

Topic briefing

Time in temporary accommodation

November 2019

This briefing is an update of our July 2018 paper in Time in Temporary Accommodation. This document is part of a series of topic briefings relating to housing and homelessness. You may also be interested in our topic briefing on children who are homeless 2019.

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Key points

- Thousands of households in Scotland are stuck in temporary accommodation for months on end.
- Prolonged stays in temporary accommodation are harmful to people's health and wellbeing, particularly children's.
- On average, households spent 180 days (about 6 months) in temporary accommodation in 2018/19.
- 14% of households (nearly 3,000 households) spent more than a year in temporary accommodation.
- Households with children tend to spend longer in temporary accommodation than households without children: 219 days on average.
- The length of time households are spending in temporary accommodation is increasing for most household types.
- There has been a 57% rise in breaches of the Unsuitable Accommodation Order over the past year, with local authorities reporting 620 breaches in 2018/19.
- New, legally enforceable standards are necessary to ensure that temporary accommodation, where it is necessary, provides a positive stepping stone into permanent accommodation.

Background

For many of the 36,465 households who applied as homeless last year in Scotland, temporary accommodation is an important step in their journey out of homelessness: between half and two thirds of households who apply as homeless make use of temporary accommodation. There are often lengthy waiting times to access a permanent home after making a homeless application, and temporary accommodation forms a stepping stone during that time. Temporary accommodation should therefore be of good quality to enable someone experiencing homelessness to quickly get back on their feet.

Harm caused by temporary accommodation

Temporary accommodation should be an immediate reprieve from the insecurity and shock of homelessness. When temporary accommodation works well, it is a positive move away from crisis, that supports people to get back on their feet after losing their home. But unfortunately, the quality of temporary accommodation varies considerably across the country.

Bad temporary accommodation can mean no access to cooking or laundry facilities, shared bedrooms and general disrepair. A 2018 survey carried out by Crisis found that almost half of the 74 respondents with experience in B&Bs in Scotland had no access to a kitchen, a third had no access to a fridge, and going without meals was common. Almost

all had to share bathroom facilities¹ And this can be incredibly damaging. In the words of Shelter Scotland’s Time for Change group members:

“You’re not a human anymore”

“I was made to feel less than other people. I still feel like that now”.²




Families stuck in unsuitable temporary accommodation often said their health had suffered as a result.³ Children miss school due to the disruption of moving between temporary accommodation.⁴ In some cases, individuals are put off entering notoriously bad temporary accommodation, and this can count as a refusal of assistance which may affect their ability to access other accommodation.

There is also often an issue about the cost of temporary accommodation, which can be crippling: many households are stuck in unaffordable temporary accommodation, meaning they embark on permanent tenancies having already built up rent arrears, therefore hampering their success of sustaining a tenancy before they have even begun.

Standards of temporary accommodation

Recent political focus on homelessness has seen the promise of positive change with regard to temporary accommodation standards. The 2019 Programme for Government included a commitment to extend the Unsuitable Accommodation Order – which currently legislates against households with children spending more than 7 days in temporary accommodation deemed to be ‘unsuitable’ – to all people experiencing homelessness.⁵ Similarly, and in the spirit of the Ending Homelessness Together Action Plan to continually raise standards, the Scottish Government consulted on improving temporary accommodation standards in August 2019.

Guidance published by the Chartered Institute of Housing and Shelter Scotland in 2011⁶ recommends that all temporary accommodation should be:

 <p>Affordable</p>	 <p>Close to services (e.g. the children’s school or a family doctors)</p>	 <p>Accessible: it should meet the disability needs of the household</p>
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¹ Sanders, B. and Reid, B. (2018) I won’t last long in here’: experiences of unsuitable temporary accommodation in Scotland. London: Crisis.
² Shelter Scotland (2019) [Response to the Scottish Government’s Temporary Accommodation Standards Lived Experience Questions](#)
³ Crisis (2018), [I won’t last long in here: experiences of unsuitable temporary accommodation in Scotland](#)
⁴ Shelter (2004) [Living in Limbo](#)
⁵ Scottish Government (2019), [Programme for Government 2019](#), Page 152
⁶ CIH Scotland and Shelter Scotland (2011), [Temporary Accommodation Guidance](#)



Our response to the consultation on standards expands further on this and how this could be developed for use today.⁷ Everyone has the human right to housing deemed 'adequate' and governments should be doing all they can to progressively realise this right – particularly for housing supplied by them.⁸ Good temporary accommodation, that meets the above criteria, is invaluable – and, for the 21,095 households who entered temporary accommodation in Scotland last year, a matter of urgency.

