

# More priority needed

The impact of legislative change on young homeless people's access to housing and support



Shelter



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All photographs by Nick David. Cover photo by Felicia Webb.

To protect the identity of the people mentioned in this report, models have been used in photographs and some names have been changed.



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# Foreword

Young people are particularly vulnerable to homelessness and its consequences. Young people from households on low incomes are at even greater risk. Through discussions with young people about their experiences with homelessness, as well as feedback from local authority staff and other service providers, we have explored the extent to which their needs are currently being met.

This research looks at the practical impact of recent legislative change in England and Scotland on housing and support services for young homeless people. In England, the expansion of the homelessness safety net was achieved through the Homelessness Act 2002. Implementation of this Act was supported by Shelter through our “Homelessness Act Implementation Campaign”. In Scotland, the landmark Homelessness Act 2003 has given some young people the right to permanent accommodation, as part of a long-term commitment to extend similar rights to all applicants within a decade.

The research reveals that in some areas there have been real improvements in the support available to young people, while in other areas councils struggle to meet their new statutory duties. In England, there are significant numbers of homeless young people who are still not accepted by councils as being in ‘priority need’ and are therefore not provided with temporary accommodation. The mandatory extension of ‘priority need’ to 16 to 17 year olds, and care leavers considered vulnerable because of their care, has had the most positive impact, although, in parts of England, councils are still not prioritising all young people in these groups, despite the requirements of the legislation. In Scotland, the research found that despite the right to permanent housing, young people are still spending long periods in temporary accommodation. Such scenarios can increase isolation, make support provision difficult, risk repeat homelessness and institutionalise homeless people.

We are more encouraged by the findings about local homelessness strategies across England and Scotland, many of which were found to take an increasingly proactive and preventative approach to youth homelessness. This is to be welcomed.

What can be done to bridge the gap between strategies and implementation? This report makes a number of recommendations and provides examples of good practice from both the public and voluntary sectors. But, if we are to successfully turn the tide of youth homelessness, far more resources will have to be invested, both in social housing for rent and in related support services. Until this financial commitment is made, our vulnerable young people will continue to face a life of insecurity, uncertainty and social exclusion.



**Adam Sampson**  
Director of Shelter

# Introduction

This report sets out the findings of a study of the impact of recent legislative change on young homeless people's access to housing and support. Throughout this report, 'young people' refers to those aged 16 to 24.

The research was conducted in Scotland and England between February and May 2005.

## Youth homelessness and legislative change

In the UK today, young people face a disproportionate risk of homelessness compared to their elders. Young homeless people who have grown up in households with low incomes and family difficulties face even greater disadvantage. Some young homeless people face extremely difficult economic and social circumstances, including, for example, a history of abuse; problems with alcohol and drugs; having a criminal record; health problems; severe poverty and chaotic lifestyles.

The homelessness legislation introduced in England and Scotland in 1977 (Appendix 1) excluded many young people without children from the categories prioritised for housing, unless they were deemed to be 'vulnerable' and in priority need. Young people also face disadvantage in the social security system, as their entitlement to benefit is lower than for older age groups. Similarly, if working, they are likely to be on relatively low incomes at the start of their careers.

Consequently, young people may find it very difficult to find a pathway out of homelessness without some assistance with housing and support from the state or its voluntary sector partners. Despite efforts to tackle youth homelessness since the 1990s, the problem has persisted into the 21st century.

Scottish housing law and policy were devolved to the new Scottish Parliament in 1999. Subsequently, major reviews of homelessness policy and practice were undertaken in Scotland and England, resulting in greater legislative differences between the two countries.

Some of the changes born of this review process had the potential to improve young homeless people's access to housing and support services, namely:

- adding 16 to 17 year olds to the priority need categories;<sup>1</sup>
- expanding the possible reasons for vulnerability (Appendix 1);
- a more strategic, preventative approach to homelessness (rather than a reliance on crisis intervention).

These key changes are the main focus for this research. Their effectiveness, however, depends on successful implementation by local authorities and their partners.<sup>2</sup> Implementation of legislative change is therefore an important focus of this study.

1. As young people with dependent children were a priority need group pre-legislative change, the focus of this research has been on those without.  
2. Mainly voluntary sector agencies which provide accommodation and support for young homeless people.

### **Homelessness and legislative change**

Appendix 1 outlines the original legislative framework for homelessness in the UK which was first introduced in 1977, and subsequent changes to this framework.

For England, the Homelessness Act 2002 and the Homelessness (Priority Need for Accommodation) (England) Order 2002 introduced a duty to produce a homelessness strategy every five years as well as new categories of priority need which could apply to young homeless people.

For Scotland, the Housing (Scotland) Act 2001 required local housing authorities to provide temporary accommodation for non-priority need households, including young people, and also introduced a duty to publish a homelessness strategy.

The Homelessness etc. (Scotland) Act 2003 introduced new priority need groups, but with the long term provision that priority need be phased out by 2012, by which time the duty would be to house all homeless households. This Act also allowed for changes to the provisions for intentional homelessness and local connection, though these had not been fully implemented at the time of this study.

### **Social care and legislative change**

Young people who have a background of being looked after by local authority Social Services experience a particularly high risk of homelessness. Changes to social care legislation have attempted to improve the support provided to young people leaving care and prevent homelessness among this group.

In Scotland the Children (Scotland) Act 1995 placed a duty on Social Work<sup>3</sup> departments to accommodate 16 and 17 year olds and introduced a power to accommodate 18 to 20 year olds with a background in local authority care.

In England the Children (Leaving Care) Act 2000 placed a duty on Social Services to provide accommodation for, and to maintain contact with, young people leaving care.

This study was not able to evaluate implementation of this legislation in detail, though it did make some assessment of current practice in joint working between local housing and Social Services departments with respect to care leavers and young homeless people.

### **The Supporting People programme**

Fully introduced in Scotland and England in 2003, the Supporting People programme funds housing-related support services for vulnerable client groups (for example, those with mental health needs or physical disabilities, older people requiring care, those with substance abuse problems). Homeless and formerly homeless people are also a recognised client group. Supporting People is a corporate responsibility of local authorities, delivered in partnership with non-statutory agencies. Local authorities are required to have Supporting People strategies which link coherently with their homelessness strategies. Supporting People is an important source of funding for support services for young homeless people. However, an early review of the programme resulted in cuts to local budgets which threaten the potential effectiveness of this programme.

3. In common with local practice, in this report, the term Social Work department is used with reference to Scotland, while the term Social Services department is used for England.

### Research aims and method

The overall aim of the study was to assess the impact of the legislative change outlined above on homeless people aged 16 to 24 and their consequent ability to access homelessness and support services.

The specific objectives were:

- to understand the experiences of young people
- to identify revised procedures of local authorities in the light of legislative change, and
- to analyse the actual experiences of young people, in relation to the intentions of legislative change.

The study combined both quantitative and qualitative research methods:

- quantitative data was collected through an email survey of local authority homelessness strategy officers in England and Scotland.
- qualitative data was collected in three case study local authority areas (a London borough, a Midlands city and a Scottish city) through:
  - group discussions with young homeless peopleand
  - group or individual discussions with staff from the local authority and voluntary sector agencies providing accommodation and/or services to young homeless people.

Further details of the research method used for the study are set out in Appendix 2.



# Summary of findings

## **Legislative change**

The research focused on the expanded priority need categories for young people and new homelessness strategies introduced in England and Scotland (see Appendix 1). The study also considered the impact of these changes on homelessness assessments; provision of advice; accommodation and support services; and joint working with Social Services and the voluntary sector.

## **Homelessness applications and decision making**

Many young people found the process of making a homelessness application to their local authority frustrating, particularly in terms of waiting time for assistance, and requirements to produce documentation.

Young people were very aware of the importance of priority need (especially pregnancy) in the determination of their homelessness applications, but did not know the details of recent legislative change. Young people who were not considered to be in priority need resented their exclusion from the system, which they considered to be unfair and discriminatory. This was particularly the case in England, as in Scotland all young people were entitled to at least temporary accommodation.

Young people who were considered as vulnerable and in priority need post-legislative change, and subsequently rehoused, would have been less likely to fall within the recruitment pool for the research study. Consequently, it is not possible to assess the precise impact of legislative change. Nevertheless, it was evident that significant numbers of homeless young people were still not being helped by the homelessness legislation.

Expansion of priority need groups had the greatest significance where there was least scope for discretion. People aged 16 and 17, and care leavers aged up to 20 years, were the groups where the most evident increases in acceptances were reported. The research also revealed improvements in practice in rehousing care leavers, thereby preventing homelessness for this group.

Where local authorities retained discretion to decide on vulnerability, there was much less evidence of increased acceptance of a homelessness duty (for example, former prisoners). Scottish local authorities were more likely to award priority need across all categories. Young people who do not meet the precise definitions of vulnerability in the legislation remain very unlikely to be awarded priority need status.

Initial filtering procedures may deter young people from making a complete application or giving full information. The restrictions that affect the allocation and availability of housing may exacerbate discretionary practices that can be labelled as 'rationing' scarce resources in order to help those considered most in need. However, if such practice detracts from the scope and spirit of legislation, it must be called into question. Fundamentally, assessment procedures and everyday practice should be fair to all applicants.

## **Mediation, advocacy and information**

Local authorities were increasingly using mediation, particularly for 16 and 17 year olds, with the aim of preventing homelessness. Few young people had experience of formal mediation services. Some were resistant to the idea, especially during or after a crisis at home, though others could see a value in family mediation at a time when they were ready. Mediation was not considered appropriate where there was any suggestion of violence or abuse against the young homeless person.

Independent advocacy was seen as potentially helpful but young people did not always know where to find appropriate help. Improved advice and information could help increase the effectiveness with which young homeless people present their case to the statutory authorities. There is also a particular need to improve the information and support services provided for young homeless people not in priority need.

Improved information provision needs to be balanced against possible risks associated with perpetuating a 'homelessness culture', or encouraging inappropriate homelessness presentations.

### **Accommodation and support services**

Young people acknowledged the benefits of temporary, supported accommodation, though many felt they spent too long in this setting. Some reported feeling at risk in certain hostels. Survey evidence and case study staff discussions also confirmed that young homeless people accepted by local authorities were spending longer periods in temporary accommodation, post-legislative change.

Some vulnerable young people had been placed in inappropriate temporary accommodation, where they were at risk of violence, theft, bullying and exposure to alcohol and drugs misuse. Case study evidence suggested that supported accommodation in the voluntary sector more often catered specifically for young people. Consequently, it was more secure and appropriate as temporary accommodation for young homeless people.

For the long term, most young people aspired to their own, independent social rented flat as an affordable and secure solution to homelessness. This was recognised by service providers, but the supply remains inadequate. The support needs of young homeless people were well recognised by service providers, and young people themselves. The Supporting People programme emerged as the key source of funding for crucial support services. It also has the potential to provide much needed financial security for voluntary sector agencies which have a key role in tackling youth homelessness. Unanimous concern was expressed by local authority and voluntary sector staff over the potentially detrimental effect of budgetary cuts to this programme.

### **Strategy, prevention and joint working**

The broad development of a strategic approach has been universally welcomed and reported to have had a positive impact on service provision for young people. On the whole, statutory authorities have been supportive of legislative change and the research shows they have endeavoured to implement good practice.

The commonly cited goal of preventing homelessness proved difficult to achieve in practice. Most young people had not received education about the risks of homelessness while at school, but reported that such an initiative would have been very helpful. Other possible preventative initiatives included action to prevent evictions and an increase in the time for consideration as 'threatened with homelessness' to two months (implemented in Scotland).

The evidence suggested continual improvements in inter-agency working. Joint working was more common in the provision of support services, than in homelessness assessments, and homelessness services reported more effective partnerships with the voluntary sector than with Social Services or Registered Social Landlords.

