

**THE PEOPLE**  
**v**  
**GLASGOW  
CITY COUNCIL**

**Defending the right for people to access temporary accommodation when they need it most.**

# Denying homeless people the right to temporary housing when they need it most is shocking. And it's breaking the law. Help defend those rights.

This guide is designed to support you and your community to organise and campaign safely to end gatekeeping in your local area. This is not an exhaustive guide- we believe campaigning is personal and you can organise yourself in any way you like. Your local Community Organiser is on hand to help with advice, guidance, resources and more- get in touch with [Meghan oneill@shelter.org.uk](mailto:Meghan_oneill@shelter.org.uk) if you would like support.

## Do people legally have access to emergency housing in Scotland?

Yes. We refer to accessing temporary housing as accessing homelessness services, which are legislated under the Housing (Scotland) Act 1987. There are two important pieces of legislation to note are:

- Section 28 of the Act states that a local authority **must** accept a homeless application if they have reason to believe that a person or household is homeless or at risk of homelessness
- Section 29 of the Act states that a local authority (a City Council) **must** provide temporary accommodation whilst they: 1. Carry out inquiries into a person's household or homelessness; 2. Consider a review against a homeless decision and 3. Source permanent accommodation



## If people have a legal right to temporary housing, then what is gatekeeping?

Gatekeeping is where local authorities illegally block access to homeless services that people have a legal right to.

Shelter Scotland defines gatekeeping as ‘the practice and systems of stopping people accessing homelessness services which they are entitled to by law.

## Does Shelter Scotland experience a lot of gatekeeping cases?

Yes. Shelter Scotland’s advice services receive around 25\* cases per month where an individual seeks out our advice having been denied their legal right to support.

## What happens to people affected by gatekeeping?

Because of gatekeeping we are seeing a growing number of people being forced to resort to rough sleeping, sofa surfing, returning to situations where they are potentially at risk of violence and other forms of insecure accommodation.

\*Statistic from ‘Evidence of Gatekeeping in Glasgow City Council’ report, published July 2018

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## How many gatekeeping cases are there in Scotland?

Between October 2018- September 2019, between the 32 local authorities in Scotland there were a total of **3,780** gatekeeping cases throughout Scotland.

## Why is Glasgow City Council a target?

Out of the 3,780 cases reported throughout Scotland last year a shocking **3,365 cases were in Glasgow**. This is despite promises of change after a protest in 2018 over failing their duty 3,025 times. With the situation getting worse and not better, we must challenge GCC to make changes immediately.

Even during the Covid-19 we are supporting people who are being denied emergency accommodation.

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## Stories of Gatekeeping in Glasgow

**Below are 2 examples of gatekeeping incidents Shelter Scotland has been contacted about. We have anonymised them to protect their identity.**

The client is a female lone parent with several children. She had a housing duty owed to her by Glasgow City Council (GCC) after leaving her home due to domestic violence. Due to a low turnover of housing in her childrens' school catchment area, she was staying at her parents house while waiting for suitable accommodation. However, due to overcrowding at her parents' house, the client needed to leave and approached the council for temporary accommodation. Shelter Scotland tried for a week to contact the council casework team in person but was repeatedly told that her

