms of demand and capacity of housing support, but thought, as one said, there may be *"some pressure for more services"*, and some felt that more people would have support needs assessed and particularly to prevent imminent homelessness. Others suggested that increasing emphasis on prevention, sustainability and good quality support, may mean no change in demand. These different perceptions indicate that monitoring of the level of demand and take up of housing support assessment and housing support services will be important.

Potential improvements identified were that fewer people will 'slip through the net' and that better co-ordination and co-operation between support providers would result. A key aspect of homelessness and housing support officers' roles were seen to be about coordinating access to other services that would help to achieve sustainability. In this context the duty was seen to present the opportunity, *"not just to look at housing but other support also, as well as to involve others".*

Better assessment and coordination of support were also seen as likely to benefit wider objectives, such as those of health and homelessness action plans and alcohol and drug partnerships. However while some believed that guidance on the new duty might want to encourage shared assessments, others felt, based on experience, this could be problematic.

Overall it appears that the duty is seen as a focus for realising improvements in outcomes, though the extent of this for particular local authority areas will depend on the current state of development of the housing support response as well as on the clarification of operational issues via the regulations or at local level.

3.5. Meeting Multiple and Complex needs

The role of housing support as a key contributor to meeting multiple and complex needs, working creatively and in partnership with agencies that can contribute to social inclusion and wellbeing was profiled in this study, just as in wider research[16]. Both interviewees with a policy interest and those working to address homelessness at local level identified issues and hurdles that can prevent or inhibit a positive transition and good outcomes for homeless people with complex needs. In this context it was seen as critical to innovate and to collaborate with other services. The issues highlighted in regard to multiple and complex needs are covered below.

Particular needs and gaps in support

Addictions - More targeted support and joint work were seen as needed for people with substance misuse problems.

RSL tenants - Some local authorities identified gaps in accessing support for tenants of RSLs and one in particularly those aged 25-45 years, as specialist support providers only work with those under 25 and single homeless people.

Mental health - Difficulties faced in addressing homeless people's mental health needs were identified by a number of local authorities with significant gaps highlighted by rural areas. The need for better support pathways was a common theme. Co-working, such as if mental health and addiction workers are based with housing support workers, was also seen as a way forward - "although housing support workers may specialise in mental health issues … we find that the links work one way only - they don't keep us properly informed".

People with complex and multiple needs - As wider research has identified the interview programme indicated that homeless people often have multiple and complex needs and that housing support teams are a key resource for linking and liaising with relevant services. A repeated message was that, "We need more effective pathways for people with mental health issues and complex needs, even to access existing services".

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[16]Cameron A (2010) The contribution of housing support workers to joined-up Services, *Journal of Interprofessional Care*. January 2010; Pleace, N. (2008) *Effective Services for Substance Misuse and Homelessness in Scotland: Evidence from an International Review*. Edinburgh: Scottish Government. Edinburgh Rankin J., & Regan S. (2004). *Meeting complex needs: The future of social care*. London: Institute for Public Policy Research;; 24(1): 100–110; Bristol, UK; Rosengard A., Laing I., Ridley J., and Hunter S. (2007) *A Literature Review on Multiple and Complex Needs.* Scottish Government:

Other issues highlighted included:

- *Lack of provision available to meet particular needs*, and particularly those whose support needs are high or complex. Additionally, access to support was seen as problematic because of chaotic lifestyles. *"There is a need for more effective pathways for people with mental health issues and complex needs - homeless people don't always get access to existing services".* (Local authorities 2, 4, 5, 6, 7). Also, several local authorities identified gaps in support in relation to vulnerable and chaotic young people. (Local authorities 2, 4, 5, 7)

- *Dual diagnosis* was also seen as being poorly responded to - *"where often the person is passed back and forth between mental health and addictions services and particularly for long term drinkers".* (Local authorities 4, 5, 6)

- *Lack of take up, engagement with, or sustained use* of the support on offer by service users. One local authority commented that "people with mental health issues and complex needs may not be willing to engage with services until they meet a crisis and at that point there can be difficulties in accessing appropriate services". (Local authority 9) A related view was that "*more vulnerable and chaotic clients may have exhausted existing (support) providers who at times refuse access"* - although it was said that rarely have people been placed outwith the area. (Local authorities 4, 7)

Reflecting the views of several local authority managers, one commented that *"Resources, rights and access are different things. Access to support may be limited by resources as well as by choices made by homeless households who wont have to take up the support that is on offer".* (Most local authorities).

Another local authority manager was concerned that at times resource constraints may restrict the capacity to meet complex needs under the duty. They referred to current situations such as when the local authority wants to commission a number of support hours, but the provider does not have the capacity to respond. If so, the council may top up from in-house support services or from housing advisers who have a support role, but this may mean that less housing support is provided than the assessment identified as necessary - "*so there can be a need to prioritise in relation to higher levels of need".*

Situations were also identified where additional housing support needs emerge after a provider is working with a tenant who they discover has an addiction or mental health issue and requires specialist support. In such cases *"meeting support needs may be outwith the control of the homelessness service",* although the tenancy support worker can continue to work with the person.

Regarding the problems in accessing support for mental health issues that were mentioned by a number of local authority consultees, interviewees in one rural area commented that shortfalls in specialist, sensitive services are a major deficit for service users and staff:

"It is a major issue for people in trying to access a service and support. It is also an issue for staff who are working with someone who may or may not have a mental health problem - maybe undiagnosed - and there are difficulties in getting hold of professionals to provide support. Mental health services are under resourced and there are long waiting lists for an assessment or diagnosis. The more specialist (the need) the harder it is … there is only a limited amount of staff".

While such concerns were expressed by other interviewees, at least three of the 10 authorities consulted pointed to recent progress in targeted and pro-active joint working on the mental health front between homelessness and mental health services. Also, some national consultees suggested that where there is agreement on priority need, access to housing support may not be problematic. Regarding those people who have had a mental health diagnosis in the community, one interviewee commented, *"hopefully there should be no issue in regard to accessing housing support".* Whether this is the case however was not clear from the consultation overall.

In sum the key barriers in relation to housing support services for homeless people with multiple and complex needs included both shortfalls in appropriate services and service users' choices.

3.6. Joint working and service integration

There was a clear consensus that to meet multiple and complex needs appropriately housing support services are dependent on other agencies' inputs and that effective joint work is critical. Local area interviewees commented, *"we are all in this together, so health and social work have roles to play"* and that the role of homelessness and housing support staff should be *"to co-ordinate access to other services for sustainability".* One national interviewee thought that the new duty will present the opportunity not only to address housing needs, but to address support needs and to involve others in meeting these, while another said it will require, *"collaboration across the divides … as well as targeted resources …".*

Overall it would seem that local authorities may be at different points on a spectrum of joint working. In several areas, service managers thought that joint working has increased

and improved overall, although there is still room for further improvements. Some are reviewing deficits in joint work, which were identified in terms of *"procedural imperfections" and "lack of information sharing"*, which one manager described as being *"still limited and one sided"*. Another local authority manager said that only one formal joint protocol exists and this addresses the needs of young people leaving care; she wonders *"whether joint work will increase when the new duty is implemented".*

Fragmentation of services was seen to constrain effective support options. In one area interviewees there is a need for more clarity about the *"the rights and responsibilities of other departments, agencies and services".* One interviewee asked: *"for instance what if people need long-term and continuing support - whose responsibility? …. we need to see ownership of the problem being widened".* Those consulted in this local authority would welcome guidance in regard to partnership working and the ways in which housing support can give leverage to higher levels of support. In another area all support providers have the same contracts and over time joint working has developed and improved - *"we are singing from the same hymn sheets".* However they felt that joint work across departments and between the council and health services could be improved.