The research suggests that the development of homelessness strategies has resulted in fresh thinking on tackling homelessness, beyond the confines of the legislative framework. There appears to be a genuine momentum towards the development of a preventative approach to tackling youth homelessness. However, there still appears to be an implementation gap between the 'inclusive' approach to homelessness strategies and the 'rationing' approach to individual homelessness assessments.

### **Conclusion**

The overall impact of legislative change has been 'positive, but limited'. The main beneficiaries have been young people aged 16 and 17 years and care leavers aged up to 20 years, whose priority for housing has been enshrined in law. The evidence suggests that this is, ultimately, the only effective mechanism to guarantee a solution to homelessness. Such legal rights need to be backed up by effective resources for the provision of suitable temporary and long term accommodation and support services, in order to give young homeless people the chance of a successful transition to independent adulthood.

# Chapter 1

## Young people's experiences of homelessness services

The chapter draws on qualitative group discussions with 99 young homeless people across the three local case study areas. Virtually all of the young participants had presented to their local authority as homeless and the majority reported having been rejected, without an offer of accommodation. Many were unable to state the precise grounds on which their application was rejected, but their discussions did focus heavily on the fact that they were not considered to have a priority need for housing.

### Key findings

- Young peoples' definitions of homelessness acknowledged differing degrees of homelessness (for example being roofless, living in a hostel), but temporary accommodation was not considered to be 'a home'.
- Young people found making a homelessness application frustrating in terms of waiting time for assistance; requirements to produce documentation; and, ultimately being rejected.
- Young people were particularly aware that being pregnant or having a child would give them priority for housing and many young women felt this was unfair to those who chose to avoid pregnancy.
- Few young people had experience of formal mediation services. Some were resistant to the idea, especially during a crisis at home, though others could see a value in family mediation after a 'cooling off' period.
- Young people acknowledged the benefits of temporary, supported accommodation, though many felt they spent too long in this setting. Some reported feeling at risk in certain hostels.
- Most young people aspired to their own, independent social rented flat as an affordable, long-term and secure solution to homelessness. Many acknowledged the likely benefit of ongoing floating support in order to help them sustain tenancies. Some were hopeful of future financial independence through education, training and paid work.
- Most young people had not received education about the risks of homelessness while at school, but reported that such an initiative would have been very helpful.
- Differences in perception and experience between the Scottish and English case study areas reflect the fact that Scottish local authorities are, at the very least, required to provide temporary accommodation for all homeless applicants.

### Young people's definitions of homelessness

All young participants said they had been homeless at some time and the majority currently saw themselves as homeless. Many cited a lack of stability as a factor which defined being homeless.

*'I think I was homeless, not because I was living in the street, basically because we, me and my sister, were living at a different house every week and basically living out of a bag in that house.'*

(London borough, female from the 18 to 21 year old age group, hostel resident)

Most of those in temporary accommodation saw this as much less severe than sleeping on the street. Most still viewed living in hostels as a form of homelessness, due to the lack of personal space and the constraints of hostel rules. In short, homelessness meant 'not having their own home'. However, some young people did feel at home in temporary accommodation.

*'I don't see myself as homeless, I think of that up there as my own flat, better than those bed and breakfasts ... He calls it a hostel but I tell people it's my own flat because of the support and that, the way I keep it, the stuff I've got in it.'*

(Scottish city, 16-year-old male, hostel resident)

### **Becoming homeless and seeking help**

On the whole, young people lacked knowledge about which agency they should initially approach when in housing need. Some young people had approached Social Services and others had gone directly to voluntary sector services. In England young people had also received initial advice from the Connexions service. Some of the young people interviewed had first experienced homelessness one or two years earlier, but their initial experience of seeking help was such that it could be recounted vividly.

### **Presenting as homeless to the local authority**

Many young people commented upon the length of time that they had had to wait between speaking to a receptionist and receiving an interview (reported as anything from half an hour to a whole day). This experience was sometimes aggravated by the behaviour of other people making presentations, such as witnessing racist behaviour or the presence of alcohol and drug users.

In the English case study areas, many young people appeared never to have progressed beyond reception, where they were typically given leaflets or a list of contact numbers.

*'I went there expecting the receptionist to help me, they just gave me a piece of paper saying you have to bring this, this, this and proof of this. You have to bring proof before they give you any information about anything else.'*

(London borough, female from the 18 to 21 year old age group, hostel resident, experience of domestic violence and racial harassment)

*'They give you a form to fill out and then they give you a leaflet with the names and numbers of hostels and then they say "right on your way".'*

(Midlands city, 22-year-old male, drop in centre, staying with family friends, first homeless over three months ago and has slept rough and been in prison)

Young participants commented on onerous requirements to produce written information, particularly being asked to provide letters from whoever they had been staying with, to prove that they could no longer live there. In some cases, young people who had already left the parental home and were homeless due to irreconcilable breakdowns or domestic violence reported being asked to provide proof that involved a return to the parental home.

*'They told me I had to have a letter from my mum, so they made me go back, on the same day I brought the stuff back, then they told me I had to have a letter from my friend who I was staying with. I went all the way to the house, got a letter and came back and then they told me I had to have an appointment. All this way going backwards and forwards, they gave me an appointment a week and a half later. Where did they expect me to stay for a week and a half ... you think you are so young they'll help you, but they just leave you.'*

(London borough, 18-year-old female, homeless when 17, eventually accepted and placed in local authority hostel)

This experience was summed up as a 'Catch 22' situation.

*'Catch 22, you're told to get a letter from your parent, but if you're homeless you can't get it.'*

(London borough, 19-year-old male, hostel resident, initially homeless when 18, experience of sleeping rough and domestic violence)

In the Scottish city, those who had made a presentation said they had received assistance at the central homelessness service and temporary accommodation had been provided as soon as a space became available. Although the city had a substantial supply of temporary accommodation, the lack of immediate spaces had led to some young people waiting a couple of days before being placed. One young person recounted attending the centre when 17 years old, already having the offer of a tenancy that would not be available for a further week.

*'They should do something about the waiting time. I told the guy I was getting a flat on Monday, he said that the best bet was for me to go back up to ... and dodge off, try to cadge places. That's when I slept rough, well I didn't sleep, I stayed up for two nights ... for the last few nights I had somewhere to stay.'*

(Scottish city, 19-year-old male, housed, initially homeless at 17)

Another characteristic of the Scottish city was confusion regarding approaches to neighbourhood housing offices for advice.

*'I kind of asked my friends, I didn't know what to do, they said why don't you try and get your name on a housing list, I knew the \_\_\_\_ one and the \_\_\_\_ one, so I went up to them and they were all saying this is not your district, so they kept shipping me to other ones ... I ended up staying with my Gran in \_\_\_\_\_. So I went down to the housing there, by this point I was cracking up, so I said look you've got to stop shifting me about, look I'm homeless. It's obviously affecting my mental health, and the lassie was really nice, she was really helpful, she said look what you have to do is go to \_\_\_\_\_, gave me the address and told me how to get there and stuff and that's how I ended up here.'*

(Scottish city, 23-year-old female, hostel resident)

This type of stressful experience was mirrored by the comments of one young interviewee in the Midlands city.

*'Quite a lot of time the council don't actually tell you what your entitled to, it's like there's all these little loop holes where you can actually get yourself into accommodation, but you have to know how to say it to them, you have to sit there and say look I'm not leaving here until you give me somewhere to live. I done that down at \_\_\_\_\_. I was literally thrown out by the police. Yes they got me something this time, it's stupid that you have to literally go and get yourself arrested for them to pay any attention to you and your case, because otherwise you will be just a statistic.'*

(Midlands city, 17-year-old female, experience of sleeping rough and domestic violence)

### Priority need status

Following legislative change, young homeless people would have priority need status if they were:

- 16 to 17 year olds;
- care leavers up to age 20;

and/or

- were considered vulnerable (as outlined in Appendix 1).

The award of priority need status due to vulnerability is at the discretion of local authority homelessness staff. Decision making can be complex and did not appear to be well understood by young participants. In both English case studies, young people frequently reported that they had been turned away because they had not qualified as being in priority need. A high proportion consequently held a very negative view of the local authority homelessness service as merely offering them a list of possible non-statutory agencies to contact by telephone.

*'I went to the council, but basically if you've not got any health issues and not pregnant you can't really have a need, you're not priority.'*

(London borough, 18-year-old female, recently homeless, has slept rough)

*'I thought Social Services would help, because I wasn't 16 they couldn't help me. Then I went to the council, because you're over 16 you're not counted as priority.'*

(Midlands city, 18-year-old female, hostel resident, experience of sleeping rough, domestic violence and racial harassment)

The consequences of a restrictive interpretation of priority need due to vulnerability can be illustrated by the 'survival tactic' of one young woman, who was unable to access housing services.

*'I used to go round the night clubs, go into the night clubs, find anyone who was having like a house party, go round to their house and sleep there. I was basically living off my friends, stuff like that, I slept rough a couple of times, had some quite bad things happen to me when I was sleeping rough, I got beat up and set on fire. So it's not fun.'*

(Midlands city, 17-year-old female, experience of sleeping rough and domestic violence, currently in local authority accommodation)

Although young Scottish participants were aware that priority need status was an issue, it was not seen as a barrier to them receiving assistance, as it was in England. In Scotland, priority need status was seen as a route into longer term housing, rather than as a prerequisite for accessing temporary accommodation through the local authority.

These differences in perception and experience between the Scottish and English case study areas reflect the differences in the new legislative frameworks, as Scottish local authorities are required to provide, at least, temporary accommodation for all homeless applicants.

### **Awareness of legislation and rights**

The lives of young homeless people were clearly influenced by the implementation of the homelessness legislation. Those participants who were in temporary accommodation were in daily contact with housing professionals. Nevertheless, nearly all participants did not know the homelessness legislation well enough to empower them during the application process. This was particularly true of priority need categories, and the difference between general housing allocation policies and allocations specifically for homeless people.

Pregnancy was most frequently mentioned as a route into housing. Some young women were aware that although seen as a 'sure fire' way out of homelessness, early pregnancy would compound their already difficult social and economic circumstances. Many felt that the system was extremely unfair.

*'Yes I think they're encouraging us to, to get a flat you need to have a child, whereas I might have ambitions, I might have hope. They don't look at you if you don't have a child, as long as you have a child, a single mother that's it, everything's there for you. Young people like us, that actually want to do something with their lives, there's nothing there for us.'*

(London borough, 18-year-old female, hostel resident)

Having a drug problem was another commonly reported reason for priority, with some young people also mentioning mental and physical health problems.

*'They have a priority system and if you don't fit into a certain category i.e. mentally ill or have a drug problem. If you don't have a drug problem or a mental illness then basically you don't have a chance.'*

(Midlands city, male from the 18 to 21 year old age group, homeless within last three months, experience of care system, sleeping rough and imprisonment)

Many young participants had experience of imprisonment, with one Scottish interviewee displaying a more detailed knowledge of how the homelessness legislation took account of this. He said that he had expected to have priority need status after leaving prison. However, he evidently did not realise the subtlety of the law, that not only did he have to have been in prison, but he had to be considered vulnerable because of it.

If young people are unaware of the application of vulnerability, or unaware of what circumstances are likely to be accepted for vulnerability, there is a consequent risk that they may not offer appropriate information in their application.

### **Mediation services**

Although some young homeless participants were unfamiliar with the term 'mediation' some had experienced it in an informal sense.

*'I did, it was really bad. I think, because my auntie, she was actually trying for me not to get a place and they were not seeing that ... when she kicked me out I went to the police. They just listen to what an adult says, and because it's an adult they say that's all right. Then she kicked me out again.'*

(London borough, 16-year-old female, hostel resident, experience of sleeping rough and domestic violence)



There was a range of views about mediation in the group discussions. A common view was that mediation was not appropriate when a client was first making a homelessness presentation as family relations could be extremely fraught. Some young people were very resistant to any mediation and some felt it had been suggested or even 'imposed' in inappropriate circumstances.