Advisory standards have now been published as part of the interim Code of Guidance on homelessness.⁹ Shelter Scotland welcomes these long overdue standards, but work must be started to introduce legally enforceable standards at the earliest opportunity.

Temporary accommodation data

The dataset released by the Scottish Government which records time spent in temporary accommodation is called the HL3. It was first released in June 2018. It has now been released for a second time. Prior to the release of this new dataset, the main temporary accommodation data available from the Government was spot count data: counts of how many households were in each type of temporary accommodation on a particular night. This therefore did not capture how many different placements a household had, how long they were in temporary accommodation, or any households who were in temporary accommodation but not on that particular night. Shelter Scotland had attempted to fill this gap with our own data requests from local authorities.¹⁰

The new data is more comprehensive. It shows the type of temporary accommodation placement (i.e. B&B, hostel, etc.) of households, the number of placements, and the amount of time they spent across *all* placements. However, it is important to remember that it only captures this data for households that left temporary accommodation between 1st April 2018 and 31st March 2019. If a household was still in temporary accommodation on 1st April 2019, they are not represented in this dataset.

⁷ Shelter Scotland (2019), [Shelter Scotland response to the Scottish Government Consultation on Improving Temporary Accommodation Standards](#)


⁸ Shelter Scotland (2019), [Housing is a human right](#)

⁹ Scottish Government (2019) [Homelessness: Code of Guidance](#)

¹⁰ Shelter Scotland (2017), [The use of temporary accommodation in Scotland](#)

How long do people spend in temporary accommodation?

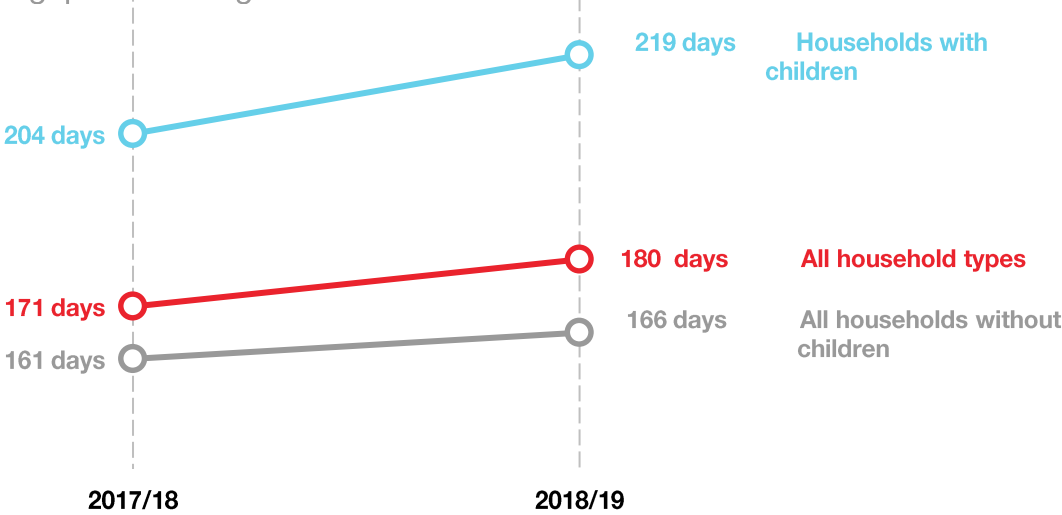
In 2018/19, and based on data from households leaving temporary accommodation during the period April 2018- March 2019:



Households in temporary accommodation spent an average of 180 days (about six months) in temporary accommodation placements.

For some households, this might mean having stayed in one placement for six months. However, it's very common that households move between different temporary accommodation placements.