Other areas of potential collaboration identified with relevance to implementing the duty included a contract with Citizens Advice services on enhanced support arrangements and the contribution that the Hubs could make on information exchange in relation to approaches, systems and practices. One local authority manager commented, *"I believe local authorities have made huge strides and innovated over the last decade … they have embraced the change agenda. I am concerned that we may be going backwards to a tick-box approach".*

Beyond the difficulties in negotiating access to required support across service divides, it was pointed out that re-organisation and re-commissioning processes can inhibit or disturb joint working. Finally, a national support provider raised the issue of uncertainty about roles and responsibilities in the context of joint working - *"Whose responsibility will it be to ensure that linking in with other agencies takes place – the local authority or the organisation providing the primary support? … who would be the case manager?"*

The following table outlines some examples of innovation and joint work that will be as relevant and helpful following implementation as they are currently.

3.7. Examples of innovation and joint work

Examples of innovation	
Collaborative Assessment for complex and multiple needs	In a rural area, multi agency arrangements are triggered by the housing support assessment tool. Once a person reaches a certain score a case conference is held and a joint support plan produced, with *"the right people round the table"* and with better outcomes. Although early days, to date they have been able to provide housing support as well as more specialist services, including for some "really complex cases". The assessment tool and multi agency arrangements are reportedly working well.
	In one local authority area Locality Planning Groups which report to Health and Care Partnership boards, provide a forum to discuss complex needs cases with health, social work and housing participating.
	A multi-agency Housing Integrated Team (HIT) chaired by housing or social work, involves drug and alcohol services, a central health team, welfare rights and criminal justice. A joint case conference is held weekly on complex cases facing problems in accessing appropriate support e.g. dual diagnosis.
Targeted services to meet complex needs	This urban authority offers specialist services including health and social care services for homeless people with multiple and complex needs. Workers do outreach to people in prison and hospital.

Examples of innovation	
Pro-active, flexible outreach support - complex and multiple needs	A voluntary sector outreach service was identified as a good addition to the network of support services in this Council area. This provides outreach support for individuals "with a history of homelessness or a need for housing related support for people "who, because of a range of health and social welfare problems, require housing support at home and in group settings to maximise their potential to cope in the community". They provide a weekend and evening service. They currently have 46 clients and the service is still in its early stages.
	One council is working with three voluntary organisations who take a personalised approach to support and to maximise people's welfare and inclusion, for instance by helping them access their benefit entitlements to purchase additional support services - "its notable that clients have wanted this".
Strategic approach to addressing mental health, other gaps and prevention	In one area the Health and Homelessness service is linked in to a joint review group focused on improving mental health pathways. This has discussed individual case examples in developing a strategy. Also in the area there is "interesting movement towards social prescribing", whereby health staff can prescribe outwith traditional health services e.g. things that would improve wellbeing and employability.. This is being discussed at joint forum e.g. on mental health. Overall it was felt "there is a real awareness across partners around complex needs issues and challenges".
	A rural authority stressed that links between the homelessness service and providers are generally very good. Warning mechanisms or triggers have been agreed to identify people 'at risk' or who have unmet needs. It is regular that a provider may be invited to attend an Adult Support and Protection Act committee.
	Another council established a new Housing Integrated Team will help to identify gaps in services and champion homelessness within their own services – particularly as the need for partnership working is being recognised.

Examples of innovation	
People leaving institutions	The challenges and uncertainties facing those leaving prison was reported by one local authority. Two area-focused prison liaison officers have been appointed to help people address accommodation issues before discharge. Also a worker appointed with Task Force funding provides support to people within prison leading towards discharge.

There is very intensive work ongoing to stabilise and sustain tenancies. However there can be long waiting times for suitable accommodation. |
	Another council has also set up a new initiative for homeless or returning ex-prisoners, recognising the issue of high re-offending rates. There is joint work between homelessness, criminal justice and health, with the aim of 'breaking the cycle' that often includes homelessness. Housing is also striving for joint approaches to address complex needs with Social Work and other departments.
Prevention of Repeat Homelessness - People with addictions	A small team has been formed to tackle 'Prevention of Repeat Homelessness' with two officers and a further staff member has since been appointed in one local authority area. The aim is to assess and address the support needs of homeless people with alcohol and drugs problems who have historically been un-engaged and whose cases may have been closed. This work involves pro-active outreach. The council is also starting up a pilot on assessment in partnership between the alcohol, drugs and homelessness services. A public health practitioner will work closely with homelessness services to assess all those in temporary accommodation.
Young vulnerable people	A Council is working jointly with a local housing association to provide supported accommodation services for young people who have 'chaotic' lifestyles.
Strategic and collaborative commissioning of housing support	One local authority is reviewing all commissioned services using an approach that applies key performance indicators and is outcome-based to ensure appropriateness, added value and value for money. All providers applied the Outcomes Star assessment tool for six months and have reported on this; however for two providers it was agreed that they should apply their own system but use the same reporting framework. Outputs will be analysed and it was commented that the

	information base will be "our best to date". It was stressed that the approach involved commissioners working together with providers so that many ideas for commissioning have come from providers themselves - "This is the best way of working".
Joint operational work and Protocols	A specialist support provider commented that in an area where they provide homelessness-related housing support the list of housing support tasks has been modified and this came out of joint discussions. They described good joint working between housing support services and the homelessness service/ case work teams who have a shared grasp of the different levels and types of housing support that are required. A joint protocol has been agreed and is in process of implementation by case workers and support providers but the process has been delayed by resource issues and ongoing changes. There are quarterly (revived) liaison meetings between commissioners and housing support providers which are chaired by commissioners.

Despite the above evidence of locally grounded and creative approaches to tackling complex needs, the view emerged that, even if local authorities are pro-active and seek early intervention and work collaboratively, some people just do not want interventions - "at least till they have exhausted informal support by relatives, or a private rented sector option - only if that breaks down do they come for help".

Some local authorities have developed some form of joint vulnerability panels to which complex and challenging cases are referred and/or they have developed a strategic inter-agency group to review problems in relation to mental health and homelessness, for example. Where such an approach is feasible it can be useful to produce and review individual case histories to develop positive ways forward.

3.8. Links between assessment, support and prevention

Housing support was considered by national and local stakeholders to be a key resource in the prevention of homelessness, increasingly a strategic focus within the 2012 agenda as reflected in the focus of the Local Authority Hubs. The new duty was therefore seen as not just being relevant to the homelessness route, but also to homelessness prevention, although there was uncertainty about how it would impact.

(1) Housing support in the context of prevention

A national stakeholder commented: *"No local authorities argue against prevention and I believe there is evidence that this focus has been increasing. There is a growing emphasis on 'early intervention'".*

All the local authorities consulted had recently implemented or were implementing a housing options approach and were striving for pro-active outreach to enable prevention. This was a catalyst to service re-organisation in several areas. It was notable that housing support designed for 'prevention' purposes in some areas were explicitly targeted to meet both homelessness and tenancy sustainment objectives.

While these considerations were common across the areas, one urban local authority had appointed prevention officers who regularly make referrals to the housing support teams managed by the local authority or registered social landlords (RSLs). All those housed through the homelessness route are able to access housing support and to receive money advice and financial assessment. They commented:

"the service is tenure neutral . We are convinced of the value of sustainment work - sustainment is around 82% for those going through homelessness route with housing support - this is higher than the mainstream. If we are serious about prevention we should assess the housing support needs of all those who are applying for rehousing. The main reason why not is that of resources".