*'They tried to make me go back with my mum, they have this mediation thing, and then my mum said, she is not coming back here. Then they let it go for ages and ages making people come and talk to me. They came to see me, they went to see my mum and they came to see me. They asked my mum questions, I don't know what they asked her, but she said she weren't having me back, I told them I wasn't going back there ... I didn't ask for it, they said because I was young they had to do it.'*

(London borough, 18-year-old female, hostel resident, first homeless when 17 years old)

However, others could see the benefits of an impartial person mediating with the family, particularly after everyone had something of a 'breathing space' and felt ready to try to repair family relations. Many young people felt that, in the long term, they wanted to rebuild family relations, either while they were living independently or considering a return to the family home. However, at the time of crisis, most were seeking alternative accommodation, at least on a temporary basis.

Participants aged 16 to 17, now a priority need group, were the most likely to be offered mediation. This indicated that where there was no automatic statutory duty, local authorities might be missing the opportunity to prevent homelessness through not offering this service more widely.

### **Experience of temporary accommodation**

Many young people in temporary accommodation praised the condition of it, and the support they received from the staff. However, some young people expressed concerns about the behaviour of other residents and felt the time spent in temporary accommodation was far too long.

Although some young interviewees had to overcome their own drug use issues, many referred to problems when encountering drug users in hostels.

*'You know you've been in a bad place when you've been in \_\_\_\_\_, because that's just an open prison, that's an open prison. I saw a guy get slashed there right in front of me... When I was there all the dealers were going in just to kill each other.'*

(Scottish city, 24-year-old male, hostel resident, first homeless when 16)

One young person in a short stay hostel expressed dismay that the target was to move her on to another hostel rather than long-term accommodation.

*'They spend more energy finding you somewhere so you leave here, to go to another hostel, than finding you somewhere where you might actually want to live. That's what it is, they spend more energy, finding you interims instead of finding you a permanent.'*

(London borough, female from the 18 to 21 year old age group, experience of sleeping rough)

From the experiences recounted by young people, there appeared to be little logic in either the allocation of, or length of time spent in, temporary accommodation.

### Scottish city: temporary accommodation 'circuit'

Many young participants in the Scottish city had experience of staying in Bed and Breakfast as well as a mixture of 'good' and 'bad' hostel accommodation. Some thought that residents would be transferred to a poorer quality hostel if they breached the conditions of a better hostel or were initially placed in the less popular accommodation. Others reported having been moved to better accommodation despite past problems.

A 19-year-old ex-asylum seeker from Somalia had entered the United Kingdom with limited expectations other than hoping to be safe, only to encounter alcohol and drug misuse in a succession of Bed and Breakfast accommodation.

One participant with a current drug use problem recounted staying in approximately ten different places, being in prison twice and living on the streets for six months. He reported that since he had been placed in his current hostel accommodation, with specialist drug support, his life had improved.

*'... since I've been here everything's been going OK, everything's been going a lot better for me, better support.'*

(Scottish city, 23-year-old male, first homeless when 17)

### A long-term home?

Young participants had spent varying periods of time in temporary accommodation, and most expected to wait six months to a year before being offered long-term housing. A small number had received offers of permanent housing, or had recently been rehoused.

Young people in most hostels or supported housing projects had access to life skills training such as cooking and budgeting, designed to aid their successful transition to long-term accommodation. The importance of acquiring such skills was widely recognised and the help provided in doing so was generally praised by the young participants. Although many of them already felt they had the skills to cope with independent living, others recognised that some form of floating support could be helpful. In other cases, there was a level of resentment against living in a supervised environment, where young people had to justify their independence.

*'He was saying that I had to prove to him that I could live independently. I had to prove to him that I'm independent after living homeless for a year. I said to him, "can you, can you prove that you can live on the street for a year? If you can live as homeless for a year, go ahead".'*

(London borough, 20-year-old male, first homeless when 18, experience of sleeping rough and racial harassment)

A small proportion of young participants had previously held tenancies which had failed for reasons such as rent arrears and difficulties with peers in the local area. There was also evidence that some young people had turned down housing in undesirable areas.

*'Sometimes they give you wee dodgy areas. Always put you in the most deprived area as well, so you're bound to start drinking, taking drugs and causing trouble. You wake up and you're in a place that's rubbish. You can't see past what's in front of you because you're in such a bad area.'*

(Scottish city, 23-year-old male, own tenancy, first homeless when 18)

When asked about their aspirations for long-term housing, a high proportion of participants expressed a strong preference for a local authority tenancy. Young people were aware of housing associations, but in England these were perceived as being significantly more expensive than council tenancies. When asked about the private rented sector as an option, most participants discounted this on grounds of cost, quality, and long-term security.

### Homelessness prevention

#### **Scottish city: voluntary sector neighbourhood youth housing project**

Some young participants in the Scottish city had approached a local young person's housing project that provided support that enabled them to stay temporarily with friends or family in the neighbourhood. By doing this, they were also able to keep receiving support and advice from support workers. When subsequently approaching local housing providers for long-term housing, support workers were able to vouch for the young people and provide additional assurances on floating support undertaken by trusted staff. Not only were these young people subsequently maintaining their own tenancies, but they had also avoided the city's homelessness 'system'.

Young homeless participants were invited to recommend ways that youth homelessness could be reduced or prevented.

*'It really pisses me off, because we could have really done with stuff when we were at school, because nothing you do at school prepares you for being homeless. There was like nothing at school, they try to paint a very rose-tinted life story, like you're going to leave school, you're going to get a job, it doesn't happen like that.'*

(Midlands city, male from the 18 to 21 year old age group, experience of sleeping rough, being in care and domestic violence)

As well as needing education in school about avoiding homelessness, other common suggestions were an increase in homelessness projects, more consultation with young people, and a greater provision of affordable housing. There was a strong sense of unfairness about who was and was not given priority for housing, participants felt all young people should be helped.

# Chapter 2

## Local authorities: homelessness applications and decision making

### Key findings

- Homelessness services largely remain within local authorities, though there are a few examples of contracting the process to outside agencies.
- Changes to priority need groups had the greatest impact where there was no discretion, for example, the 16 to 17 year old category.
- Introducing new categories of priority need, but leaving discretion, appears to make little difference in practice, for example, for young people leaving prison.
- There is evidence of improved procedures to prevent homelessness among care leavers, and increased priority to those with a care background in the event of homelessness, though this was less likely to be the case for the 21 to 24 year old age group.
- Scottish local authorities were more likely to award priority need across all categories than their English counterparts.
- Young people who cannot readily demonstrate the precise types of vulnerability in the legislation remain very unlikely to be awarded priority need status (for example, solely on account of their youth or high risk of homelessness).
- Initial filtering procedures may deter young people from giving full information or making a full application.
- Assessments focusing only on ‘the letter of the law’ may miss other vulnerabilities, for example, illiteracy.

### Initial responses to legislative change

In the email survey, most English local authorities reported some new forms of homelessness assessment post-legislative change (Table 2.1). For most respondents, this meant implementing joint procedures with Social Services, or with another agency, as discussed further in Chapter 5.

**Table 2.1** English local authorities’ change in response to the Homelessness Act 2002

% of local authorities that have:	% Yes	Total number of respondents
developed new services to assist homeless young people aged 16 to 24 years	82	134
changed its assessment practice towards homeless young people aged 16 to 24 years	63	127
revised their procedures for joint working between housing and Social Services for homeless young people aged 16 to 24 years	83	131

Source: email survey of local authority homelessness strategy officers

Similarly, in the Scottish email survey, most respondents said that they had developed new services to assist young homeless people; had changed their assessment practice and had revised procedures for joint working with Social Work.

### **Awareness of legislative change**

On the whole, relevant local authority staff across the three case study areas had a sound understanding of the changes introduced through the new legislation, and some were aware of it in great detail. Among voluntary sector workers there was a higher level of awareness of homelessness strategies than there was a detailed knowledge of the new legislation, although staff thought senior management in their agencies were very well informed. Some voluntary sector agencies received updates on legislative change from others in the sector who took on a co-ordination and information dissemination role.

### **Homelessness applications**

Specialist homelessness staff in the three case study areas were better able than other local authority staff to comment on initial reception and application procedures. In the Scottish city, local authority staff were confident in their assessment procedures, having received training and introduced specialist teams. In the London borough, local authority hostel staff were less well aware than the central homelessness team of the decision making procedure which resulted in young people being placed in their hostels. Some local authority staff felt that the law had been changed without making proper provision for implementation.

#### **Midlands city: formal filtering of homelessness applications**

The Midlands city homelessness service operated a formal system of filtering homelessness enquiries.

Reception staff were trained to ask all potential homeless applicants a series of key questions (known as a 'triage') relating to the key 'tests' in the homelessness legislation (Appendix 1).

From this initial assessment, reception staff would advise clients of the likely outcome of a formal homelessness application and offer advice. If a young person was likely to be determined as not being homeless and in priority need, they would be told at this stage. However, they would also be advised that they had the right to a full homelessness assessment if they wished. Staff argued that this system worked well, as a proportion of clients were dealt with through the initial assessment and given housing advice instead of having to wait for a full homelessness interview. The service provided information leaflets detailing hostels, housing associations, waiting lists and allocation procedures.

These kinds of filtering mechanisms may be effective and appropriate in some cases, but, at a reception desk in earshot of the public, it also risks deterring young people from giving full and frank information relevant to their case, or from taking up their right to a full homelessness assessment in private.

### **London borough assessments: voluntary sector perspective**

Some voluntary sector workers felt that homelessness assessment decisions were dependent on the discretion of individual case workers, and therefore lacking consistency. In particular, some case workers were felt to be more stringent about legal documentation being provided prior to assisting than others.

Another difficulty raised was that young people did not necessarily disclose all relevant information, for example, about their health needs. Sometimes they needed to build a relationship with an agency before disclosing sensitive information.

In assessing special needs and vulnerability, it was argued that there was a need to ask more specific questions, for example, about literacy and illnesses, such as diabetes and sickle cell anaemia, which could affect a decision on priority need status.

Many voluntary sector workers had experience of working with young people whose homelessness applications had been unsuccessful. Voluntary agencies generally encouraged young people to apply to the local authority, even if they thought there was little chance of success. Some provided accommodation for clients whose homelessness applications had been rejected, while others lacked mechanisms to refer unsuccessful clients on to temporary accommodation. In particular, one day centre found it extremely difficult to help people who were sleeping rough. Some voluntary sector workers commented that they needed better knowledge of the information local authorities gave to young people considered not in priority need.

### **Intentional homelessness**

In the Scottish city, one homelessness worker said that they had never found anyone intentionally homeless, and another characterised their authority as having relatively few cases of intentional homelessness.

*'When you investigate the reason behind it you usually find that there is a good reason for it. You start off thinking that this person is intentionally homeless but by the time you've investigated it and you've reached a decision, there's been a good reason for it.'*

(Homelessness Worker, Scottish city)

On the whole, Scottish staff did not think that the proposed new duty to provide temporary accommodation for intentionally homeless young people would be a major change, as these clients were already offered temporary accommodation pending investigations.

In contrast, in the London borough one homelessness worker suggested that some 16 to 17 year olds would be considered intentionally homeless if, for example, problems arose due to the young person not following parents' rules. Another example of intentionality given was of a young person being violent towards their parents. It was also argued that examples of collusion had occurred. It was thought that, where families and young people were aware that those aged 16 to 17 were in priority need, but those aged 18 or over might not automatically be, this could be encouraging presentation at a younger age. Another example from the London borough was that engagement with a rehabilitation programme may be a requirement of priority rehousing for young clients with alcohol or drugs issues. If they subsequently resumed using drugs or alcohol and became homeless again, the local authority's duty could be deemed to be discharged.