Households with children spend more time in temporary accommodation than those without And the gap is widening



The above statistics suggest that there is a lack of accommodation suitable for families to move onto from temporary accommodation, such as two and three bed homes. The fact that the gap is widening shows that existing house building isn't going far enough to cater for families. This is reflected in the experiences of Shelter Scotland clients, many of whom have had to uproot their families and move long distances to find suitable permanent accommodation, or wait years for something to become available in the local area.

Of the 21,551 households that left temporary accommodation during 2018/19,




2,925 households (14%) stayed there for over a year.



Temporary accommodation takes a variety of forms. Most temporary accommodation placements are social sector flats, owned by the local authority or by Registered Social Landlords. However, homeless households may also be placed in hostels, B&Bs, private sector leased accommodation, or women’s refuges.


The amount of time a household spends in temporary accommodation is likely to vary based on what type of placement they are in:



Local authority, housing association and private sector placements are likely to involve longer periods (i.e. **3 months or longer**)



Most hostel placements last **12 weeks or less**.



Bed and breakfast placements tend to be much shorter in length (most placements last for **1 week or less**).

Unsuitable Accommodation Order

The Homeless Persons (Unsuitable Accommodation) (Scotland) Order 2014 stipulates that a household containing children or pregnant people should not be housed in unsuitable temporary accommodation (such as a hostel or a B&B) for more than 7 days. It aims to protect children from poor quality temporary accommodation.

Prior to October 2017, the Unsuitable Accommodation Order limited the time families could be placed in poor quality temporary accommodation to 14 days. However, in line with the SNP manifesto of 2016, this was amended to 7 days in October 2017.

It was announced in the 2019 Programme for Government that the Unsuitable Accommodation Order will be amended to extend to all persons experiencing homelessness. This change is due to be implemented before the end of this parliament, in 2021.

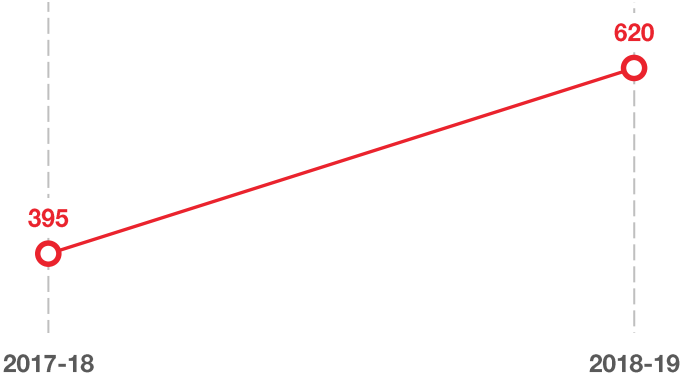
Breaches of the Unsuitable Accommodation Order

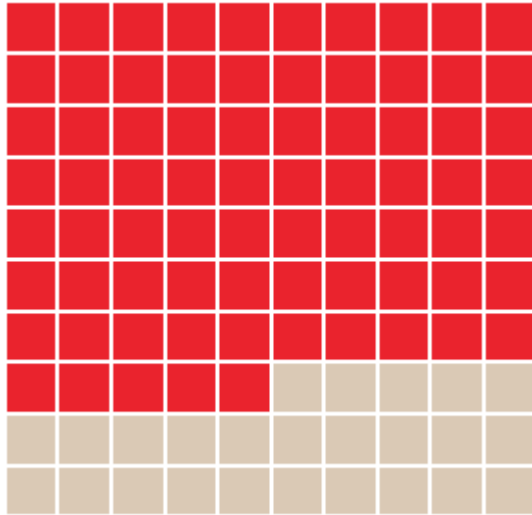
At present, a breach of the Homeless Persons (Unsuitable Accommodation) (Scotland) Order occurs when a household containing children or pregnant people are housed in unsuitable temporary accommodation for more than 7 days.

The release of the HL3 dataset in June 2018 marked a change in the way breaches of the Unsuitable Accommodation Order were recorded. Prior to this, the data showed the number of breaches on a specific date (broken down by Local Authority). The HL3 dataset gives far more comprehensive data: it shows the total number of breaches by quarter, broken down by local authority.

The latest statistics show that:

There has been a 57% increase in breaches of the Unsuitable Accommodation Order in the last year





There were 620 breaches of the Unsuited Accommodation Order last year. 465 of these, or 75%, occurred in Edinburgh...