(2) Initiatives to meet the needs of tenants vulnerable to homelessness

Another local authority has worked recently with RSL partners to pursue wider role funding to provide support for vulnerable tenants. Rather than develop this as a new separate housing support service for RSL tenants, which would compete for funds with existing providers, they aim to purchase housing support from three external support agencies to *"prop up or sustain tenancies".* While it was suggested that the RSLs may be less driven by homelessness prevention aims, than to prevent 'churn' in the housing stock and local communities, the manager commented, *"The way we have worked with them on this could lead to joint commissioning in the future. The question is how will the new regulations impact?"*

Another authority commissioned an external organisation to provide a homelessness prevention service based on early intervention for anyone in housing difficulties. Referrals are made by a range of services and people can self refer and access the service, regardless of tenure. The local authority provides the support and can involve other services if required.

An urban-rural authority described how housing support needs can be identified at any point in the assessment process including at the initial prevention stage and at home. This authority established a prevention team in an urban centre in April and its role is being implemented in stages. Where there are tenancies at risk or threatened homelessness, housing management officers make referrals for housing support.

Specific support packages, two of which are specifically targeted at homeless prevention, have been developed by one local authority. One is a tenancy establishment package for people setting up a first home and the other is a tenancy sustainment package to help prevent homelessness. Another local authority adopted a pro-active approach whereby staff contact the landlord after the first six months and then at 12 months, to check if there are any issues or problems; if so, they contact the tenant directly (the person gives their consent to this). Similarly another local authority service manager said: *"the main action to ensure prevention is early intervention to address risks. Prevention is a focus in everything we do - across homelessness services and tenancy support and housing management".*

The latter authority also uses pro-active measures with young people; for almost a decade they have contacted the parents/ family of young people under 25 who present as homeless - "*This allows us to recognise their current networks, which may play a role in helping resettlement, settling in and prevention".*

Further stressing the link between support for existing tenants and the prevention of homelessness, managers in an urban-rural authority said that, *"housing support is seen as critical to prevention, but we could do more if we had capacity for more intensive work".* It was also commented that: *"If the housing options approach is genuinely embraced, housing support might be the main answer – potential homelessness is about lack of support".*

(3) Concerns about access to housing support

A housing support provider reflected wider concerns that *"those in community settings, say in RSL accommodation, may not get access (to housing support)".* Several interviewees voiced concerns consistent with the comment that while the duty may bring, *"a net gain for homeless people and increased chances for sustaining a tenancy … there is no mirror duty (to provide support) for those in tenancies".* Additionally it was commented that, *"For those threatened with homelessness - defined legally as within two months – there is uncertainty about continuing provision of low level floating support which can prevent problems turning into a crisis".*

Another national interviewee asked, *"will individuals declare themselves as homeless to get things they need?".* And concerns were widely voiced that the duty's focus on homelessness in the context of budget constraints has the potential to undermine prevention and create a "two tier service", where some referrals, but not others, are underpinned by a legal right. However these concerns were not universal and one interviewee was uncertain why other groups might be disadvantaged by the new duty, and on reflection said that, *"you could almost justify it anyway because of the long term costs of not making provision".*

3.9   Key points

This chapter has focused on current patterns of assessment and on interviewees' views on some key challenges and gaps in regard to assessment and support in light of the new duty. The discussion indicated that the 'post-duty' assessment of housing support needs will be influenced by the regulations and any future guidance as well as by local 'pre-duty' approaches to assessment, access to and provision of housing support. Most areas appear to have carried out service reviews and restructuring and in developing assessment models and pathways local authorities and providers can now draw on a wide baseline of experience and information about models that have been trialled, as well as advice and training on offer through the Housing Support Enabling Unit (the HSEU)[17]. So both organisational and external influences have played a role in shaping assessment processes and there is awareness that the new duty and the regulations will also have some implications for practice.

Regarding views on the perceived potential implications of the duty for housing support assessment and provision, the main findings were that:

- In regard to the catalyst for a housing support assessment being where the local authority has 'reason to believe' that an applicant may require housing support, there were concerns that the scope entailed for judgement may result in uneven practice and that some clarification or guidance could be helpful.

- The duty was seen to widen rights of access to assessment, including in respect of wider household needs. While this was considered appropriate, again clarification would be welcomed about how this aspect of the duty should be implemented.

- Some interviewees were concerned about potential gate-keeping in regard to assessment in the context of resource constraints.

Looking at the approaches to assessment of housing support needs in 10 local authorities indicates a range of approaches, including:

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[17] The HSEU is a discrete project unit that operates within Community Care Providers Scotland

- A preliminary assessment of housing support needs at the point of the homelessness interview, followed by an in-depth housing support needs, whether by a local authority's housing support service or devolved to an external housing support provider. Preparing for the new duty, and particularly in the absence of a recent review, local authorities may want to formalise this two-tier assessment and clarify particular staff roles, required liaison and departmental and agency inputs.

- Increasingly local authorities are using some form of matrix system using an outcomes approach, such as the Outcomes Star, to assess housing support and related support needs and to review outcomes and some have developed a uniform housing support assessment and review framework. Preparing for the new duty local authorities may want to assess the scope for joint approaches with key housing support providers for homeless people.

- Where local authorities have restructured services in accordance with the housing options and prevention focus there may be additional local pathways and referral routes to housing support assessment and provision for homeless people and those threatened by homelessness. It may useful for such pathways and related staff roles and referral systems to be formalised; as it has recently been pointed out, housing support activity is notably varied, so that such clarification is essential.[18.]

- Amongst the barriers to accessing housing support assessment and housing support services that were identified, were: lack of provision, both geographically and in regard to particular needs such as mental health as well as multiple/ complex needs. While these issues may have variously been highlighted or evidenced in preceding reviews, it will be important to use the housing support assessment and review process to clarify these gaps and to work pro-actively with relevant partners to address these.

- Key gaps in services were identified as specialist support for people with substance misuse problems; RSL tenants, particularly aged between 25 and 45 years as specialist support providers only work with those under 25 and single homeless people; support pathways for people with mental health problems and young people and others with multiple and complex needs.

- Joint work is critical to address these needs, whether across local authority departments or between local authorities, RSLs and advice and support providers (generalist and specialist). Under the duty as before the liaison and linking roles of housing support workers will be key to positive settlement, inclusion and sustainment.

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[18] Manthorpe, J., Martineau, S., Moriarty, J., Hussein, S. and Stevens, M. (2010) 'Support workers in social care in England: a scoping study, Health and Social Care in the Community, Vol. 18, No. 3, pp. 316–324.

- Just as all guidance emphasises, housing support for those with additional and complex needs may represent only one strand of the support that people need, so that joint working is critical between housing support and other, support, care and health providers. Local authorities and relevant partners may gain from reviewing how such joint work and collaboration is operating and develop joint approaches to tackling gaps identified through housing support assessment processes.

- Examples of innovation and joint work covered were operational developments, usually building on strategic reviews or assessments, and the work of joint strategy groups.

- Operational developments included: pro-active outreach support services addressing particular needs; shared assessment tools and frameworks in urban and rural settings; standing multi-agency case review groups; partnerships to expand housing support provision across sectors or to meet particular needs e.g. substance misuse .

- Strategic developments included: consultative joint planning to inform commissioning and the development of joint protocols and procedures; also, multi-disciplinary strategic review groups that focus on particular cases to develop new approaches to tackling identified unmet needs.