Some voluntary sector staff in the Midlands city cited examples of intentionality decisions related to young people having rent arrears or being evicted for arrears. They found it very difficult to appeal against such decisions, even though it was not always the young person's fault that rent had not been paid (for example, if they could not read well or were not able to deal with official correspondence).

*‘So yes, there are people who intentionally do become homeless, a very low percentage, but there are some people that I would say, aren’t intentionally homeless, but the local authorities do see them as intentionally homeless. It’s maybe another way that they can, you know, discharge their duty.’*

(Voluntary sector worker, Midlands city)

In a supported accommodation project in the Midlands city, a worker commented that where young people were repeatedly evicted from temporary accommodation for breach of occupancy conditions, eventually the local authority would consider them intentionally homeless. They could then have, literally, nowhere to stay, as it was not always easy to get back into temporary accommodation.

### Priority need and vulnerability

The new, non-discretionary, categories of priority need introduced by legislative change were: 16 to 17 years olds; and 18 to 20 year olds with local authority care backgrounds (Appendix 1). Very clearly, the impact of legislative change has been greatest for these groups, with higher proportions being accepted as homeless post-legislative change.

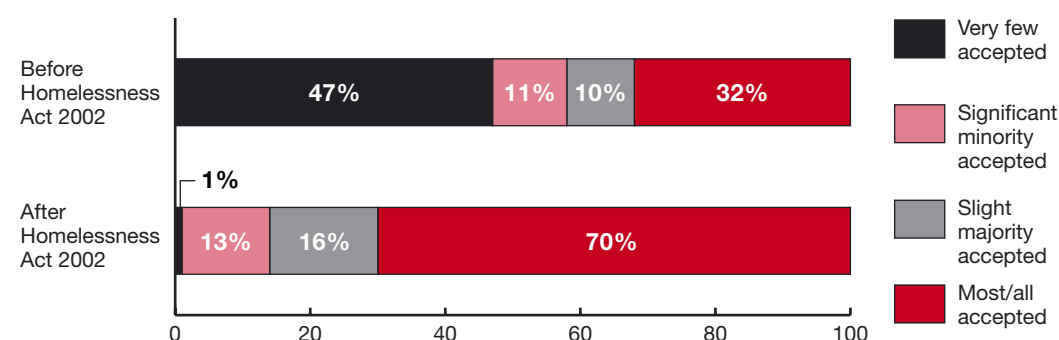
The other new categories allow for local authorities’ discretion with regard to vulnerability when awarding priority need status (Appendix 1). For these categories, such as former prisoners, there is little evidence that higher proportions were being accepted post-legislative change.

The survey findings in this section assume applicants were aged 18 to 24 (unless stated otherwise); were homeless; were not intentionally homeless; and had a local connection with the area. That is to say, priority need was the only variable under consideration.

Local authorities were asked to indicate their usual practice in response to the priority need categories before and after the change in legislation.

### Young people aged 16 to 17 years

**Chart 2.1 English local authorities’ usual practice in awarding priority need**



Source: email survey of local authority homelessness strategy officers (Before Homelessness Act 2002, n=81)<sup>4</sup> (After Homelessness Act 2002, n=79)

Chart 2.1 shows that the proportion of English authorities accepting most/all 16 to 17 year olds as in priority need increased from one third, to more than two thirds, after implementation of the new legislation. While this is a positive change, it is unclear why

4. In reported survey findings, n is the number of respondents who answered the question.

acceptances for this group would be less than 100 per cent post-legislative change. One possible explanation could be overlap with, or confusion regarding, Social Services' duty to accommodate care leavers of this age group.

The pattern in Scotland was much more robust with all respondents saying they would award priority to 16 and 17 year olds both before and after legislative change.

Across the three case studies there was universal recognition by staff in all sectors that all homeless 16 and 17 year olds would be considered as being in priority need post-legislative change. The issue for practice was responding to change in terms of provision of appropriate temporary and long-term accommodation, and adequate support for young people.

### **Young people with a care history**

The email survey indicated that just over half (54 per cent) of English authorities said they accepted the majority of care leavers aged 18 to 20 years as having priority need, pre-legislative change, increasing to four fifths (83 per cent) post-legislative change (N = 79). However, authorities were less likely to accept the majority of care leavers aged 21 to 24 post legislative change (68 per cent), although this had risen from 41 per cent (n=77).

In Scotland, nine out of ten email survey respondents reported that they accepted most care leavers aged 18 to 20 as being in priority need pre-legislative change. This proportion was the same post legislative change (n=14). For the 21 to 24 age group in Scotland the proportion reporting they awarded priority need status to the majority of this group increased from six out of ten, to seven out of ten (n=14).

Among case study discussions, London borough voluntary sector staff felt that young people aged 18 to 24 who had formerly been in care still did not get enough priority or support for living independently. Similarly, a Midlands city day centre reported little evidence of change resulting from the new legislation.

*'On the contact form that we fill out, with any new contact we ask if they are a care leaver, and from our experience it has not made much difference if they are a care leaver between 18 and 20 when trying to get some accommodation through the city council. But you know, that's in my experience, but I wouldn't say it has enabled us to see that age group as priority if they're care leavers.'*

(Day centre worker, Midlands city)

A more positive finding from case study discussions was that local authority housing and Social Services departments were working together more successfully to prevent young care leavers becoming homeless. This was usually through ensuring care leavers were rehoused, with follow-up support, at the point of leaving care. A Social Services worker in the Midlands city reported very good communication with the housing allocations team, with timely offers of good quality accommodation for young people leaving care.

### **Young people who have experienced violence**

The majority of email respondents in England and Scotland reported that, after legislative change, most young applicants who were fleeing domestic or other violence would be awarded priority need status. In England, the proportion reporting awarding priority in most cases increased from just over a third (37 per cent) pre-legislative change, to two thirds (66 per cent) post-legislative change (n=76). In Scotland, legislative change



prompted an increase from an already high level of eight out of ten, to nine out of ten post-legislative change (n=13). Overall, this response is in keeping with practice under earlier legislation (outlined in Appendix 1) of awarding priority need to those homeless due to domestic violence.

### **Young people who have been in the forces or in prison**

Legislative change appears to have had hardly any impact for young people who have been in the forces or prison, despite their being known to be at a high risk of homelessness. In the email survey, the proportion of English local authorities awarding priority need to most people aged 18 to 24 who had been in the forces only increased from two in ten (22 per cent) pre-legislative change, to three in ten (30 per cent) post-legislative change (n=76). Similarly, only around one in ten (13 per cent) English authorities said they accepted most young people who had been in prison as vulnerable pre-legislative change, and this only increased to two in ten (22 per cent) post-legislative change (n=77).

In Scotland, legislative change appears to have pushed the proportion of authorities likely to award priority need to those who had been in the forces to well over half (email survey, n=12), with three fifths awarding priority need to most young homeless people who had been in prison (n=13).

### **Midlands city: vulnerability of former prisoners**

Homelessness workers reported that the judgement of priority need would depend on the extent to which young homeless people who had been prisoners were institutionalised by their past experience. Staff would liaise with a probation officer, Criminal Justice Intervention Team worker, drugs workers, or other relevant agencies in making their decision.

Voluntary sector workers reported that they continued to work with young people who had been released from prison and had nowhere to go, with limited support structures, families or friends. However, their experience did not suggest this group were being awarded any higher priority by the homelessness service post-legislative change.

### **Young people who have previously been asylum seekers**

Across Great Britain, accommodation needs of asylum seekers are dealt with under asylum and immigration legislation, not under housing or homelessness legislation. However, changes to the homelessness legislation did allow for the possibility of former asylum seekers applying as homeless.<sup>5</sup>

The proportion of English authorities awarding priority to most former asylum seekers increased slightly from two in ten (20 per cent), to three in ten (32 per cent) following legislative change (email survey, n=69). In Scotland, the proportion of respondents saying they accepted most young former asylum seekers increased from one third to a half (email survey, n=12).

5. The legislation specifically states former asylum seekers, rather than refugees.

### **Other young homeless people (not in the above categories)**

Young homeless people who do not come into any of the above categories of possible vulnerability may still be considered in priority need at the general discretion of local authorities (for example, in recognition of the high risk of homelessness and disadvantage generally experienced by young people). However, this group remain very unlikely to be awarded priority need status, purely on the basis of their age. The proportion of English local authorities saying they would award priority to most young people in this group remained very low at around one in ten (12 per cent) post-legislative change (email survey, n=75). The proportion of Scottish local authorities who said they would accept most other young people aged 18 to 24 also remained virtually unchanged at less than two in ten (email survey, n=13).

### **Local connection**

#### **Midlands city: relation with neighbouring authorities**

Assessment of local connection was most significant in the Midlands city. Local research had revealed that 20 per cent or more of those found to be sleeping rough in the authority area were not from the city or had no evident connection. The authority concluded it could not take responsibility where homelessness originated in the surrounding local authority areas (mostly rural or semi-rural). There was a firm policy to refer those in priority need back to the area where they had a local connection. Equally there was a sense that surrounding local authorities had not developed appropriate services and that the city should not be penalised for having developed services for its residents. The view was that central government should ensure that neighbouring authorities fully met their duties.

# Chapter 3

## Mediation, advocacy and information and advice

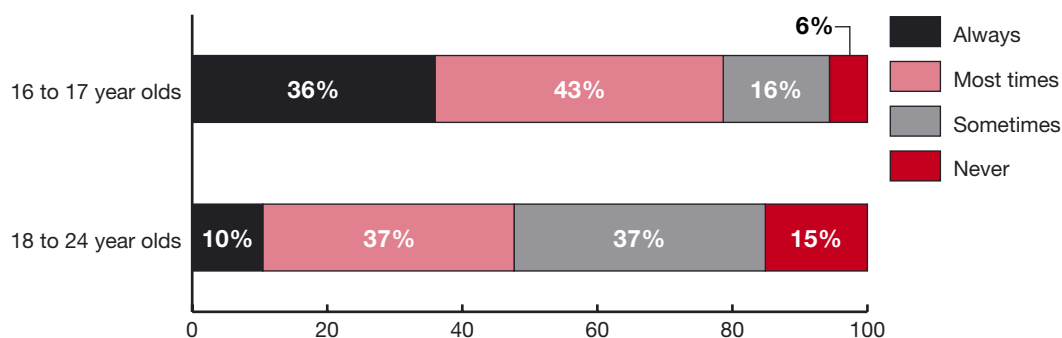
### Key findings

- Local authorities are increasingly using mediation, particularly for 16 and 17 year olds, with the aim of preventing homelessness.
- There is a consensus that mediation is not appropriate where there is any suggestion of violence or abuse against the young homeless person.
- Independent advocacy is seen as potentially helpful, but young people need to have equal access to advocacy services, and should be treated equally whether they use the service or not.
- There is a need to improve the information and support services for young homeless people not in priority need.
- Service providers need to be aware of the risks associated with a 'homelessness culture' and ensure advice does not encourage inappropriate homelessness presentations.

### Mediation

The first chapter reported that while many young people were unfamiliar with the term mediation, others were able to articulate both positive and negative views about it. Young people felt mediation was most useful at a time when they were ready to address family issues (for example after a break from a difficult family situation).

