



SHELTER SCOTLAND DELIVERY PLAN FOR HOUSING 2026 EVIDENCE PAPER: DELIVERING THE HOUSING RIGHTS WE NEED

The Scottish Government must ensure people have access to their housing rights. The answer is not to roll back rights, like we have heard too often in recent years from various corners. We are clear there can be no going back on the most fundamental protections in our housing system.

However, it also remains intolerable for local authorities to be unable to uphold those rights – routine law breaking, followed by no consequences. People denied temporary accommodation when they need it, and too often when they are offered temporary accommodation it is deemed unsuitable by law.

The scale of the issue across many local authorities has led the Scottish Housing Regulator to deem three local authorities to be in systemic failure, with a further seven at heightened risk of systemic failure – meaning they are unable to respond to demand on their services and uphold housing rights. Rough sleeping is on the rise because people are being denied the temporary accommodation they are legally entitled to.

Local housing emergencies have been declared across the country, record numbers of children are spending their childhoods in temporary accommodation, and there is insufficient action being taken by Scottish, UK and local government to tackle the housing emergency.

Alongside this, wraparound support services from mental health to addiction, social care to education, are siloed and lacking resources. People are unaware of their rights and unable to have these enforced. People who experience inequality in other parts of their lives – due to their race, disability, gender, care background or social class – have this deepened and entrenched by a broken, biased and systemically racist housing system.

Those with experience of the UK's racist immigration system suffer at the hands of our broken housing system. That broken system is used as an excuse by those increasingly emboldened to share their racist views, not because they care about the harm the system is causing, but because they see it as a way to further their hate-filled ideologies. Years of political failure has opened the door to this false narrative, and all mainstream parties must stand against this, but also deliver the policies necessary to tackle these issues in the long-term.

Our *Children's Experiences in Temporary Accommodation* research shows the real-life damage that this broken system is causing – harming children's safety, health and education.¹ The situation requires urgent action if Scotland's world-leading homelessness rights are to mean anything in practice.

This situation is a consequence of over a decade of austerity, with the welfare system no longer acting to provide a safety net to those who need it, and councils lacking the resources they need to provide the support those in crisis require. The next government must act.

¹ Svirydzenka, Prof N. (De Montfort University), Lakhanpaul, Prof M. (University College London), and Williams, Dr J. (De Montfort University)(2025) [*In Their Own Words: Children's Experiences in Temporary Accommodation*](#). Shelter Scotland.

We are calling on the next Scottish Government to:

Ensure people's housing rights are realised.

- The next government must **guarantee that existing housing rights are here to stay**, and end breaches of people's lifeline housing rights.
- Parties must **commit to ending austerity** and providing housing and homelessness services with the funding they need.
- The next Scottish Government must promise **no new rights without new funding** so that local authorities are not set up to fail.
- The Scottish Government must provide local authorities with the framework to ensure that local services such as housing, homelessness, mental health, addiction, social care, justice and education are less siloed and **people can access all the support they need when they need it**, including supported accommodation when required.
- The next government must **invest in rights awareness work** so that people know what they are entitled to and can have their rights enforced.
- The next Scottish Government must adequately **fund the civil legal aid system** so people experiencing homelessness can access advice and support to enforce their housing rights.
- The next government must **bring forward the delayed Human Rights Bill** to legislate for an enforceable Human Right to Adequate Housing in Scots Law.
- Parties must commit to **ending the use of hotel-like temporary accommodation** for children.

End the systemic inequality that characterises Scotland's broken housing system:

- All parties must commit to **continuing to mitigate the bedroom tax and benefit cap**, as well committing to effectively **end the two-child limit in Scotland** as soon as practicably possible.
- Parties must commit to **enhancing the Scottish Welfare Fund to target support** at marginalised women, including migrant women, women with no recourse to public funds, and unpaid carers.²
- The next government must work with the UK Government to **close the loophole which means families lose out on Scottish Child Payment** due to being forced into temporary accommodation.³
- Parties must commit to **ensuring that people are not excluded from accessing support or bidding for new housing** due to a lack of digital access or for whom English is not their first language, through provision of local digital services with support for those without digital literacy or without strong English skills.
- Scottish Government must **lead the way in developing a zero-tolerance approach against racism** in the housing sector, that means Black and People of Colour are more than twice as likely to experience homelessness as their white counterparts. This must include supporting social landlords to build capacity within the social housing sector to ensure staff have the skills and training to effectively respond to racism being experienced by their tenants.⁴
- Parties should commit to **implementing effective measures to take action against landlords found to be practicing racial discrimination** in the private rented sector.

² Shelter Scotland and Engender (2024), [Gender and the Housing Emergency](#).

³ Shelter Scotland and Aberlour (2024), [Child Poverty and the Housing Emergency](#).

⁴ Menezes, D., Netto, G., Hasan, S. (2023), [Minoritised Ethnic Access to Social Housing in Scotland at Key Transition Points](#). Commissioned by Shelter Scotland.

- The next government must **provide financial support to individuals granted leave to remain in the UK who have chosen to make Scotland their home**, and local authorities supporting them, as well as continuing to vocally push for additional support and **a more humane asylum and refugee policy from the UK Government**.