The links between assessment, support and prevention were emphasised by those consulted.

Chapter Four - Barriers, Enablers and Preparing for the new duty

Having focused on some of the implications of the duty for housing support assessment and accessing services, this chapter widens the lens to focus on perceived barriers and enablers to implementation of the duty.   It moves on to consider key issues that may need addressed in preparing for the new duty, including the commissioning of housing support services; whether there may be a need for reshaping or redesign of services, and what the duty's implications may be for monitoring requirements.

4.1.   Barriers to assessment and accessing support

Taking account of the potential changes implied by the duty, interviewees were asked about any matters that may limit or constrain access to housing support assessment and services and what might enable the implementation of the duty.

(1) Interconnected constraints on access to housing support

A variety of constraints were identified on access to housing support and these are outlined below:

- *Staff capacity and available time* was seen as a constraint on assessing support needs. (Local authorities 4, 5, 6: Appendix Two)

- *Problems in identifying support needs*, which for example, may not be identifiable at point of homelessness assessment. (Local authority 3)

- *Tenants of registered social landlords (RSLs) and particularly those aged 25-45 years face barriers* to accessing support as existing specialist support providers only work with those under 25 and single homeless people. Also, while the Council's tenancy support service responds to everyone who has a support need identified, they only work with local authority tenants. (Local authority 6)

- *Geographic unevenness and gaps in provision* - in some areas there are few or no support providers (e.g. in one local authority area there are only support services for young people; and in another, people may have to travel to the main town to get a service, which takes them away from where family and friends live they may have to travel e.g. 43 or 65 miles). Also there is no suitable accommodation with support in some areas. (Local authorities 1, 7)

Funding constraints were identified broadly as a key issue and are covered below.

(2) Concerns about financial constraints

The HSEU's research into housing support funding has highlighted the constraints on funding of housing support services between 2007 and the present[19]. It was unsurprising therefore that most local authority respondents expressed concerns about housing support budgets. While some indicated that housing support budgets were decreasing, others said they had held up but were under review. One reported that housing support funding had recently increased so that there are more staff in place providing more support for more people, but this was clearly not the norm[20].

Of those concerned about housing support funding, in one urban-rural authority it was stated there is no current problem of capacity in the main urban centre but there are gaps outwith and, *"there will be the same amount of money to stretch over a larger number of people".* In another it was commented, *"While we welcome the new duty, there is no extra funding to implement this, and the housing support budget is being cut year on year … at a time when we are aware of gaps in services for particular needs".* Another local authority's housing support budget was secure for 2012/13, but they were uncertain about future resources.

Funding issues were also a common theme in interviews with national stakeholders and one said, *"when we were moving towards the removal of ring-fencing there was huge concern about potential cuts. What has happened since has been a 'drip-drip' process of reductions, resulting in ongoing re-structuring, rather than closures".* Another national interviewee commented that while the Scottish Government may be committed to seeing that the resources are available to implement the duty, *"it is difficult to see how this will be fulfilled in the current climate".*

Some interviewees suggested there may be unintended consequences of the duty in light of resource constraints, with one saying, *" …it is with the best of intentions the duty has been introduced and if resources were abundant it would work well … however housing support money is finite and reducing".* Unintended outcomes were seen as a possible outcome of the duty *"driving resource allocation",* with possible shifts in provision and new gaps emerging - "*If funding of housing support becomes centred on responding to homelessness, then this could constrain access to housing support via other routes … you shouldn't have to 'go the homelessness route'".* It was suggested that there could be "*less support for fewer groups"* and "*we are concerned about those with high support*

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[19] HSEU (2010) Research into Housing Support Funding Levels and Service Volume in Scotland in 2007/2008 and 2009/2010
[20] Details of actual housing support budgets and changes in these over time were not collated as part of this study.

needs as well as about future capacity because of cuts to the Supporting People budget and elsewhere".

While in one local authority area there had been *"cuts across all services"* this had not yet impacted on housing support, for which currently there is sufficient capacity to meet demand. But it is known that the housing support budget will be cut over the next two years which may affect commissioning of housing support. And the question was posed as to whether given significant resource constraints, this will "*divert funding from elsewhere to meet the support needs of homeless people ….at the very least capacity issues wont lesson and may even increase as there is no indication of additional funding …".*

Support providers consulted also asked, *"Where are local authorities going to find the money? … how many applicants will be affected? … " it has become increasingly difficult to fund services due to the very tight financial market".* And although one provider believed that local services may be sufficient to meet statutory housing support requirements, they were uncertain as to "*how outreach support will be funded, e.g. for women who have been abused and are not in contact with an agency such as Womens Aid - would this be on a spot purchase basis?"*

On the wider issue of resources, rural authorities were most concerned about the geographic mismatch of provision and need, which means that some homeless people have to move 80-100 miles to get accommodation and the support they need. This they said is, "*destructive to support networks and continuity of support when people are being resettled*". The quality of specialist accommodation and support provision was also identified as an issue. Another mainly rural authority said that, *"there is just not enough provision".* They described "*a daily struggle"* to access supported accommodation, with no option but to use bed and breakfast (B&B) in an urban centre and refer to Shelter Scotland for advice/ support. They pointed out, *"it's very hard to work with people in the B&B environment - there can be privacy issues; people are unsettled and can't focus on preparing to manage and sustain a tenancy".*

While the commissioning activity of local authorities in regard to housing support services is closely linked to the availability of funding, this will be discussed in tandem with implications of the duty for service redesign in section 3.(8) below.

(3) Concerns about Welfare Reform

The Welfare Reforms were seen to present big challenges to meeting housing support needs and one interviewee said, *"Welfare Reform is a huge worry … we are concerned*

that things will get a lot worse". Particular concerns voiced on the welfare reform agenda included:

- *"How will benefit entitlement work in relation to housing support? … It will be interesting to see how the consultation on the regulations addresses this".*

- *"The benefits changes are likely to bring "stresses and strains" for housing support …. social services are concerned about how items such as housing alarms and other support items will be funded?"*

- *"It isn't clear under the proposed Reforms as to whether supported housing is being treated as a real option for people, given how the proposed changes could undermine its funding so significantly".*

- *"Impacts may depend on what the support is for e.g. debt and financial management, and on what the cap on universal credit might include".*

As the result of welfare benefit changes, some considered that needs for advice and assistance as well as training may increase. It was also suggested that housing support workers are likely to have to spend more time on financial management and may have less time for social networks and developmental support.

4.2.   Enablers and support to meet the Housing Support duty

National and local interviewees were asked about developments and resources (broadly defined) that may support implementation of the duty. Beyond the issue of financial resources, those highlighted included the role of local authority hubs, training and information and advice services, which are covered first.

(1) The local authority Hubs:

These were valued as forums for information exchange and dialogue about approaches and models and were seen to play a key role in shaping practice and provision for homelessness as well as prevention. While the Hubs differ, they meet regularly and they co-ordinate shared training and discussion with Scottish Government and other agency representatives. One national interviewee commented "they offer opportunities for innovation … most local authorities are engaging actively, and they know that innovation and good practice are crucial to improvements". Another reported that the Hubs have shown interest in the HSEU outcomes-based assessment tool. However a local authority interviewee said that the Hubs' focus has been on training on housing options, rather than on assessing housing support needs and that "it's not yet clear how much the Hubs treat supported housing as an option". Overall however the Hubs were seen to be a useful resource for implementation.