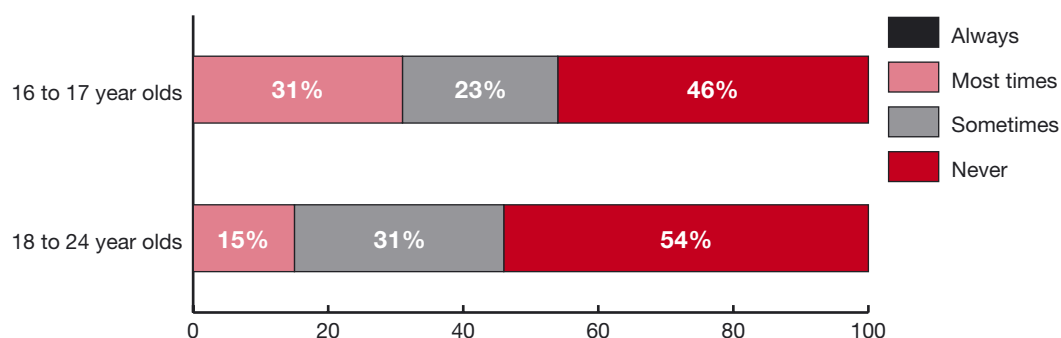
**Chart 3.1 English local authorities' use of mediation as element of homelessness assessment**



Source: email survey of local authority homelessness strategy officers (16 to 17 year olds, n=89; 18 to 24 year olds, n=86)

English email survey responses indicated a high reliance on mediation as one element of the homelessness assessment process (Chart 3.1). Nearly eight in ten (79 per cent) respondents said they would always or mostly use mediation as an element of homelessness assessments for 16 to 17 year olds (47 per cent in the case of 18 to 24 year olds).

**Chart 3.2 Scottish local authorities' use of mediation as element of homelessness assessment**



Source: email survey of local authority homelessness strategy officers (n=13)

Overall, Scottish respondents were less likely than their English counterparts to suggest mediation as part of a homelessness assessment (Chart 3.2). However, they were still slightly more likely to do so for the 16 to 17 year age group, compared to the 18 to 24 year olds.

Evidence from the email survey and local case studies also suggested variation as to the interpretation and use of mediation by local authorities. For example, there appeared to be both informal/preliminary mediation such as phone calls to negotiate with family about basic accommodation; as well as more formal mediation which addressed underlying family conflicts. Most survey responses indicated that mediation would not be suggested if there was any evidence of violence or abuse in the young person's household, this was the case in all three case studies.

### Midlands city: mediation service

The homelessness service employed a mediation worker who interviewed 16 and 17 year olds in advance of a formal homelessness assessment. It was reported that quite often parents were willing to keep young people in the family home, provided they knew something was happening to resolve the underlying housing problem. The mediation worker also helped the young people with a housing waiting list application and gave advice on other options. She worked with parents as well as young people, and homelessness staff thought the service was working very well.

*'The majority of young people are receptive to mediation. We do have a few that will refuse point blank to have mediation. You have to judge each case on its merits.'*

(Homelessness Worker, Midlands city)

The manager in the Midlands city was also very positive about the impact of the mediation service.

### Advocacy services

Some voluntary sector agencies take on an advocacy role for young homeless applicants, but there is no comprehensive service across England and Scotland. Most staff in the case studies could see the potential benefit of an agency acting in support of a young person. Agencies reported as being the most help to young people included voluntary sector support workers, the Connexions service, Social Services as well as solicitors and law centres. However, it was also argued that young people should not have to depend on advocacy to obtain their rights.

*'I think we do need to advocate on their behalf, but we shouldn't have to.'*

(Midlands city, voluntary sector worker)

### Information and advice

All young homeless people require sufficient information to be able to apply for assistance in the event of homelessness. For those not accepted as homeless and in priority need, English local authorities have a duty to provide appropriate advice and assistance, and Scottish authorities are required to provide temporary accommodation for a reasonable period, as well as further advice to help resolve the housing problem.

#### London borough: information and advice

Voluntary sector workers' views concurred with those of young people in that those deemed non-priority were given little more than a list of possible accommodation and telephone numbers. Some local authority hostel staff agreed with this view.

Voluntary sector workers felt that non-priority young people needed to be better supported through the process of seeking temporary accommodation. For example, they should be given more information and it should be more user friendly. There could also be assistance with travel expenses or a free telephone service.

#### Midlands city: information and advice

For young people deemed not in priority need, the Midlands city homelessness service provided information to help them find accommodation. Some voluntary sector staff commented that this information was out of date, particularly in relation to some temporary accommodation agencies. Others reported there was plenty of appropriate information available from a range of agencies listed.

Comprehensive information was also provided by a local voluntary sector agency, which also had a rough sleeping outreach service.

Both local authority and voluntary sector workers said the local day centre was friendly and well known in the city, as well as being a particularly good information resource for young people. The Connexions service was also considered an important information point.

While most staff across local authority and voluntary sectors agreed that better provision of information and advice would improve practice, some were also cautious about drawing young people into the 'homelessness system' inappropriately. When a young person entered one homeless service, they tended to be quickly linked into all other services. While this could be positive, it could also result in a cultural dependence on the whole network of services. They were no longer just someone with problems who had lost their accommodation. Rather, being 'homeless' could become a persona and a lifestyle.

*'I am an advocate of the idea that getting people into homelessness should be the absolute last resort. What happens is, if a young person ends up in a hostel they are probably going to be offered hard drugs within four weeks. We can't escape that, it's been shown elsewhere. They will be mixing with people of all different levels of vulnerability. Some other young people are going to be predatory. Bundling them together is an artificial way of dealing with young people which creates its own problems.'*

(Strategy worker, Midlands city)

# Chapter 4

## Accommodation and Support Services

### Key findings

- Post-legislative change, young people accepted as homeless by local authorities are likely to spend longer periods in temporary accommodation.
- Some vulnerable young people had been placed in inappropriate temporary accommodation where they were at risk of violence, theft, bullying and exposure to alcohol and drug misuse.
- The most likely long-term solution to youth homelessness remains affordable, secure, social rented housing, but the supply remains inadequate.
- The support needs of young homeless people are well recognised, but services need to be adequately resourced.
- Legislative change has increased pressure on temporary and long term accommodation and support services, raising concerns about the adequacy of resources to meet the demands of change.

### Time spent in temporary accommodation

In the email survey, local authorities were asked to what extent the time spent by young people in Bed and Breakfast accommodation, hostels and all other temporary accommodation had changed since the introduction of the new legislation. Around one third of English authorities said that there had been no noticeable change for the three accommodation types (Table 4.1). The time spent in temporary accommodation was most likely to have increased in hostels; 57 per cent of authorities reported an increase, some by a few months or more. Over half the authorities (53 per cent) said that time in all other forms of temporary accommodation had increased, while fewer (43 per cent) reported increases for Bed and Breakfast. This latter form of accommodation was the only one where a significant decrease (26 per cent) was reported, reflecting the drive to move families out of Bed and Breakfast accommodation.

**Table 4.1 English local authorities: change in average time spent in temporary accommodation by young homeless people (16 to 24 years) since the Homelessness Act 2002**

English local authorities: time in temporary accommodation	Decreased %	No noticeable change %	Increased by a few days %	Increased by a few weeks %	Increased by a few months or more %	Total number of respondents
Bed and breakfast	26	31	4	24	15	57
Hostel accommodation	6	37	2	31	24	57
All other temporary accommodation	8	39	2	22	29	57

Source: email survey of local authority homelessness strategy officers

In Scotland, post-legislative change, local authorities have an enhanced duty to provide temporary accommodation for all homeless households, including young homeless people. Only nine email survey responses were completed on this topic, but overall,

increased lengths of stay for young homeless people were reported in all types of temporary accommodation. Some respondents expressed concern over authorities' ability to meet this added pressure on their service. Examples of difficulties cited by the Scottish authorities included:

- young people being placed in temporary accommodation which was unsuitable for their needs;
- increased use of mainstream housing stock as temporary accommodation;
- constraints on budgets for furniture and support in temporary accommodation;
- high cost of temporary accommodation creating a poverty trap for young people on benefit.

Among the case study areas, Bed and Breakfast accommodation was never used for 16 to 24 year olds in the Midlands city and rarely used in the London borough. The use of Bed and Breakfasts appeared to be more widespread in the Scottish city, which was deemed inappropriate by voluntary sector workers.

London borough staff reported that typically, young homeless people stayed in hostels for a very long time. Those aged 16 could wait up to two years before being allocated a tenancy, when they reached 18 years of age. Similarly, in the Midlands city, both local authority and voluntary sector staff expressed concern that direct access accommodation was not operating as such, due to being 'clogged up'.

### **Quality of temporary accommodation**

Across the three local case study areas, standards of temporary accommodation, especially supported housing, were generally considered to be acceptable. There were concerns about lifestyles in some hostels, demonstrated in the case study below. It illustrates the complexity of circumstances facing young homeless people and service providers. Similar issues were raised in the other two case studies.

#### **London borough: temporary accommodation for young people**

The London borough had a large number of council-run hostels, used to accommodate all priority household types and ages. This meant homeless 16 and 17 year olds were accommodated with families and older homeless people. The hostels were staffed from 9am until 5pm.

Local authority hostel workers raised serious concerns about the adequacy of support for 16 and 17 year olds in these hostels. Young people were vulnerable to bullying, violence, robbery, alcohol and drugs, and even rape.

The example was given of a young woman, accepted as homeless and in priority need, and accommodated in the local authority hostel. She was subsequently raped. Staff knew that the perpetrator had been jailed for ten years and the young woman had been rehoused. However, they remained distressed about the incident and concerned that the young woman had been exposed to more danger than before being accepted as homeless.

Hostel staff felt there was an urgent need to provide a specialist hostel for priority homeless young people, with strict rules and more intensive staffing.

In contrast, some young people rejected by the local authority as 'non-priority' had accessed seemingly much safer and better quality temporary accommodation, with better support, in the voluntary sector.

## Long-term housing

In England, section 6 of the Homelessness Act 2002 extended the duty to provide housing for the households for whom a full homelessness duty was accepted from a two-year period to an indefinite period (until the duty is finally discharged). In the email survey, most local authorities (n=34) commented that the change had made very little difference as, in practice, most households (including young people) accepted as homeless were allocated a secure tenancy within the two-year period.

The Scottish email survey asked local authorities about referrals to Registered Social Landlords under section 5 of the Housing (Scotland) Act 2001 (requests to house those accepted as homeless). Overall, authorities reported that less than a quarter of young homeless people were referred to Registered Social Landlords for long-term housing. However, this may reflect the local authorities' desire or ability to use their own housing stock rather than make such referrals.

In the case study areas, staff reported a lack of long-term housing and a need for more ongoing support for those moving on from temporary accommodation.

### London borough: long term housing options

Locally, a one-bedroom, privately-rented flat could cost £600-700 per month, compared to a council flat at £200-300.

Local authority staff did not see council housing as the only option, however, given the cost of the alternatives, there was acceptance that young homeless people would be more likely to find the security and affordability they aspired to in the social sector.

The private rented sector could also be difficult to access because of the up-front costs, despite the existence of a rent deposit scheme. Voluntary sector workers argued that young people were not considered properly resettled in the private rented sector, and that landlords were not always keen to offer them long term housing.

## Support services

The evidence gathered with regard to support services was somewhat complex. From the case studies, it was evident that a high proportion of young homeless people needed some support to find their way out of homelessness and to sustain an independent tenancy. There were also examples of young people who appeared to be in temporary, supported accommodation longer than necessary, and concerns about young people's ability to make the transition to independent living. Both case studies and the email survey revealed a growth in floating support as a possible solution to meeting support needs.

There was discussion among staff in the London borough and Scottish city regarding specific support for young clients with alcohol/drugs issues and the lack of specialist rehabilitation facilities for these problems. Their concern was that there was insufficient provision for clients needing support with alcohol and drugs, but where this was provided it was felt to be helpful.

In the case study areas, both local authority and voluntary sector agencies funded support services for young homeless people through Supporting People.<sup>6</sup> The programme was generally regarded as providing potentially secure funding for much needed services. Workers were concerned that a national review had resulted in budget cuts and some also commented that it was important to keep local services under review.

