

Shelter Scotland's initial written evidence to the Infrastructure and Capital Investment Committee – Housing Options and the 2012 Commitment

Shelter Scotland works with over half a million people in Scotland each year. Many of whom will have experienced positive or negative impacts from the introduction of the Housing Options model and the commitment to the abolition of priority need from December 2012¹. Shelter Scotland worked with the Scottish Government and local authorities to help deliver the '2012 Commitment' and recognises the significant improvements across local authority services since the commitment was made in 2003.

We welcome this opportunity to contribute to the work of the ICI committee to ensure the ongoing delivery of the 2012 Commitment and the right homelessness and housing services. We will be making a full written submission to the forthcoming consultation on the impact of the Housing Options model and the 2012 commitment. This report provides a short introduction to the main issues that we consider will be of interest to the Committee and an initial indication of our position on these areas.

In July 2014 we conducted a survey of Shelter Scotland advice staff based across Scotland on their views of the impact of Housing Options and the 2012 commitment. A selection of views from our staff who are directly involved in helping clients have been highlighted in boxes in the following report.

Unless otherwise stated, all homelessness figures are taken from the Scottish Government annual homelessness statistics dataset 2013-14².

¹ For more information on Housing Options, Shelter Scotland produced two papers: Shelter Scotland, March 2013 *What are my options? Delivering a person centred housing and homelessness advice service in Scotland* http://scotland.shelter.org.uk/professional_resources/policy_library/policy_library_folder/what_are_my_options_delivery_a_person_centred_housing_and_homelessness_advice_service_in_scotland
Shelter Scotland, July 2011 *Housing Options in Scotland* http://scotland.shelter.org.uk/professional_resources/policy_library/policy_library_folder/a_shelter_scotland_report_housing_options_in_scotland

² Scottish Government, Operation of the Homeless Persons legislation in Scotland: 2013-14 <http://www.scotland.gov.uk/Topics/Statistics/Browse/Housing-Regeneration/RefTables>

Summary

- Housing Options diverting from homelessness applications - training and guidance needed
- Spotlight needed on use of intentionality decisions
- Barriers for vulnerable people in accessing Housing Options services
- Support for households accessing Housing Options
- Increased use of private rented sector as a housing option at the same time as increasing levels of homelessness from the private rented sector
- Changing demand for temporary accommodation and need for quality standards
- Need for more affordable homes

1. Reduction in homeless applications and acceptances

From 2010-11 to 2013-14 there has been a 34% reduction in the number of homeless applications in Scotland. This marked decrease can be linked to the introduction of the Housing Options model and a renewed preventative approach adopted by councils, rather than any significant change in the underlying causes of homelessness.

The Housing Options model is not meant to replace the statutory duties of a local authority to a homeless household³. Reports of homeless households being diverted from making a homeless application have raised concerns about the application of the Housing Options model. This has been highlighted both by the Scottish Housing Regulator, and by Shelter Scotland staff:

“It is likely that in such cases this has resulted in an under-recording of homelessness as a number of people with clear evidence of homelessness or potential homelessness do not go on to have a homeless assessment.”⁴

*“There is clear evidence from our casework that a number of local authorities conduct housing option interviews without including a homelessness assessment for applicants who are clearly homeless.” **Shelter Scotland staff member (2014)***

³ S. 28 Housing (Scotland) Act 1987

⁴ Scottish Housing Regulator (2014) *Housing Options in Scotland: a thematic inquiry*
<http://www.scottishhousingregulator.gov.uk/publications/housing-options-scotland-thematic-inquiry>

2. Training and guidance

In light of this evidence, Shelter Scotland welcome's the Scottish Government's recent commitment to writing enhanced guidance for Local Authorities on Housing Options and the model's delivery alongside the continuing statutory duties. This guidance should be written in close consultation with the homelessness sector, informed by evidence from frontline experience. The implementation of mandatory PREVENT1 data collection should significantly aid understanding and analysis of the Housing Options process and also inform the guidance.