(2) **Training:**

Training was widely considered as key to effective implementation. One national interviewee said, "*I think of training as a right hand column*". Overall there were indications that amongst local authorities and providers there has been significant take up of training relevant to housing support, alongside related quality inputs and checks through National Standards and the roles of the Care Commission and the HSEU. Other players such as Scottish and local Councils on Single Homelessness and Shelter Scotland have all played a role in promoting training opportunities and relevant networks to support joint working. There were some accounts of joint training with health services as well as multi-agency training involving social work and health, e.g. welfare benefit changes.

The duty was seen to have additional training implications, as reflected in the following comment by a local authority manager - "*gaps could usefully be explored with Training & Development services and there will be a need to Action Plan*". Many felt that *"training will need to follow through on the regulations - only after we know what these will contain can we work out what is needed"*. Also identified were training needs for staff in local authorities or advice services who need to know what the new duty entails.

The need for some reinforcement training on the role of housing support and on assessment was also emphasised so that training covers good practice in housing support assessment and links with the broader framework of prevention and sustainability. Two local authorities, currently reviewing and/or re-commissioning housing support services, commented on the need to reassess what is needed to improve support assessments. One local authority is considering whether, *"training requirements could be part of the contract specification. We already do joint training and awareness sessions with Citizens Advice Scotland"*.

The training agenda identified overall included:
- general awareness raising of the duty and its implications to try and ensure a corporate approach
- training in regard to the duty for advice services
- deciding who requires a housing support assessment
- consolidation of good practice in assessments to maximise consistency
- links between housing support, prevention and sustainability
- the meaning and operation of 'reason to believe'
- how to use assessments to co-ordinate other services
- appropriate action if someone does not engage with the housing support.

(3) Advice and information services:

Information and advice were seen as essential to ensure that homeless people are aware of the new duty and their rights.   Comments included: *"We need to be thinking about public information as well as housing advice so that people know about and can exercise their rights"* (national stakeholder), while local authorities also said that their publicity is likely to need amendment e.g. the website; leaflets, as well as other paperwork.

Local authority managers commented that "*information and advice services need to know that housing support is a right and what the parameters are."* and that there may be a need for advocacy for people who "hide" their support needs. And in respect of homeless people's information needs in respect of the new right, it was suggested by a national support provider that this could be addressed in their user involvement strategy as well as in the agency's quarterly newsletter. One local authority who spoke of "a good relationship with CAB" said they will need to ensure they are aware of the new duty. If support is withdrawn and the person disagrees they can use the complaints procedure.

Regarding advocacy for homeless people and those threatened by homelessness, a national consultee asked about the role of advisers: "… *if an applicant disagrees if an assessment is not carried out, does the person have a right to demand an assessment? Can the decision be appealed and reviewed and if so on what grounds?".*

Four local authority interviewees suggested that the local authority hubs could assess training needs regarding information and advice and review information provision across member authorities. It was also suggested that "*everything has implications for IT and the new duty may have implications for IT packages … currently packages are being reviewed".*

There was evidence from this study that in spite of their concerns, local authorities and support providers are moving forward positively to gear up to the new duty. This was affirmed by representative bodies consulted who stressed the willingness and emerging readiness of many local authorities to respond to the new duty, one of whom commented, "*on reflection I think that some local authorities are 90 percent there, but will be prompted by the duty to clarify the gaps and identify potential for improved practice".* Another reflection was that "*there is a very high level of commitment amongst staff in homelessness services. They understand homelessness and they are passionate about it. I am optimistic that they will engage positively in implementing the new duty".* These views were broadly affirmed by the local authorities consulted, including by those who had opposed it initially and had expressed their reservations.

Staff of a national specialist provider whose role addresses mental health issues and involves generic housing support services, identified what is needed from the support providers viewpoint to meet the requirements of the new duty.

- A robust system of housing support assessment with clarity about how the needs of other members of the household will be considered and addressed
- That the housing support needs assessment takes place before people access temporary accommodation, with subsequent reviews and further assessment prior to resettlement. This could be carried out in partnership
- More linking between case workers, RSLs and support providers
- An integrated approach at the point of discharge from temporary accommodation to ensure that homeless people's continuing support needs are met - rather than the homelessness duty being discharged before the support worker's resettlement work is over.
- Good information to housing support teams about what they need to know about current risks
- That advice and support networks operate effectively - covering money/ debt advice; legal advice; addiction and counselling services; longer-term support services, including befriending, Health and Homelessness services; community or therapeutic activity and training/employment projects; whoever is required to meet current or longer-term needs
- That outcomes are monitored following rehousing. Currently feedback is sought on whether people feel their support needs were met, prior to discharging the duty and is usually positive, though people's problems can emerge later, which in turn requires follow up, liaison and joint work.
- The capacity of housing support teams to respond.

Overall this support provider was amongst those respondents who saw benefits in extending access to assessment of housing support needs and in the opportunity for other needs in household to be considered at points of assessment and review.

In sum we can conclude from the study that the key enablers representing infra-structure for implementation of the duty included:

- The development of housing support services across localities as the result of the Supporting People funded programme has created infra-structures of housing support and related commissioning systems in local authority areas.
- Some local authority interviewees mentioned the importance of local political support, where councillors have become convinced of the need for housing support services. Additionally the support of senior management was seen as a key enabler

- Information, training and development services of the Housing Support Enabling Unit (HSEU) has been a key resource for the development and improvement of housing support services at local level

- The growth of local inter-agency networks and joint working across housing, social work, health and voluntary advice and housing support services, is considered a critical resource for meeting housing and related support needs

- The local authority Hubs were seen by a number of local authorities as playing a potential role in information exchange in regard to housing support for homeless people

- The new duty was seen by some national and local interviewees as likely to bring a renewed focus on and increased profile for housing support services for homeless people.

4.3. Issues perceived in terms of low impact

Having discussed consultees' views on constraints and enablers with likely consequences for implementation of the duty, we now consider the perceived impact of three recent developments in housing and social care on implementation of the duty. Those addressed included the housing options approach; shared assessments and personalisation.

(1) The **housing options approach** was seen as a very significant development that is changing the culture of the response by housing services, including in regard to housing advice, access to housing support assessments and housing support. However there was uncertainty as to whether housing options has any specific relevance to the implementation of the duty; as one interviewee commented, *"It is not yet clear how all will link up and there are likely to be variations by area".*

(2) In regard to **shared assessment** approaches which have been pursued since the implementation of community care, again there was ambivalence. A few local authorities appear to have either implemented a shared assessment framework or still aim to do so, and one manager commented that the initial housing support assessment *"could be a trigger for an integrated assessment".* However a national stakeholder who has been party to efforts to promote shared assessments over some years, said that, *"single shared assessments aren't really an issue for housing support assessments as these just haven't really taken off".*

(3) Similarly there were uncertainties about the relevance of **personalisation/ self directed support (SDS)** for implementing the housing support duty. In one local authority area where there has been a drive to personalisation/ SDS, there had been low take up on the housing support front to date; and where housing support was provided this was through direct payments. In this area managers felt that the rolling out of SDS could have implications for housing support. However overall, most consultees felt that the duty has such a specific focus that, as one said, *"SDS is not a priority for housing support".* One national interviewee commented however that, *"the links aren't yet clear between SDS and housing support, although the SDS guidance recognises that the approach by housing support services is person-centred".* And another commented that, *"while this is a statutory duty, it might be possible to enable a choice of provider",* though this was seen to be difficult. A common theme in responses was that for many practitioners SDS/ personalisation are seen as closely tied to the implementation of budget reductions.