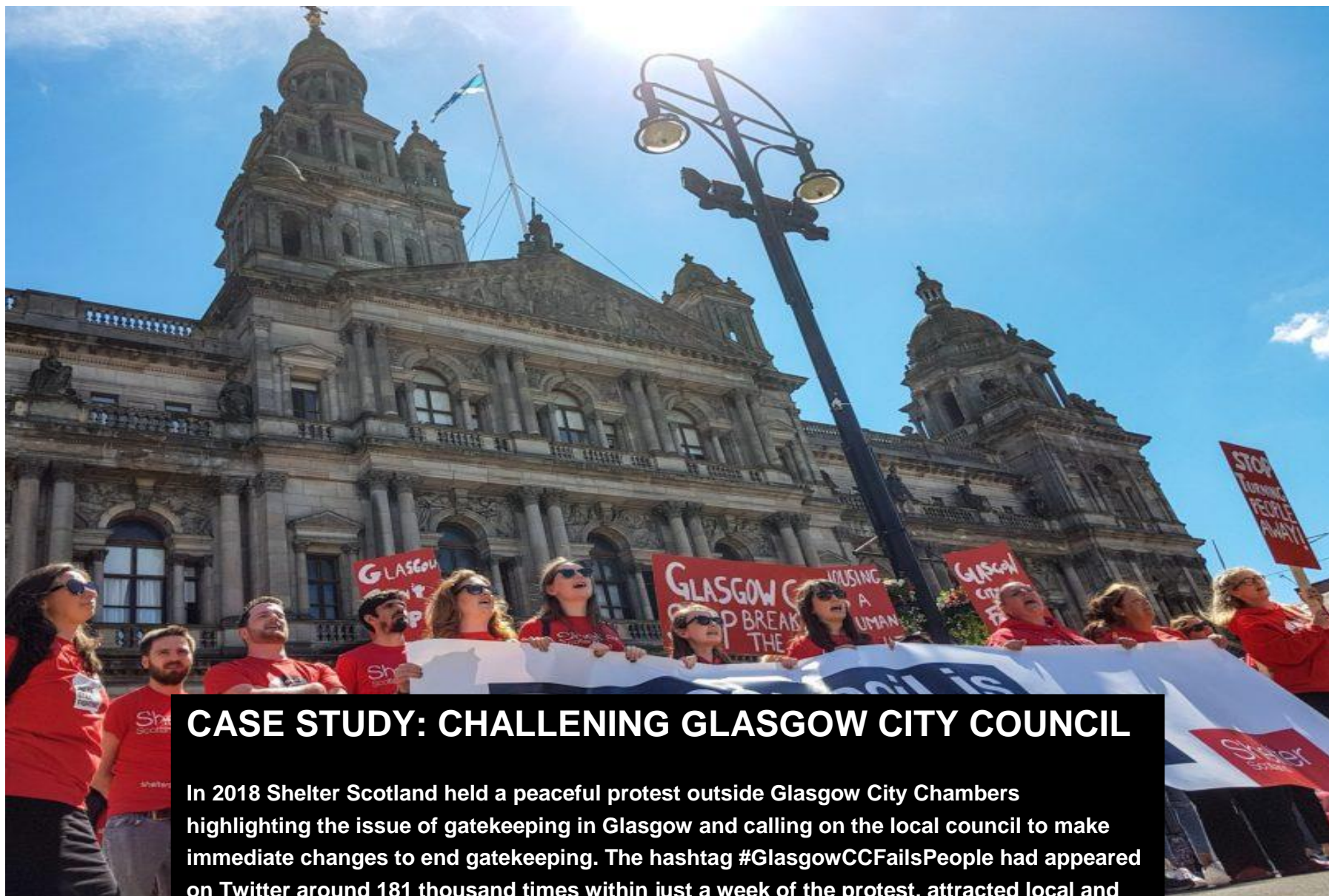
caseworker was not available. The client continued to contact the team repeatedly and eventually found herself facing street homelessness with her children as her situation deteriorated with her parents. Shelter Scotland finally were successful in contacting the casework team who eventually arranged a private hotel for the family for two nights. On the third night, no temporary accommodation could be found due to a football match and accommodation being fully booked. The client was forced to split up her children between her family and she stayed with a friend. On the fourth night a temporary furnished flat was found and the family moved in.

The client was a male EEA (European Economic Area) national who had presented as homeless to GCC. He was refused accommodation because the council misunderstood his immigration status and rights to homelessness assistance. Shelter Scotland advocated on his behalf but the local authority refused to accept a homeless application or provide temporary accommodation. He resorted to rough sleeping and died of a drug overdose shortly after. Shelter Scotland are of the view that this person was eligible for homeless assistance and should have had an application taken and accommodation provided for him.

**These are just 2 of hundreds of gatekeeping cases Shelter Scotland has encountered. No one should ever be denied their right to emergency accommodation when they need it most.**

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## CASE STUDY: CHALLENGING GLASGOW CITY COUNCIL

In 2018 Shelter Scotland held a peaceful protest outside Glasgow City Chambers highlighting the issue of gatekeeping in Glasgow and calling on the local council to make immediate changes to end gatekeeping. The hashtag #GlasgowCCFailsPeople had appeared on Twitter around 181 thousand times within just a week of the protest, attracted local and national media and led to promises of improvements from Glasgow City Council

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Despite promises of change, Glasgow City Council's number of gatekeeping cases from the 2018- 2019 actually rose. It was apparent to Shelter Scotland that more radical action was needed. In October 2019, Shelter Scotland announced it was taking legal action against the council after the council failed to respond to our pre-action letter. pushing for a court ruling that the council was breaking the law. In December 2019, right before we were due to go to court the Scottish Housing Regulator announced an unexpected investigation into the council- bringing new hope that gatekeeping in Glasgow can be stopped without going to court!



## How can I campaign safely?

We have had a major victory with the announcement of an investigation into Glasgow City Council by the Scottish Housing Regulator. Now, the most important thing we can do is keep up the pressure by putting gatekeeping in the public eye.

### Organise a webinar

A webinar is a virtual meeting where you can bring people together to share information, concerns and issues. Organising a webinar can help bring members of your community together to learn more about gatekeeping and the impact of it. You can check out our 'campaigning safely during the Covid-19 outbreak' for handy hints on holding virtual meetings.

### Create your own petition

You can create your own petition asking people to sign in support of the investigation, hoping that it will find that the council has broken the law. Demonstrating that there is massive public support is a great way to keep up the pressure! You can check out our 'campaigning safely during the covid-19 outbreak' guide for handy hints on holding virtual meetings

### Connect with likeminded groups

There might be groups or organisations in your area that are already working on or would be interested in working on gatekeeping campaigning. Have a look online and on social media to see if there are community groups, local refugee welcome groups, housing charities or individuals you can reach out to and organise a campaign, petition or webinar together.

### Get your local media involved

Is there a local paper? Do you have a community radio station? Are there local Facebook community groups? Ask to share why you are passionate about campaigning on gatekeeping, especially given the current circumstances. You can use our 'getting media coverage' guide for hints and tips on how to get your local media involved.

These are only some suggestions for you- you can get as creative as you like- every action no matter how big or small is a step towards seeing a Scotland where everyone has the right to a safe, affordable home!

**Please remember that you should be following all Government advice during the Covid-19 outbreak. You should not organise anything that could put you or others at risk**

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