...but 155 breaches were also recorded in 10 other local authorities.

This increase in the overall number of breaches of the Unsuited Accommodation Order can be viewed in the context of the change that took place in October 2017: the reduction of the limit from 14 days to 7 days. Some local authorities failed to implement a new strategy to procure new Temporary Accommodation in order to implement this change. This raises serious questions about the effectiveness of new national standards without the necessary housing supply to accompany them. However, while this change may go some way towards explaining the increase, it by no means excuses it: **the new, lower limit was introduced with the intention of limiting the amount of time children spend in environments that are harmful to them. That objective cannot be fulfilled if Local Authorities neglect to comply with it.**

Edinburgh

In light of Edinburgh's particular problem complying with the Unsuited Accommodation Order's lower time limit, the City of Edinburgh Council Housing Convener set up a Homelessness Taskforce in late 2017 aimed primarily at improving the use of temporary accommodation in city.¹¹ It wanted to reduce the number of families and young people in bed and breakfast accommodation, and ultimately end the use of bed and breakfast accommodation as temporary accommodation entirely. The Taskforce assessed the use of B&Bs and sought to put in place quick, interim measures to improve people's experiences while they waited to move out of B&Bs; these measures included installing cookers and fridges, as this was widely reported by people using B&Bs as one of the biggest challenges. The annual homelessness statistics do report a downturn in numbers of households with children in this type of accommodation in Edinburgh since last year. However, this is a snapshot figure, and unfortunately the new data provided in the HL3 does not give figures for the numbers of households with children who entered B&Bs broken down by local authority. This means that we can't confirm whether the decrease seen in the snapshot figure was borne out across the whole year. Further, despite the ongoing problems and the fact that the taskforce's aims were not fully realised, the

¹¹ Edinburgh Council (2017), [Task force set up to tackle homelessness in the capital.](#)

taskforce disbanded in January 2019, as it was felt that the aims of the group would be taken forward as part of the Council's Rapid Rehousing Transition Plan. Shelter Scotland continues to have concerns about B&B use in Edinburgh.

Edinburgh Council's rapid rehousing transition plan eliminate the use of B&B and unsuitable accommodation, and reduce the time spent in temporary accommodation. They aim to do this through increasing the stock of temporary accommodation, continuing prevention work, and starting to implement a housing first approach.¹²

Glasgow

Like Edinburgh, Glasgow also faces issues around homelessness that are fundamentally caused by over demand and under supply of good quality affordable housing. Latest statistics show that, in 2018-19, Glasgow City Council failed to accommodate 3,365 households¹³ who had a legal right to temporary accommodation under Section 29 of the Housing (Scotland) Act 1987¹⁴. This figure of 3,365 is substantially higher than all other councils, and represents 95% of all instances of a failure to accommodate in Scotland. This practice of failing to offer people the temporary accommodation they have a legal right to is unlawful, and can be devastating for clients, causing them to have to return to unsafe situations or even sleep on the street. Action must be taken to stop this.

Compliance and enforcement

As shown by the statistics above, housing law has been broken for thousands of households, either through breaches of the Unsuitable Accommodation Order or a failure to provide temporary accommodation that they have a legal right to. However, there has been limited impetus on the local authorities in question to improve the situation, and little public efforts to ensure that local authorities stop breaking the law. Whilst we very much support the move to extend the Unsuitable Accommodation Order, this must be accompanied by significant increases in housing supply, and new investment in support, in order to ensure that breaches do not continue to routinely occur, leaving individuals who are in need of support to suffer in poor accommodation.

In the recent consultation on improving temporary accommodation standards, the Scottish Government proposes the introduction of "advisory" standards. Shelter Scotland is of the opinion that standards will be more effective if they are made enforceable as soon as possible. We recognise that local authorities need to be sufficiently and sustainably resourced in order to comply with such updates to legislation and guidance, and that the needs of local authorities differ: some smaller local authorities in particular will need tailored support in order to implement the changes.