4.4. Implications for commissioning, redesign and monitoring of housing support services?

Local authority commissioning of services is required to take account of strategic objectives and priorities as well as matters such as service reviews, quality standards, financial resources and accountability. It may influence the design of services. Here we look in turn at views on the possible implications of the duty for local commissioning and service redesign.

(1) Commissioning implications

Most local authority homelessness managers consulted were planning to inform or update commissioning managers in regard to the duty. Commissioners in a rural authority had reviewed all housing support services in the area, working in collaboration with providers and taking account of best practice, the changing context and financial constraints. This authority is heading to re-tender housing support services focusing first on accommodation with support services and then on outreach housing support services and housing options/ money advice. The review may lead to some key changes and one option is that some services may be brought back in-house.

Again in regard to commissioning key concerns relate to future housing support capacity and options for those with higher support needs. One authority manager highlighted that changes are ongoing and the direction is shaped by funding - "*we are driving a different ship*". This manager described how joint work can be disrupted by commissioning, such as when a "*fabulous service for vulnerable and difficult to engage clients lost the contract - due to "cost criteria, not quality"*. They felt that larger providers "with infra-structure" are more able to keep costs lower.

Other potential consequences were highlighted in regard to the duty. A national stakeholder asked whether it duty might prompt local authorities to control access via referrals to particular services, "*which could inhibit direct access for others?*". Although this interviewee was aware that local authority commissioners may already specify such criteria, they thought that the focus on the duty may lead to further changes in service provision or new referral routes. A similar comment was made by another national stakeholder who said that if funding centres on the duty,

"the possibility is that practice will follow the funding – behaviour might be skewed – there could be a perverse incentive to be in a greater crisis to get access to housing support".

A national stakeholder referred to concerns expressed in the lead up to the new duty - that, "*in defining the minimum, in practice this may become the maximum*", at a level that

local authorities are doing anyway. Another stakeholder commented, *"some local authorities may go for the lowest common denominator of support"*.

Another issue raised related by two local authority respondents was whether elected members may prioritise in-house services in the context of the duty, and if so, how might this impact on commissioning as contracts are due for review? It was also suggested that, "*elected members could look for efficiencies and conclude in-house services are cheaper"*.

(2) Implications of the duty for the need to review and/ or redesign of housing support services

A repeated view of national and local consultees was that where local authorities have developed a strong foundation for housing support assessment and provision, it is less likely that services will require to be redesigned. Moreover some were of the view that the duty may serve to strengthen housing support services, to 'shore up' housing support teams and staff retention. One interviewee commented on the duty's impact:

"I don't think there will be differences made in terms of procedures and practices overall or that the new duty will make for a dramatic step change, because most local authorities have already engaged with the challenge … I think local authorities have made huge steps in the past five to six years".

However in spite of this interviewee felt that, *"there will be a need for carrying out a review of services …. this would consider current practice, what needs changed and who can help following a scan of the environment".* Similarly another interviewee commented that apart from resource issues, there is the issue of *"what types of support?"* and *"which agencies should be providing it?"* Overall the need for service redesign is likely to depend on how well current systems are seen to be operating and how well housing support is being assessed currently, although there will be a continuing need for local authorities to review and revise systems and practices.

Revision of contracts, protocols and systems: In response to the potential regulations and local reviews of housing support services, some local authorities were considering whether current contractual agreements with housing support providers may need to be revisited. Some authorities were also considering revisiting their procedural framework, and one for example is considering whether a 'top level assessment' will be done 'in house', with the external provider working out finer details, case managing and regularly reporting to the Council. Another wondered whether *"broader work on housing support"* will need to be limited to focus on the duties. It was also felt that the thrust to work towards shared outcomes could require additional staff time and funding.

Some interviewees identified other potential impacting on current services included:

- That the need for advice and assistance is likely to increase.
- If the regulations or local authorities specify time criteria or restrictions in regard to continuing housing support, then will mean changes in services.
- If housing support workers have to spend more time on financial management they may have less time for social networks and developmental support.

Again this emphasises the case for monitoring and review.

(3) Monitoring process, outcomes of support and unmet needs

The Scottish Government will be interested in how implementation of the Regulation will affect the different sectors involved in housing support services, as well as in capturing and reviewing costs. However it recognises this may be problematic because of other factors, such as how the Benefits cap/ Welfare Reforms will affect homeless people and tenants as well as providers.

Both commissioning and service managers may determine what monitoring information is required of housing support services and several interviewees emphasised there is a continuing need for recording information for monitoring and review purposes. The sorts of information that may be collated addresses needs assessment, agreements, action taken, follow through e.g. referrals, reviews and outcomes including service gaps. However, there were some concerns raised about the extent of detail required, which some felt may verge on intrusiveness as well as place demands on staff time. One interviewee commented, *"do we need all that information? … "why do we ask about sexuality for instance?; people's needs get too fragmented".* In sum, the message is that monitoring needs careful attention to ensure that the priority to meet homeless people's housing support needs is not displaced by bureaucracy.

Local authorities were asked how far their assessment process helps to record unmet needs to enable these to be addressed. Three authorities commented that unmet needs are not being systematically recorded at present and this was currently being addressed. Two others illustrated how recording or data systems used can enable or inhibit information collation, one reporting that they are able to identify unmet need which was not captured well by the previous system, while the other reported the opposite - since using the SWIFT system they cannot record unmet need; they plan to work with SWIFT to see if this can be built in. Most, including those who were not collating composite data about unmet support needs, reported that the support matrix used in assessment enables unmet needs to be recorded and addressed within the persons support plan. A major aspect of the support workers role is to try to link the service user with relevant services to meet wider needs. Some interviewees pointed out that *"homelessness staff often cant get*

a full picture at point of assessment and often additional or unmet needs are identified later by the support provider".

That the new duty is likely to bring monitoring requirements was recognised by many interviewees who said they await clarity about *"the sort of records that local authorities will be required to keep".* For example, as well as recording actions taken it was suggested it will be important to record 'non take-up' of housing support and any known outcomes. However some questioned how much this will say about outcomes and one interviewee said the experience of section 11[21] indicates that even where there is notification of impending risks, *"at times the reports accumulate in big boxes on desks … there is no obligation to do anything and the result is, quality suffers".*

Some interviewees commented on further issues for strategic monitoring that aims to inform planning:

- Non-engagement in the form of refusal of assessment or support can imply unmet needs, but *"how will the new duty deal with that issue and how will the duty be monitored and reported to even quantify it?"*
- For housing support services that play a wider role than meeting statutorily homeless people's needs, there is no system of feedback on support outcomes.
- In Hub discussions local authorities often have different performance information - it would be preferable to have *"a consistent approach relying on a few key outcome measures".*

4.5.   Key Points

Focusing on perceived barriers and enablers for the implementation of the duty at local level:

- Barriers were identified in terms of: funding; staff capacity; gaps in housing support to meet needs of RSL tenants; single people under 25; geographic deficits in provision, particularly in widespread rural areas.
- Strong concerns about resource constraints on housing support were seen as potentially to have unintended consequences, such as resource allocation being driven by the duty, which could restructure provision and create new gaps.
- Enablers and support for implementation of the housing support duty related to: 'internal' support from senior managers and councillors and 'external'

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[21] s.11 Homelessness etc. (Scotland) Act 2003

support through the agencies of the local authority hubs as well as training and information inputs by relevant organisations such as the HSEU.

- The importance of developments in regard to housing options, shared assessments and personalisation/ SDS were considered in relation to how these might impact on implementation of the duty, but overall these were seen in terms of relatively low impact on housing support at present. It will be important however that their relevance is monitored and reviewed.

- Training was seen as a key resource for improvement generally, as well as specifically in regard to implementation of the duty.