6. Refer to the introduction for a description of the Supporting People programme.



# Chapter 5

## Improving practice: strategy, prevention and joint working

### Key findings

- Local authorities were supportive of legislative change, including the production of homelessness strategies, and generally felt services to young homeless people had improved.
- Homelessness prevention is a common goal, but has proved difficult to achieve.
- The main prevention initiatives reported were: education programmes in schools; development of mediation services; action to prevent evictions; and increasing the time for consideration as ‘threatened with homelessness’ to two months (implemented in Scotland).
- Social Services’ involvement in homelessness assessments is not always necessary, but is most likely for the 16 to 17 years age group, and where there is prior Social Services involvement.
- Inter-agency working was more common in the provision of support services, than in homelessness assessments.
- Local authority homelessness services reported more effective partnerships with the voluntary sector than with Social Services or Registered Social Landlords.
- Voluntary sector agencies can retain their independence while working in partnership with local authorities.

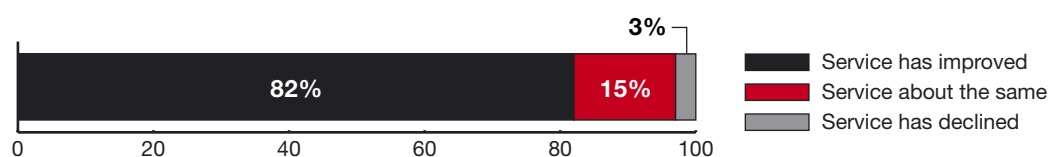
### Legislative change in practice

Commenting on their overall response to legislative change, three fifths of English survey respondents (61 per cent) felt the changes had given about the right level of priority to young people (n=65). Nearly all, (88 per cent) were supportive of all or most of the legislative changes (n=66). In Scotland, four fifths of respondents agreed that the legislative change gave about the right level of priority to young people, with three quarters supportive of all or most of the changes (n=11).

The process of strategic planning for homelessness was positively received by English and Scottish email survey respondents. The vast majority of respondents (77 per cent of English authorities, n=62), and seven in ten of those in Scotland (n=13), reported that homelessness strategies had been valuable in aiding the prevention of youth homelessness. All three case study areas had well developed homelessness strategies, two of which were developed on a formal inter-agency partnership basis. Discussions across local authority and voluntary sector staff indicated awareness of local strategies and a broad consensus that there had been some positive impact from the strategic planning process. Nevertheless, staff also commented on the persistence of youth homelessness in all three areas.

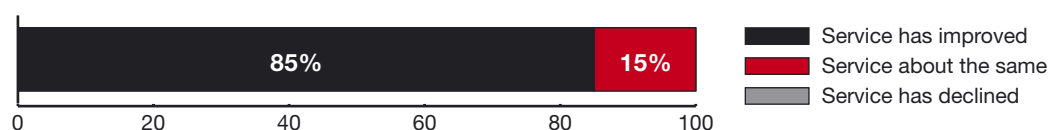
Similarly, survey respondents were positive about the overall impact of legislative change on their services for young homeless people. Among English authorities, 82 per cent reported that their service to young homeless people had improved post-legislative change (Chart 5.1) as did a similar proportion in Scotland (Chart 5.2). Overall, there was also a call for more resources for implementation among Scottish authorities, though this was less the case for English respondents.

**Chart 5.1 English local authorities: overall change in service to young homeless people post implementation of Homelessness Act 2002**



Source: email survey of local homelessness strategy officers (n=66)

**Chart 5.2 Scottish local authorities: overall change in service to young homeless people post implementation of Homelessness Act 2003**



Source: email survey of local homelessness strategy officers (n=13)

Scottish email survey respondents' preferred options for phasing the abolition of priority need by 2012 included prioritising by age, which could favour young people aged 18 to 24 years. The main area of concern was the capacity to provide additional temporary and long-term accommodation. With respect to the proposed duty to accommodate and support intentionally homeless households, respondents were unsure as to precisely what might be required. Fears were expressed that cuts in the Supporting People budget would make meeting this new duty more difficult. One respondent summed up the fear that homelessness could, effectively, become the only route into social housing:

*'The homelessness legislation, when fully in place, will see the end of people in the area being housed from waiting lists. We are already receiving twice the number of homelessness presentations as we get in empty homes each year. As the priority groups extend, we will not be able to cope. People on the waiting list have traditionally been able to wait the three to five years for housing but in some areas (especially for one bedroom properties) the waiting list is now well in excess of 20 years. As a result, this will push people through the 'homeless route' and increase further the homelessness presentations for this area.'*

(Respondent: email survey of Scottish local authorities)

### Preventing homelessness

Many case study participants felt there needed to be a much greater focus on the prevention of homelessness (see page 19 'Homelessness prevention'). There was some concern that the entire homelessness framework had created a self-perpetuating 'homelessness industry' and that what young people actually needed was to avoid the homelessness 'system' wherever possible. That said, the overall evidence of this study is that homelessness prevention initiatives remain under-developed, relative to the priority accorded in policy statements.

Prevention was generally linked to a need for early intervention, rather than responding to a crisis. A commonly discussed initiative was the development of preventative work in schools, but young homeless participants reported almost no experience of this type of programme. It was also acknowledged that schools-based initiatives may miss some high risk young people who did not attend school regularly. Another possibility was improving practice on managing rent arrears, which could prevent homelessness by avoiding evictions.

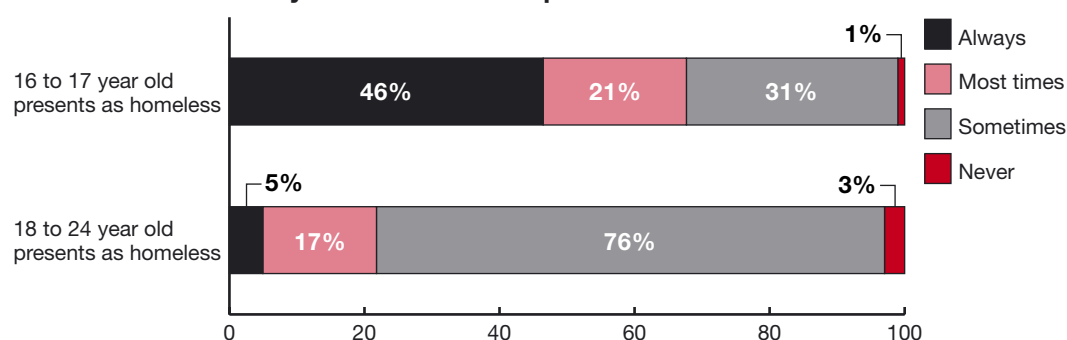
The Housing (Scotland) Act 2001 increased the period that local authorities have to consider an applicant as being threatened with homelessness from 28 days to two months. Scottish email survey responses indicated a consensus that this change provided additional time in which to try to prevent homelessness. However, one respondent commented that many young people presented as homeless in a crisis situation and, in reality, relatively few were able to contact the local authority knowing they were threatened with homelessness two months ahead. Nevertheless, where that situation existed, it appeared practical that local authorities tried to take early preventative action.

### Joint working with Social Services

In the email survey, 83 per cent of English local authorities (n=131) said they had revised their procedures for joint working, with the most common example being a new protocol for working with Social Services. However, some respondents criticised the lack of input by Social Services, suggesting that their resources were increasingly concentrated on working with children under 16.

With respect to routine contact with Social Services, when a homeless presentation was made by a young person, there was a significant difference in practice between 16 to 17 and 18 to 24 year olds (Chart 5.3, English authorities). Nearly half (46 per cent) of English local authorities said they would always contact Social Services when a 16 or 17 year old presented as homeless, compared to only 5 per cent for the 18 to 24 age group.

**Chart 5.3 How routinely Social Services departments are contacted**



Source: email survey of local homelessness strategy officers (16 to 17 year olds, n=71; 18 to 24 year olds, n=66)

Only one third of English survey respondents reported a high level of clarity among staff with respect to housing and Social Services' duties towards care leavers (n=67). However, more than half reported a medium level of clarity and only a small minority reported a low level of clarity.

In the English case studies, staff reported that Social Services were mostly contacted where a client had prior Social Services involvement or where there was serious concern for the young person's welfare (for example because of violence or abuse). In other circumstances, many workers felt that other advice or support agencies could give appropriate support. Where a young person had a negative previous experience of Social Services, further input might not be welcomed or accepted. Homelessness staff also recognised the enormous pressures on mainstream Social Services in relation to their duties towards children under 16, and other key client groups.

In the London borough, local authority hostel workers were concerned that Social Services were less likely to take responsibility for homeless 16 and 17 year olds, post-legislative change. Previously, the homelessness service had referred 16 and 17 year olds to Social Services, but now the reverse seemed to be the case. Overall, joint working was thought to depend on individual social workers, and services were affected by staff shortages and sickness absence.

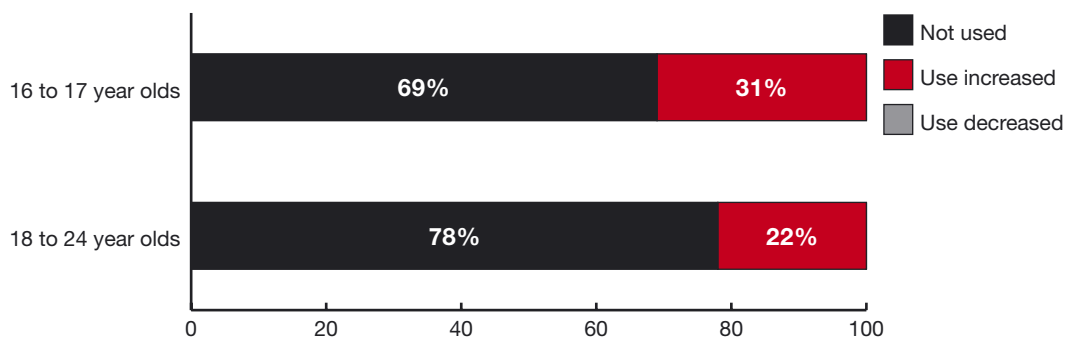
In the Scottish email survey, one fifth of respondents said they had amalgamated housing and social work departments (n=23), with three quarters of these reporting that amalgamation had contributed to the improvement of services to young people. Scottish local authorities were less likely than their English counterparts to routinely contact Social Work regarding homelessness presentations, with only a quarter doing so for most 16 to 17 year olds and none for 18 to 24 year olds (n=12). Joint working with Social Work on homelessness cases appeared to relate closely to whether the young person had a care history, and was known to the through-care team. As in England, Social Work budgetary constraints were recognised, meaning that the most acute cases were prioritised for attention.

In the Scottish city case study, some staff commented on the need for social workers to share more information about clients' previous experiences with homelessness staff, in order to assure appropriate decisions on homelessness and support requirements. However, in general, communication was thought to be improving.

### Multi-agency working

Among English survey respondents, most do not use multi-agency panels to make homelessness assessments for either 16 to 17 year olds or 18 to 24 year olds, although use of panels has increased more for the younger age group. In contrast, use of multi-agency panels to provide a package of support has increased for 61 per cent of local authorities for 16 to 17 year olds and 56 per cent for 18 to 24 year olds.

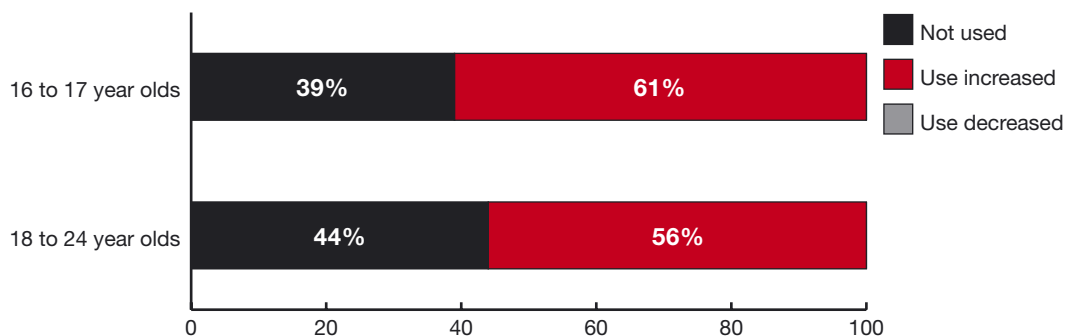
**Chart 5.4a English local authorities: use of multi-agency panels to make homelessness assessments**



Source: email survey of local homelessness strategy officers (n=64)

NB. No authorities said their use of multi-agency panels had decreased for any of the categories above.