It is well documented that there is currently a wide range of stages of implementation of the Housing Options model around Scotland. The introduction of guidance should assist local authorities in progressing towards delivery. However, if a Housing Options approach is to fulfil its potential, then it is vital for frontline staff to be sufficiently trained to respond appropriately to the range of presenting needs and the Housing Options tools available to them.

"There have also been instances where if a young person requires a homeless assessment due to physical abuse in the home, there does not seem to be any barrier to this. However, if a young person is experiencing emotional, mental, financial abuse etc. - this has been more difficult to get across to some housing officers. I believe that this is down to a lack of training/understanding." Shelter Scotland staff member (2014)

3. Intentionality Decisions

One of the concerns around the removal of priority need is an increase in intentionality decisions as local authorities struggle to cope with their increased caseload of homeless applications.

In 2013-14, 1,828 (5%) homeless applicants were assessed as intentionally homeless, up from 1,652 (2%) in 2009- 10. The number of intentionality decisions would be expected to rise with the removal of priority need, as intentionality is only considered once priority need is confirmed. However, as a proportion of homeless priority assessments, intentionality decisions have been increasing since 2009-10, and it is now higher than in 2002-03. There may be benefit in monitoring this trend in order to map whether a changing use of intentionality decisions is being used to avoid statutory duty.

"Anecdotally, we will have seen a rise in the decisions made where people are found intentionally homeless, this is likely to be as a result of the removal of priority need." Shelter Scotland staff member (2014)

4. Households most impacted by the changes

Since 2012, there has been a change in the ratio of applications by household type. For all household types, the number of applications is decreasing for reasons discussed above.

However, proportionally the number of applications from single people over 25 is rising. This might be because, priority to the removal of priority need in 2012, this group were least like to be found in priority which may have discouraged some from making an application. Nonetheless, it may also be because solutions presented through Housing Options are not successful for more vulnerable people that fall within this group, and therefore they are still making homeless applications. This could indicate that there may be benefit in focussing resources on developing and delivering addition Housing Options for this group.

Concerns have also been raised by our services staff over the perceived difficulty for vulnerable groups in accessing the homelessness system in the council, and the interaction with Housing Options. For example, individuals who are vulnerable may not have the IT skills to complete the online Housing Options application forms that some local authorities have implemented. Equally, for very vulnerable households, navigating the range of options and understanding the processes involved may be making some services less accessible than they should be.

“Vulnerable individuals with chaotic lifestyles or learning difficulties / undiagnosed learning disabilities or other cognitive impairment have more than likely been disadvantaged to a higher degree than any general age group [by the move to the Housing Options approach]. This is due to the Housing Options approach being seemingly more complicated and more difficult to access.” Shelter Scotland staff member (2014)

“[Clients] have reported coming away either mistakenly believing they had made a homelessness application, or not knowing what had happened and what would happen next.” Shelter Scotland staff member (2014)