- Reviews of services in light of the new duty were seen as required, although perhaps mostly in areas where recent reviews have not taken place. However some level of review by local authorities and partners of arrangements, process and outcomes may be helpful in most areas.

- Agencies that could play a role in reviewing progress and outcomes of the new duty to inform strategy development and promote best practice could include: the Scottish Government, COSLA, ALACHO, the HSEU, SCSH and Shelter Scotland. Additionally, the local authority Hubs have a role to play in developing ways forward. The Local authority Hubs and the HSEU may be key resources for developing best practice and the Community Care Providers Scotland/ HSEU has produced guidance on outcomes approaches [22].

- On data collection and monitoring systems there appears to be variation across local authorities in terms of the scope of elements covered and issues that may present challenges for strategic monitoring of implementation of the duty. Scottish Government, the HSEU and the local authority Hubs may have a role to play in improving these.

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[22] CCPS, HSEU and VSSSWU (2010) "An outcomes approach in social care and support: an overview of current frameworks and tools". A briefing from CCPS, HSEU and VSSSWU, Edinburgh: October 2010

Chapter Five - Conclusions and recommendations

Housing support is a well established area of practice and local authorities already have in place processes and mechanisms for assessment and delivery. This duty recognises this but aims to ensure consistency of access and that all homeless people or those at risk of homelessness get the housing support they need to help them to sustain their accommodation. The delivery of good housing support must be person-centred and tailored to the individual needs of the household which means that whatever regulations or guidance are brought in must allow for flexibility to achieve the best possible outcomes.

- This research shows that practitioners would find it useful to have guidance to accompany the housing support duty. This guidance should clarify best practice in relation to some of the issues listed below but allow for continued flexibility for local authorities in the assessment and delivery of housing support.
- Considering the need for local authorities to exercise direction and flexibility, it could be that detailed guidance would be a better tool than statutory regulations which may be complex and too prescriptive.
- This research has highlighted a number of areas which should be addressed in guidance (or regulations):
  - The definition of housing support in relation to this duty
  - The time period for which housing support should be provided and which allows for flexibility
  - The discharge of duty in relation to: those already receiving support; those who fail to engage with support and those who lose their accommodation along with their housing support e.g. supported accommodation
  - How local authorities should interpret 'reason to believe' to identify those to whom the duty applies
  - How the duty applies to the assessment of housing support needs and to provision in respect of the whole household
  - How this duty will impact if there has already been a housing support assessment carried out before the homelessness assessment
  - How this duty will impact on services being supplied by other departments or organisations
  - Where this duty fits in for those who require long-term and continuing housing support and those who have multiple support needs.

In addition to the above pointers there are a number of other recommendations to be drawn from this research:

- The definition in the guidance and/or regulations accompanying the duty should be sufficiently broad to meet a wide range of needs encompassing other homelessness prevention activities and housing options advice and information.
- The guidance should empower local authority staff to continue to use their judgement and discretion to provide housing support that will help each household to stay in accommodation and avoid repeat homelessness. This means that the period for which support is provided should be tailored to each situation and where existing support is in place a judgement should be made as to whether there is additional need and how services and departments co-ordinate delivery.
- When housing support is assessed to be necessary, it should be provided as quickly as is practicable but more important than a set timeframe is the principle that support is dovetailed with the provision of accommodation so people do not find themselves with one but not the other.
- Where a person refuses to engage with either the assessment process or the support provided, an inquiry should be made into whether the right type of support is being provided, or any underlying reasons for a failure to engage, before duty is discharged. Equally, where a household has lost their accommodation, the local authority should investigate the contributing factors and make a judgement on continuing to provide housing support.
- To ease the transition from current housing support systems to fulfilling this new duty, local authorities should undertake a series of discussions with budget holders, commissioners and other departments to ensure 'readiness' for implementation. This could include a training needs analysis for delivery staff and for advice and information staff/services.
- The Scottish Government should undertake an assessment of current monitoring/recording of support provision to ensure that current systems can accurately monitor key outcome measures of the new duty.
- An evaluation of the effectiveness of the housing support duty should be carried out after two years to get an accurate picture of the cost of implementation and the outcomes for homeless people.

Appendix One - Notes on Section 158 - Housing support for persons found to be homeless or threatened with homelessness

This inserts a new section (s.32B) into the Housing (Scotland) Act 1987

Subsection (1) states that the duty to assess and provide housing support under (2) applies (a) to those for whom the local authority already has a duty having assessed/ found them to be homeless under section 31(2) or 32(2) of the 1987 Act and (b) has reason to believe that the applicant may be in need of prescribed housing support services.

Subsection (2) specifies that the local authority must assess whether the applicant, and any other person residing with the applicant, needs prescribed housing support services.

Subsection (3) states that in carrying out such an assessment the local authority must (a) conduct inquiries of such type as may be prescribed; and (b) have regard to prescribed matters.

Subsection (4) states that the local authority must ensure that prescribed housing support services are provided to any person assessed as being in need of them

Subsection (5) states that regulations made by statutory instrument may make:

"further provision about the provision of prescribed housing support services in pursuance of subsection (4) and may, in particular, specify -

(a) the period for which services are to be provided;

(b) matters to which a local authority are to have regard when ensuring provision of services.

Subsection 6 to 8 refer further to the regulations. (6) states that the regulations may make different provision for different purposes and different areas. (7) states the requirement to consult on the regulations and (8) specifies the requirement for a draft statutory instrument containing the regulations to be lad before and approved by Parliament.

(9) defines "housing support services" as "any service which provides support, assistance, advice or counselling to an individual with particular needs with a view to enabling that individual to occupy, or to continue to occupy, residential accommodation as the individual's sole or main residence".

Current pathways to accessing assessment and support and how these might change

Housing status	Response	Referred	Housing Support	Change
Homelessness	The need for a housing support assessment identified as part of the homelessness assessment	To an internal service or external provider to carry out the assessment	Support provided either by internal or external support provider	Household members residing with applicant to be part of the application process Monitoring of HS needs to identify gaps
Homelessness	Housing support assessment of applicant as part the homelessness assessment	To internal or external support provider to provide housing support	Support provided either by internal or external support provider	Household members residing with applicant housing support needs to be assessed and need to be met if required– coordination of HS. Monitoring of HS needs to identify gaps
Homelessness	Support needs emerge/identified while in temporary accommodation	To an internal service or external provider to carry out the assessment	Support provided either by internal or external support provider	Any support needs of the household members emerge/ identified and need to be met Monitoring of HS needs to identify gaps
Homelessness	As part of the housing support assessment additional/complex/multiple needs identified	Further assessment by specialist services by internal or external services	Specialist support provider or there may be difficulties of accessing some specialist services	Continued drive towards joint work Monitoring of HS needs to identify gaps
Homelessness	As part of the housing support assessment additional/complex/multiple needs identified or already being meet	Multi agency case conference to discuss/develop support plan	Specialist support provider accessed or possible difficulties faced in accessing specialist services	Continued drive towards joint work Monitoring of HS needs to identify gaps

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Housing status	Response	Referred	Housing Support	Change
Threatened with homelessness/ waiting list applicant	Housing options interview identifies support need to assist with prevention of homelessness	To an internal service or external provider to carry out the assessment	Support provided either by internal or external support provider	If resources are targeted to implementing the duty, those who fall outwith the 2 months time-frame re "threatened with homelessness" ,may face more difficulties in accessing HS,
Tenancy at risk	Housing support needs identified by housing management staff	To an internal service or external provider to carry out the assessment	Support provided either by internal or external support provider	Same issue applies as above?
Tenancy at risk	Housing support needs identified by advisers/ support agencies?	To a local authority service or external provider to carry out the assessment	Support provided either by local authority or external support provider	Same issue applies as above?