**Chart 5.4b English local authorities: use of multi-agency panels to provide a package of support**



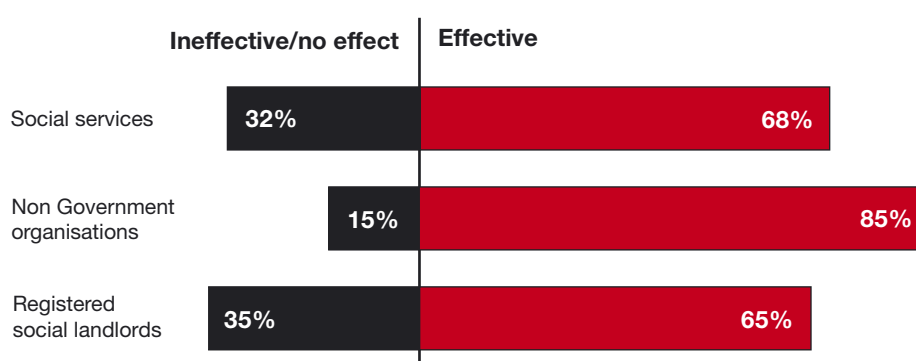
Source: email survey of local homelessness strategy officers (16 to 17 year olds, n=64, 18 to 24 year olds, n=63)

NB. No authorities said their use of multi-agency panels had decreased for any of the categories above.

Scottish local authorities were asked about their use of Single Shared Assessments<sup>7</sup> in relation to homelessness assessments and support package assessments. Although the tool had been increasingly used, still only a minority of authorities employed it for both homelessness assessments and for producing support packages across both age ranges (email survey, n=11).

The email survey also asked about the overall effectiveness of joint working with key agencies, post-legislative change. Overall, in England, joint working with voluntary sector agencies was rated as more effective than joint working with Social Services or Registered Social Landlords. This reflects the specialist role that voluntary sector agencies often have in providing accommodation and support for young homeless people, especially for those not accepted as being in priority need (Chart 5.5).

**Chart 5.5 English local authorities: effectiveness of joint working in aiding young homeless people, post Homelessness Act 2002**



Source: email survey of local homelessness strategy officers (n=70)

In Scotland, local authorities also reported that they worked most effectively with voluntary sector agencies, followed by Social Work services and relatively less effectively with Registered Social Landlords (email survey, n=13). Case studies and surveys in both countries showed concerns about Registered Social Landlords ‘cherry picking’ with respect to permanent tenants.

Views on inter-agency working in the case study areas were mixed. Some voluntary sector staff in the London borough suggested that links with the local authority were not as effective as they could be. However, in the Midlands city, voluntary sector staff felt there were good links across the sector and some also felt they had good links with the local authority. Nevertheless, some of the tensions in inter-agency working were expressed by one worker.

*‘I just think the homelessness service needs to be more aware of what we put up with each day. The young people that come through the door. I’d love each member of the homelessness services to spend a week up here, just so they can see what we have to deal with and I think they would be quite surprised actually. We send a lot of people down there and they send people up to us. They suddenly think that we are able to help them if they cannot, which is not always true, so it does get frustrating [...] when they send people up to us. But closer links with the homelessness service, I think is very important, I think that would be good on a day to day level, on the frontline, just more of an awareness really, but I suppose that could work both ways, we need more of an awareness of their basic problems as well.’*

(Voluntary sector worker, Midlands city)

7. A recognised tool used in community care assessments for joint assessment by housing, health and Social Work services.



# Conclusion and recommendations

Overall, the impact of legislative change was reported in a more positive light by local authorities than by voluntary sector agencies or homeless young people.

Local authorities were positive about change and felt they had largely responded effectively in implementing new procedures, though there were some concerns about the adequacy of resources for accommodation and support services. However, the views of senior managers and strategy officers tended to be more positive than those of frontline workers. The research also suggests that while homelessness strategies aim to be positive and inclusive in their treatment of young people, day-to-day homelessness assessments are still largely reactive, confined to the detailed letter of the legislation, and concerned with rationing scarce resources by prioritising some young homeless people over others.

Many voluntary sector agencies recognised improvements in practice but still felt there were gaps in service provision for homeless young people. They were positive about homelessness strategies and working in partnership with local authorities, but retained their capacity to act as independent advocates on behalf of young homeless people. The evidence showed that they play an important role in meeting the needs of those rejected by local authorities as non-priority need, which needs to be carefully balanced against contributing to self-perpetuating a 'culture' of homelessness.

Many of the young participants in this study had been rejected as not being in priority need of housing, and consequently their experience of the local authority homelessness service was on the whole negative. The research has highlighted the experience of young homeless people, for whom legislative change has made very little difference to their access to housing and support services. Moreover, their social and economic circumstances largely dictate that they cannot provide for themselves adequately in a market system. Scottish proposals to remove the priority need test entirely are probably the only realistic approach to ending homelessness for these young people, but will undoubtedly require substantial further resources for increased provision of accommodation and support services. An effective solution to youth homelessness in England must, eventually, also take the needs of these young people into account.

## Recommendations

The following recommendations for improved practice emerged from the research findings and from the suggestions of young people and staff who participated in the study:

### Assessment of homelessness, priority need and vulnerability

#### Homelessness, presentation and application process

- Statutory homelessness services and procedures for application should be well publicised, so that young people are well aware of the service. There should be a clear location for making applications, and applicants should not be passed between offices.
- All young homeless people should have the opportunity to make a formal application, and for their application to be considered in full, without prejudice or pre-judgment.
- Young people should not be deterred from making a homelessness application, even if prevention is to be explored before accepting a duty.
- Statutory homelessness services should be welcoming to young people and delivered in a safe and friendly environment.
- Young people should not have to wait for an unreasonable time, such as more than one hour, to make an application or to be interviewed.
- Homelessness staff should not require young people to produce documentary evidence of their circumstances prior to making a homelessness application.

#### Decision making, priority need and vulnerability

- Delivery of homelessness services, including decision-making on vulnerability, requires consistency across front line workers. This should be informed by the overall strategy, guidance for practice and appropriate training.
- Statutory services should proactively solicit possible evidence of vulnerability, recognising that young people may not be forthcoming about needs unless there is a level of trust and interviews are in private.
- To further alleviate youth homelessness, local authorities should:
  - recognise the disproportionate risk of homelessness which young people face;
  - use their discretion to adopt a broader definition of vulnerability (and priority need), which realistically assesses young people's capacity to find and sustain long-term housing for themselves;
  - implement a more thorough needs assessment, for example picking up on broader issues of education and literacy; income and poverty; as well as health and social circumstances.
- The Office of the Deputy Prime Minister and English local authorities should give consideration to phasing out the priority need test, as proposed in Scottish legislation.

#### Mediation, advocacy and information

- Mediation services should be independent and separate from the homelessness assessment process in order to have the greatest potential to assist young homeless clients.
- Where mediation is part of the homelessness assessment process, it should be offered to prevent homelessness once an application has been made, and not used to prevent applications.



- Refusal of young people to take up mediation should not be regarded as indicating intentional homelessness.
- Local authorities should offer meaningful advice and assistance to young homeless people deemed not to be in priority need, or ensure that there is absolute clarity in any partnership with a non-statutory agency in the provision of this key service.
- Ideally, young people should have access to independent advocacy services to ensure they are aware of their rights and their cases are fully presented.

## Accommodation and support services

### Temporary accommodation

- Local authorities should provide specialist emergency and temporary accommodation for young people, with trained staff who can give higher levels of support to young clients. Young people (particularly 16 to 19 year olds) should not be accommodated in mainstream hostels with older homeless people.
- The risk of exposing young people to drugs, alcohol, violence and other predatory behaviour in temporary accommodation must be assessed and minimised through improved management.
- Periods in temporary accommodation should be minimised to prevent young people seeing themselves as a 'homeless' person for too long. Moves between temporary accommodation should be minimised.
- Large hostels should be avoided in favour of supported housing or self-contained accommodation with floating support, in accordance with the young person's needs.
- Where young people are accommodated in hostels, an increase in the use of 24 hour staffing may be required.

### Long term accommodation

- There remains a need for more affordable, secure, move-on housing for young homeless people, in the social rented sector.
- It should be recognised that young people prefer social rented housing, and do not generally see the private sector as suitable in the long term.
- Registered Social Landlords are an important long-term housing option and their resistance to housing young homeless people needs to be tackled within the sector and in the inspection process.
- English local authorities and Registered Social Landlords should consider greater use of licences in ordinary tenancies for 16 and 17 year olds. Licences can offer the same rights and conditions as a tenancy and be converted to a full tenancy when the licensee turns 18.

### Support services

- The Supporting People programme needs to be sustained and possibly expanded to cover all core support activities. It must be recognised that cuts to the Supporting People programme could result in increased youth homelessness.
- Intensive support should be provided to those at risk of eviction from hostels because of nuisance, such as drug and alcohol abuse.
- Debt counselling advice needs to be provided at tenancy sign up and then reiterated during occupancy checks, to prevent arrears and the threat of repeat homelessness.

- Housing and homelessness staff need a deeper understanding of the duties of Social Services/Social Work departments to support young homeless people with a previous care background; and better clarity in procedures for joint assessment of support needs.

## Homelessness strategy, prevention and joint working

### Strategy and prevention

- Homelessness strategies should strive to ensure young homeless people receive a fair and effective service, which meets their needs.
- Day-to-day detailed implementation of the homelessness legislation needs to match the spirit and goals of strategy documents.
- Preventative information on the risks and reality of homelessness, as well as young people's rights with regard to housing and homelessness needs to be available in schools, clubs and other youth services and facilities.
- Preventative, educational material needs to target those most at risk of homelessness, including those not regularly in school.
- Well-publicised independent mediation and advice services may contribute to the prevention of homelessness.

### Joint working

- Multi-disciplinary and multi-agency youth teams could ensure a more holistic approach to homelessness prevention and to supporting young people out of homelessness.
- There remains scope for improved joint working between housing and Social Services/Social Work. However, there is also a need for improved clarity as to the most effective and appropriate input of Social Services/Social Work resources for young homeless people in different circumstances, for example:
  - background of being looked after
  - background of offending
  - background of violence or abuse
  - people with mental health issues.
- The local authority housing and Social Services inspection processes need to ensure that joint protocols that have been developed are implemented.
- Joint working can be increasingly enhanced through improved communications, information sharing and nurturing trust between agencies and their workers.
- There should be greater involvement of Social Services in homelessness forums.

## Recommendations for future research

- The apparent growth in mediation services suggests a need for a more detailed study of their nature, implementation and effectiveness.
- There is scope for further research on the possible range of initiatives to prevent homelessness and their effectiveness.

# Glossary

This glossary provides working definitions of some key terms used in this report.

**Connexions service:**

a multi-disciplinary central government service, which offers all 13 to 19 year olds a personal adviser for employment, education/training and home life issues.

**Criminal Justice Intervention Team:**

a multi-agency support team for those who have been in prison/have convictions (England only)

**Floating support:**

support services (see below) which are provided for a person in need, irrespective of, and not tied to, specific accommodation.

**Hostel:**

basic temporary accommodation where residents share common facilities, typically with basic staffing and limited support services.