5. Private rented sector

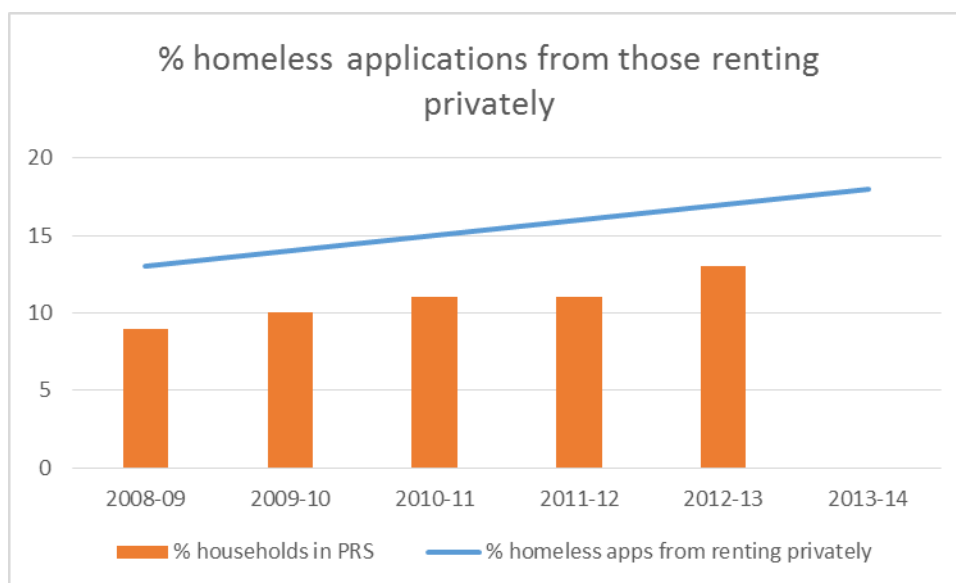


Chart 7: Homeless applications from the private rented sector: 2008-09 to 2013-14

The proportion of homeless applications from households renting in the private sector has grown from 13% in 2008-09 to 18% in 2013-14. Although this coincides with a growth in the number of households living in the sector, the proportion of homeless applications is still disproportionate to the number of privately renting households⁵.

The recent changes to Local Housing Allowance have had a large impact on affordability within the sector or those in receipt of benefits. This may have led to a lack of affordable options and an increase in people struggling to pay their rent and resultant evictions.

Finding accommodation in the private rented sector is offered as the main housing option for many households who would have previously applied as homeless and consequently secured a social tenancy which may not always be the best or most appropriate option. Alongside this, the number of households for whom a homelessness duty is discharged into the private rented sector has increased slightly in the past year from 4% to 5%.

The current short assured tenancy regime creates a framework of insecurity, which in the long run is bad for both tenants and landlords. The increasing use of the private sector raises particular concerns as lack of stability in housing can have a detrimental impact, particularly on children and those with high levels of vulnerability.

⁵ Scotland's People Annual Report: Results from 2012 Scottish Household Survey
<http://www.scotland.gov.uk/Publications/2013/08/6973>

"I also worry that Housing Options is fuelling the increase in families and single people with children in private rented accommodation with all the lack of security this entails." **Shelter Scotland staff member (2014)**

The growing disproportionate number of homelessness applications from the private rented sector underlines the need for greater security of tenure. The recent report of the Private Rented Sector Tenancy Review Group recommended a new tenancy regime for the sector⁶ and the Scottish Government has shown a commitment to this change.⁷ It is vital that this change results in greater security of tenure for private tenants, so that the private rented sector can be viewed as an attractive housing option, allowing people to stay in their homes for as long as they need.

6. Support

The duty for local authorities to provide housing support to homeless households, introduced by the Housing (Scotland) Act 2010, came into effect on 1st June 2013⁸. Whilst the practical application of this support aspect is encouraging, the diversion of some individuals away from the homelessness route affects the wider support the individual should receive, including this new support duty. The Scottish Housing Regulator's report highlighted positive practice in some councils who offer the same support needs assessments to those who make homeless applications as for those who go through their Housing Options process. Emerging evidence of the range of support needs identified suggests that this should be encouraged where possible, for the benefit of the individual and to prevent wider costs to the public purse.

The Regulator's report also identified that for some local authority Housing Options interviews, support needs assessments were completed, but there were *"also many where there was no or only brief discussions about support needs"*⁹. There should be consistent application of the support duty across all Housing Options teams which should be monitored by the Scottish Government and the Scottish Housing Regulator.