Appendix Two - Local authority assessment systems

It should be noted that it was not feasible to consult with operational as well as strategic or commissioning managers in all 10 authorities, so the descriptions are not directly comparable.

LA (local authority) No 1 - preliminary assessment (homelessness) then devolved to support providers - under review

To date a homeless person who is identified as likely to need housing support is referred to the support provider who carries out the assessment and provides the housing support, but this system is undergoing review. The Council has recently developed a housing support assessment tool which looks at the full range of needs, for example covering practical and finance inputs, health, mental health, finances and social networks. The aim is to identify whether people have general low level housing support needs or more complex and/or multiple support needs. Support needs are plotted using a matrix of 1-5, and if a certain score is exceeded a case conference will be held. Lower level support needs are mainly be met either through housing support services provided by council staff or by external housing support providers.

LA No 2 - shared general housing support assessment - referral - specialist assessment after 21 days - recent review of housing support system

This Authority now uses a housing support assessment - 'With You for You'. This is a generic shared assessment tool which can be used by a range of services - Social Work, Health, Housing - whichever has first contact with the customer. The aim is that service users could **self refer** though this has not yet been implemented. A specialist assessment follows, usually within 21 days, after which it is governed by the Authority's quality assurance system. The form may be referred on, with the applicant's permission, to appropriate services, e.g. addictions, and information is inputted to a SWIFT data system.

LA No 3 - preliminary assessment (homelessness or housing management) then full assessment devolved to support providers, including for specialist assessments

Housing support can be accessed by tenants and homeless people via **self or agency referrals** and people may be identified with housing support needs while staying in temporary accommodation. There is a team of nine and a sub-team that works with tenants in multi-storey housing. Part of the homelessness assessment addresses support needs but following referral to the housing support team a holistic assessment is carried out, covering support needs for financial and practical assistance; social networks and personal issues and access to employment training and education. The support plan is developed with the person, who holds a copy, and this sets goals and time-frames. There

are weekly visits and the support plan is reviewed quarterly. The team is currently piloting a matrix system (HSEU Better Futures framework). For some, whose needs are for practical resettlement support, support is offered for around 8-10 weeks (currently there is very high demand for practical assistance). Others who have additional and complex needs may receive support for 6-18 months. The team liaises with social work to access additional support for those who are vulnerable and need longer-term support - 'we can bridge the gap' till they can respond. There are other housing support teams managed by two housing associations and voluntary organisations, providing person-centred and community-based support, with attention to those who take up a tenancy for the first time and who need help with furnishings etc. There are also specialist outreach support providers.

LA No 4 - preliminary assessment (homelessness) then referral for assessment by housing support team using Outcomes Star

Applicants can present to the local authority's central housing advice centre or one of their area offices. All housing options are considered and the applicant is referred for support as required. If there is no solution found then the person is referred to a homeless advice officer and a homelessness application is made. The application contains a vulnerability section and this can trigger a referral to a housing support officer who carries out a support assessment. A matrix system, the Outcomes Star, is used to prioritise need and develop a support plan. Housing support officers provide the support and refer to other specialist support providers as appropriate. A dedicated homeless support team has expanded over some years and comprises six workers. A dedicated social worker is jointly managed by housing and social work to undertake community care assessments, including for people with complex needs, and then to refer on to appropriate services.

LA No 5 - preliminary assessment (housing needs) then referral as required for assessment by housing support team

Following reviews, the assessment process was revised, particularly as it emerged that some people were getting access to housing support who did not need this. Now a first stage diagnostic assessment interview (the Housing Needs Prospect interview) is conducted which identifies who needs a housing support assessment, which is carried out by housing support staff. The applicant is asked to authorise the housing support service to make enquiries to share and access personal information held by other agencies in the pursuit of a jointly agreed support plan. It was stressed that assessment and screening tools are not 'set in stone', but subject to continuous review and amendment, sometimes due to IT changes. Housing has been negotiating with Social Work on joint working in relation to assessment. For instance if a shared assessment is used under the Pathway plan for young people leaving care, for whom the local authority has a corporate duty, the aim is that housing staff will be able to access the pathway assessment and plan. A joint strategy has been devised to improve access to assessment and support for people with

mental health needs. It was commented that there is *"a fresh commitment to share the principles underpinning assessment and where feasible to share in the assessment itself"*.

LA No 6 - preliminary assessment then referral for fuller assessment as required using Matrix

This local authority and its key partners in addressing homelessness all use a matrix formula that has been adapted from the earlier one issued by the Scottish Government. This was adapted from one initially developed by a voluntary organisation which has been found very useful. The matrix is reviewed six weekly and it charts people's progress. If a tenant or housing applicant receives a Housing Options interview which has been used since 2008, they may be referred for housing support for early intervention. It was stressed that most homeless applicants are in crisis or at risk of crisis and are most likely to use the homeless route. Those who are homeless and have complex needs usually have a high matrix score (30+). The Authority has been reviewing how they deliver housing support and temporary accommodation.

LA No 7 - preliminary assessment (at point of homelessness) plus option of fuller assessment by relevant providers as required using Outcomes Star (OS)

It was seen to be consistent with the new duty that this local authority's homelessness teams carry out a housing support assessment using the Outcomes Star (OS) for all homeless applicants or those referred who are threatened by homelessness. That assessment may identify that people have had 'a blip in their lives', are perfectly capable of fending for themselves and just need temporary accommodation, but it is considered that many applicants require support. The assessment has been developed further and standardised over the past 18 months. The homelessness officer carries out an initial assessment focused on accommodation and support needs. If particular/ additional needs are identified e.g. drugs/ mental health, then a higher level assessment may be conducted by a support worker from external agencies, also based on OS model. The fact that the approach is standardised is seen to be good for clients - its *"simple to use and easy to understand"*. Also people appreciate the 'Star' and how it can change over time. There is also a review process.

LA No 8 - preliminary assessment using support needs matrix then referral for in depth assessment and support plan

 Any presentation to the homelessness service goes through the support needs matrix which is part of the homelessness assessment; if they have a high score in priority need assessment the applicant is referred to their internal housing support team which looks at best way forward, for example supported accommodation or floating support while in temporary accommodation. An external provider carries out an in depth housing support

assessment and develops the support plan. A housing support panel will review support for complex or high need cases to agree any additional support if required.

LA No 9 - preliminary assessment (housing options) then referral for full assessment by internal housing support team or external service

An applicant can present to either of the local authority's two centralised services (one is specifically for people in crisis) or to one of their neighbourhood offices. The overall approach was described as being advice led and homelessness prevention focused. A housing support assessment is part of their general housing options assessment. For a more in depth assessment a referral is made to their internal housing support team or to an external commissioned service.

LA No 10 - preliminary assessment (housing options) then referral for fuller assessments (both homelessness and or support) as required using Matrix

An applicant can present to any of the local authority's local offices. The Council use a housing options approach to assess the person's needs and situation. Preventative options are explored first by the duty officer to enable an informed choice about housing options and access to required support. If the person's housing difficulties cannot be resolved they will be referred for a homelessness assessment. The housing support assessment is based on the Personal Housing Plan approach accompanied by a support plan. The Council uses a support needs matrix, building on the Falkirk Council/ Scottish Government model. Support can be provided by internal or referrals made to external support services.

Routes to assessment and housing support [HS]