**Mediation services:**

with respect to homelessness, services aimed at mediating between a potentially homeless person and their landlord or the person with whom they have been living (for example parent(s)) in order to prevent homelessness; more generally, services aimed at resolving inter-personal conflict, particularly within families.

**Registered social landlord (RSL):**

a landlord organisation (housing association or private company) registered with the Housing Corporation (England) or Communities Scotland (Scotland), for the purposes of providing affordable housing to rent or for sale (eligible to receive public grant and subject to public inspection).

**Support, support services:**

housing related services provided to help residents in temporary or permanent accommodation. For example, help with budgeting and applying for benefits; help with domestic skills such as cooking and cleaning; advice on social skills and relations with neighbours; advice on accessing education, training or employment.

**Supported accommodation, Supported housing projects:**

temporary accommodation where residents share some common facilities; typically with intensive staffing and support services; often with the explicit aim of helping residents achieve independence.

# Appendix 1

## Legislative Change

This section outlines the legislative framework for homelessness in England and Scotland, highlighting the changes which were the focus of this research.

### **The Housing (Homeless Persons) Act 1977**

The Housing (Homeless Persons) Act 1977 received Royal Assent on 28 July 1977 and was brought into force in England on 1 December 1977 and in Scotland on 1 April 1978.

This Act placed a duty on local housing authorities in Great Britain to investigate homelessness applications and take appropriate action. Where investigations found that households were:

- homeless
- not intentionally homeless
- were in priority need

and

- had a connection with the local authority area

the authority had a duty to secure accommodation for the household. In practice this duty was usually discharged through allocation of council housing or nomination to another social landlord.

The priority need groups set out in the Act included:

- households with dependent children or in which a woman is pregnant
- people who are vulnerable in some way (for instance, due to their age or a physical or mental disability, or some other special reason)
- people made homeless by an emergency (such as a fire or flood)

The priority need category of being vulnerable has always been subject to a discretionary decision on the part of the local authority. Additional guidance on vulnerability decisions was provided in successive Codes of Guidance which accompanied the Act.

The 1977 legislation was subsequently consolidated into the Housing Act 1985, for England, and the Housing (Scotland) Act 1987, for Scotland, but without any substantial change to the legislative framework.

### **The Housing Act 1996**

The Housing Act 1996 was a further consolidating Act in England, incorporating the changes already cited.

This Act applied to England, but not to Scotland, and reduced the duty to households accepted as homeless to the provision of temporary accommodation for a maximum two years.

### **The Children (Scotland) Act 1995**

This legislation placed a duty on Scottish Social Work departments to accommodate 16 and 17 year olds and provided them with a power to accommodate 18 to 20 year olds with a background in local authority care.

### **Children (Leaving Care) Act 2000**

Operational since October 2001, the Children (Leaving Care) Act 2000 placed a duty on English Social Services departments to provide accommodation for, and to maintain contact with, young people leaving care. Guidance emphasises joint working with other services or agencies. Importantly young people classed as ‘relevant children’<sup>8</sup> have their routes to benefits altered to a Social Services responsibility, depending upon their exact circumstances.

### **Housing (Scotland) Act 2001**

This Act extended the duties of Scottish local housing authorities requiring them to provide temporary accommodation for non-priority need households while they look for their own housing. The Act also introduced a duty to assess homelessness and publish a local homelessness strategy.

### **Homelessness Act 2002**

This Act introduced new provisions for English local housing authorities:

- a new duty to undertake a homelessness review and produce a homelessness strategy every five years
- a duty to carry out an assessment of housing need for those for whom there was no duty to secure housing in order to provide appropriate advice and assistance
- a change in the existing duty to provide housing for those homeless and in priority need for two years, to a duty which lasts until it is discharged by the offer of a secure or assured tenancy or in other specified circumstances
- a power to secure accommodation for non-priority applicants
- a duty of co-operation between housing and Social Services in dealing with certain households with children

The Act came fully into force in January 2003.

### **Homelessness (Priority Need for Accommodation) (England) Order 2002**

This Order introduced new categories of priority need for English local authorities in addition to the existing categories of priority need for accommodation (outlined above) which remain in force:

- young people aged 16 and 17 years who are not ‘relevant children’ (see footnote 8) unless they are owed a duty to provide accommodation under section 20 of the Children Act 1989
- young people aged 18 to 20 years with a care background<sup>9</sup>
- other people who are vulnerable as a result of leaving care<sup>10</sup>
- people who are vulnerable as a result of having been in the armed forces

8. Aged 16 or 17, have been looked after by a local authority for at least 13 weeks after age 14 and the period of care includes at least one day at age 16 or 17.

9. A person under 21 (other than a relevant student) who at any time after reaching the age of 16, but while still under 18, was, but is no longer, looked after, accommodated or fostered. ‘Relevant student’ means a person who is in full-time further or higher education; and whose term-time accommodation is not available during a vacation. Social Services have a duty for the provision of vacation accommodation.

10. Other than a relevant student (see above).

- people who are vulnerable as a result of having been in prison
- people who are vulnerable as a result of leaving accommodation on account of violence or threats of violence, which are likely to be carried out

The Priority Need Order came into force on 31 July 2002.

### **Homelessness etc. (Scotland) Act 2003**

The changes to the categories of priority need introduced by the Homelessness etc. (Scotland) Act 2003, came into effect from 30 January 2004. This legislation introduced new priority need groups for Scottish local authorities, but with the long term provision that priority need be phased out by 2012, by which time the duty would be to house all homeless households. The priority need categories as amended by this Act were:

- aged 16 or 17 years
- aged 18 to 20 years and at risk of sexual/financial exploitation, misuse of alcohol or drugs, or formerly looked after by the local authority when left school
- chronic ill health, abortion, miscarriage
- vulnerable due to discharge from hospital, prison, or armed forces
- risk of or actual violence or harassment due to religion, sexual orientation, race, colour, ethnicity, national origins
- risk of domestic abuse

The Act also allowed for:

- the local connection provisions to be suspended for all applicants
- the modification of the intentionally homeless provisions by changing the duty to investigate intentionality to a self selected power
- introducing a requirement to provide temporary accommodation and appropriate support to address reasons for intentional homelessness

These changes had not been implemented at the time of this research.

### **References**

Office of the Deputy Prime Minister, *Homelessness Code of Guidance for Local Authorities*, ODPM, 2002

Robson, P. and Poustie, M, *Homeless people and the law*, Butterworths, 1996

Scottish Executive, *Code of Guidance on Homelessness. Guidance on legislation, policies and practices to prevent and resolve homelessness*, Scottish Executive, 2004-5

# Appendix 2

## Research Method

As indicated in the introduction, the research method comprised a structured questionnaire survey of strategic housing authorities in England and Scotland and qualitative case study work in three local authority areas.

## Email survey

The survey was administered by email, using follow-up telephone calls to maximise the response rate. As a precaution against a low response rate, the survey was sent to all local authorities, rather than to a sample. The fieldwork period was February to April 2005.

Of the 354 English local housing authorities, 175 took part in the survey and completed some of the questionnaire, indicating an overall response rate of 49 per cent. However, not all respondents completed all questions on the survey. In presenting the findings, the number of respondents (n) for each question is shown on all tables and charts or quoted in the text. Some survey questions, where the response was too low to be valid, have been excluded from the analysis.

The Scottish questionnaire achieved a higher response rate of 75 per cent (24 out of 32 authorities). The base population is much smaller than for the English survey, making it more appropriate to report findings in written text using proportions and total number of respondents (n), rather than tables with percentages.

The English and Scottish email questionnaires are available from Shelter on request by emailing [research\\_team@shelter.org.uk](mailto:research_team@shelter.org.uk)

## Case studies

### Selection of case studies

Three case studies were selected for the fieldwork, (one in Scotland, one in the Midlands of England and one London borough). Selection made no prior judgement about practice in these areas. Rather it was based on a high incidence of youth homelessness presentations, feasibility of conducting the fieldwork, and willingness to take part in the study. The case study data is illustrative (rather than representative) of implementation issues. One of the case study authorities had transferred all of its stock to registered social landlords, though this did not emerge as a particularly crucial issue in discussions with either staff or young people. One case study operated a choice based allocation system.

The case study fieldwork was carried out between March and May 2005.

### Discussion groups with young homeless people

The research sought to undertake up to six discussion groups of three to four young people in a range of housing/homelessness circumstances across the three case study local authority areas.

The study aimed to include an appropriate range of young people in different age groups (all aged 16 to 24), from different ethnic backgrounds, and to include young women and men.

Young people were recruited from known temporary accommodation in the local authority and voluntary sectors as well as from a drop in centre for young homeless people (including some participants who were sleeping rough). A number of recently homeless participants in the Scottish city were in their own tenancies.

Qualitative discussions focused on young people's awareness of homelessness services and their experience of seeking assistance as well as of accommodation and support services.

Interpretation was offered to ensure young homeless people whose first language was not English were not excluded from the research, though this was not taken up.

The final profile of groups and young participants was as follows:

- London borough. Six discussion groups with a total of 28 participants. There was very high representation of young people of non-white ethnic origin (almost all), mainly black British and Black African/Caribbean.
- Midlands city. Five discussion groups with a total of 28 participants. This included two groups in a drop-in centre with participants experiencing acute homelessness (some sleeping rough).
- Scottish city. Six discussion groups, with a total of 43 participants. Participants in the Scottish city were mostly white. Most were living in hostels in the city, but 13 had their own tenancies.

**Table A.1 Profile of young homeless participants in group discussions in case study areas**

	London borough	Midlands city	Scottish city	Total
Male	10	12	27	49
Female	16	16	16	48
16-17	3	8	10	21
18-21	23	11	21	55
22-24	0	5	12	17
Ethnic group white	2	15	40	57
Black or Black British	21	4	2	27
Mixed/Other	3	5	0	8
Asian or Asian British	0	0	1	1
A - had slept rough	11	14	9	34
B - care background	0	2	12	14
C – violence or harassment	9	9	6	24
D – racial harassment	2	1	3	6
E – armed forces	0	0	1	1
F – convicted of offence	2	5	18	25
G – been in prison	1	4	12	17

Total of 97 participants recorded (2 missing recruitment questionnaires)

Midlands city – details missing for 4 people

Slept rough (e.g. in the street or similar):	34
Been looked after by local authority Social Services:	14
Experienced domestic violence or harassment:	24
Experienced racial harassment:	6
Been in the armed forces:	1
Been convicted of any offence:	25
Been in prison:	17



### **Staff discussions and interviews**

A combination of staff group discussions/workshops and individual interviews was undertaken, according to availability of staff in each of the case study areas.

- London borough. Workshop with 11 staff from the homelessness service and from the Registered Social Landlord/voluntary sector
- Scottish city. Workshop with 12 staff from the homelessness service, inter-agency homelessness partnership, housing associations and other voluntary sector agencies.
- Midlands city. Unable to host a staff workshop within the time available

Individual and joint interviews were conducted with ten staff from the homelessness service, Social Services and the Registered Social Landlord/ voluntary sector.

Discussions with staff covered:

- the homeless application process
- joint working and the role of other services and agencies
- temporary and longer term accommodation and support
- homelessness strategies.





## Bad housing wrecks lives

Registered charity number 263710.  
SEPPOL806

We are the fourth richest country in the world, and yet millions of people in Britain wake up every day in housing that is run-down, overcrowded or dangerous. Many others have lost their home altogether. Bad housing robs us of security, health, and a fair chance in life.

Shelter believes everyone should have a home.

We help 100,000 people a year fight for their rights, get back on their feet, and find and keep a home. We also tackle the root causes of bad housing by campaigning for new laws, policies and solutions.

**We can only do this with your help. Please support us.**

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The Vodafone UK Foundation is supporting Shelter's work with and for young people, enabling Shelter to provide young people with the information they need at the time they need it. The Vodafone UK Foundation and Shelter are working together to tackle youth homelessness and social exclusion in the long term.

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