⁶ Private Rented Sector Tenancy Review Group (2014) <http://www.scotland.gov.uk/Topics/Built-Environment/Housing/privaterent/government/Tenancy-Review/report>

⁷ Scottish Parliament, Official Report 25 June 2014, Housing (Scotland) Bill: Stage 3 http://www.scottish.parliament.uk/parliamentarybusiness/28862.aspx?r=9285&mode=html#iob_83721

⁸ Shelter Scotland compiled information collected from local authority officials through a short informal telephone interview. A total of 27 authorities were interviewed in late 2013 and the first quarter of 2014. Shelter Scotland (2014) *Supporting homeless people: have new legal duties made a difference?* http://scotland.shelter.org.uk/professional_resources/policy_library/policy_library_folder/supporting_homeless_people_have_new_legal_duties_made_a_difference

⁹ Scottish Housing Regulator (2014) *Housing Options in Scotland: a thematic inquiry* <http://www.scottishhousingregulator.gov.uk/publications/housing-options-scotland-thematic-inquiry>

7. Temporary accommodation

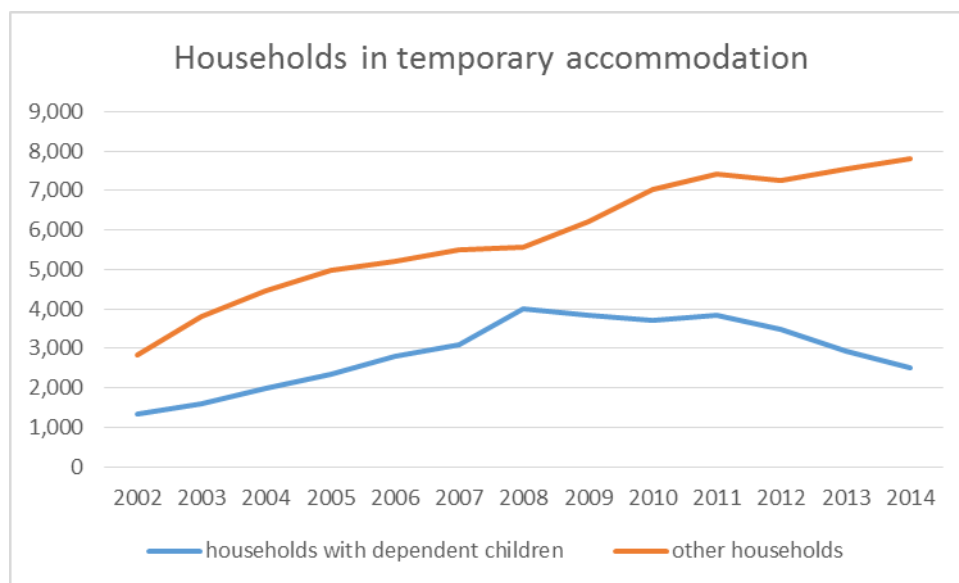


Chart 14: Number of households in temporary accommodation by household type: 2013-14

The number of households with children in temporary accommodation has been decreasing since 2008, as has the number of children in temporary accommodation. This is a really positive trend. However, for households without dependent children it is a different story, with the number continuing to rise. These statistics reflect local authorities having to adapt to providing temporary and permanent accommodation for a changing client group. Whilst for households with previously no or few rights to housing, to be provided with temporary accommodation is a significant step forward, this long term reliance on temporary accommodation is not in the best interests of those experiencing homelessness, nor is the best use of this expensive resource sustainable for councils¹⁰. The overall growth in the use of temporary accommodation also reflects constraints in the supply of permanent lets for households to move on into, as detailed later in this report. The impact of Housing Options and the 2012 commitment on the demand for and profile of temporary accommodation should be considered.

¹⁰ A recent report revealed the average weekly base rent for a local authority temporary accommodation unit in 2013/14 was £58.94, rising to £67.68 for an RSL unit and £103.85 for a property in the private rented sector, not including repair, management, or furniture and fittings expenditure. Temporary Accommodation Modelling Review 2014, August 2014 (unpublished)

"The removal of priority need is a bold and commendable step but must be supported with options for local authorities. If they have nowhere for people to go then the temporary accommodation bill remains enormous and people's lives remain blighted by long stays in temp. Single adults are the inevitable losers here as they are least able to afford alternatives but are steered away from homelessness as councils protect scarce resource." **Shelter Scotland staff member (2014)**

Alongside the numbers in temporary accommodation, the quality of the temporary accommodation should also be addressed. Households having access to quality temporary accommodation is an integral part of delivering the 2012 commitment, and the crucial first step away from homelessness¹¹. Shelter Scotland welcomes the recent commitment from the Housing Minister to address the issue of physical standards in temporary accommodation for families with children or pregnant mothers.

"Removing priority need has increased the strain on the services resulting in higher demand for accommodation, both permanent and temporary. Although the law itself is commendable, without increasing the number of physical numbers to accommodate the influx in eligible individuals, the quality of the service will reduce across the board." **Shelter Scotland staff member (2014)**

8. Rough sleeping

The total number of homeless applications has been decreasing for the past few years, yet last year the number of people who gave 'long term roofless' as their previous housing circumstance rose as did the proportion of people who slept rough the night before their application.

The number of people sleeping rough the night before their application in 2013-14 was on average 149 per month, equating to around 1,788 a year (up 2% from 2012-13). The number of people in 2013-14 who gave long term roofless as their previous circumstance in the year however was 204 (up 40% from 2012-13). That means there could be assumed to be around 1500 people who at some point were rough sleeping but didn't class this as their previous accommodation. There therefore seems to be a distinction between 'emergency' and 'chronic' rough sleeping which is potentially unhelpful.

¹¹ Shelter Scotland and the Chartered Institute of Housing in Scotland, 'Temporary accommodation guidance', 2010 http://scotland.shelter.org.uk/professional_resources/policy_library/policy_library_folder/temporary_accommodation_guidance

It might interest the Committee to investigate the impact of evolving Housing Options delivery on the rough sleeping population and patterns. Rough sleeping represents the sharp end of homelessness, with even a short spell on the streets potentially having a negative impact on life outcomes.

9. Housing supply

Homelessness and housing supply are intrinsically linked, and the ability of councils to fulfil their duties under the Housing Options and homelessness legislation is affected by supply of accommodation in their area.

Currently, Scotland is in a housing crisis, with supply not meeting levels of demand. Supply levels are being affected by slow rates of social house building and private construction, as well as a decline in the existing stock through right to buy and demolition. At the same time, housing demand is rising with household numbers in Scotland currently at 2.4 million in 2013, a 171,000 increase (8%) from 10 years ago.¹² Audit Scotland's 2013 'Housing in Scotland' report detailed the current pressures on supply levels, "*it could be more than 20 years before there are enough new homes to meet the projected increase in households in any one year*"¹³.

"Housing Options can be useful when it is done well, however, even when done well any Housing Options advice is only helpful if there are enough homes available. And at the moment this is not the case." Shelter Scotland staff member (2014)

This means that for many the 'options' given through the Housing Options process can be limited.

"Single persons under 35 who qualify for the shared-room rate of Local Housing Allowance have very few affordable and realistic Housing Options and do not benefit from the general advice they are given by Local Authorities. [through Housing Options interviews]" Shelter Scotland staff member (2014)

¹² GROS *Estimates of households and dwellings in Scotland: 2013* [http://www.gros-scotland.gov.uk/statistics/theme/households/estimates/2013/index.html](http://www.gros.scotland.gov.uk/statistics/theme/households/estimates/2013/index.html)

¹³ Audit Scotland July 2013, *Housing in Scotland* http://www.audit-scotland.gov.uk/utilities/search_report.php?id=2295

The supply of good housing must be increased across all tenures including bringing empty homes back into use. As a means to address this issue of supply, Shelter Scotland calls for 10,000 social homes to be built each year.

Conclusion

Shelter Scotland supports the development of progressive Housing Options and prevention advice that empowers individuals and families to make choices that are right for them. We believe that embedding user choice and support is key to the ongoing development of person centred homelessness services and a key part of preventing future incidences of homelessness.

It is critical that statutory homelessness duties remain an integral part of the Housing Options service and that any prevention advice empowers the customer to make positive choices while maintaining their rights.

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