¹² City of Edinburgh Council (2019), [Rapid Rehousing Transition Plan](#)

¹³ Scottish Government (2019), [Homelessness in Scotland 2018-19](#)

¹⁴ <http://www.legislation.gov.uk/ukpga/1987/26/section/29>

The Scottish Housing Regulator exists to monitor, report and intervene on the performance of local authorities and Registered Social Landlords in relation to their housing activities.¹⁵ At present, the Regulator does not have a direct enforcement role. Shelter Scotland believes that the Scottish Housing Regulator has an enhanced role to play in enforcement of this legislation, and any legislation or guidance that arises around standards of temporary accommodation. If such new responsibilities were to be conferred on the Regulator, they should be accompanied by additional resource and capacity.¹⁶

Case Studies

Don* was living in a small temporary house organised by his local council with his partner and their toddler. The flat was leased by the council from a private landlord. It was a small ex-council bungalow that would normally be let to elderly single people or elderly couples. There just wasn't enough room for Don, his partner and their toddler. The pressure of being uprooted and living in cramped temporary accommodation led to the family separating. Don started sofa surfing, but called Shelter Scotland as he was worried that he could end up sleeping rough. Shelter Scotland helped Don access help from his local authority to find new temporary accommodation, but the bill was so expensive that he wasn't sure he could afford it.

Julia's* partner passed away very suddenly. Sadly and unrelated, she and her three children – including one newborn – were evicted from their private let very shortly afterwards, because the landlord wanted to move in. She applied as homeless, as she couldn't afford to find something else in the private sector. Unfortunately, the only temporary accommodation that was available was miles away, in a very rural area, far away from her extended family who were supporting her through her grief. Julia couldn't face moving so far away, but was told there was nothing else available. Luckily, Julia's extended family managed to pull together the money to help her into a private let in the same town, but that's not an option for most people.

Maggie* cares for her three young grandchildren. The council found her some temporary accommodation when she became homeless, but it was far from the children's school, other family, and in an unsafe area. Maggie didn't feel like she could let the children play outside, and as a result their behaviour and mental health worsened. Maggie chose to move in with extended family whilst waiting for a permanent home, because of the effect the temporary flat was having on the children. The family of four slept on two mattresses on the living room floor for three months over Christmas before they got a permanent home. They found it very stressful living on top of one another and having no private space or room to store belongings except in bags on the floor.

¹⁵ Scottish Housing Regulator, <https://www.scottishhousingregulator.gov.uk/for-landlords/regulatory-framework#>

¹⁶ For more detail on proposed enforcement of new legislation, see our consultation response: Shelter Scotland (2019), [Scottish Government Consultation on Improving Temporary Accommodation Standards](#)

*Names have been changed.

Conclusion

Over the past two years, there has been a renewed political focus on homelessness and bad housing, and a number of workstreams undertaken that have looked to streamline people's homelessness journeys and move people into settled accommodation more quickly. But despite this, the most recent statistics show that more people are using temporary accommodation, and, more worryingly, they are staying there for longer. Furthermore, the number of families who were kept in unsuitable accommodation for longer than is lawful increased substantially.

Despite the introduction of policy and practice reforms across Scotland that aim to reduce the use of temporary accommodation and expedite homeless households' transitions to settled homes, the ultimate goal of households being able to move seamlessly into a permanent home after making a homeless application is still a long way off. Temporary accommodation remains, therefore, an important stepping stone in the homelessness journey, and while this continues it is vital that this temporary accommodation is of good quality.

Recommendation: Legally enforceable minimum standards of temporary accommodation – covering physical, management and location standards – should be introduced as a matter of priority.

At present, this is not always the case. Here at Shelter Scotland we hear countless stories of temporary accommodation that is too small, too far from facilities such as children's school, or of poor physical quality. Legally enforceable standards are therefore necessary to ensure good quality temporary accommodation is the norm, and should be introduced as soon as possible.

While we welcome the Scottish Government's plan to introduce minimum standards in temporary accommodation, we would advocate for their introduction much sooner than 2023. We believe that the process could be expedited to mean that enforceable standards could be introduced as early as 2021, on the same timeframe as the changes to the Unsuitable Accommodation Order.

Recommendation: Local authorities must be properly resourced and supported to carry out their duties around temporary accommodation.

The change in timescale of the Unsuitable Accommodation Order saw breaches massively increase as local authorities were not able to comply with the lower time limit. Local authorities have a fundamental role to play in supporting people out of homelessness, but as new interventions are introduced, councils must also be properly funded and supported

to deliver these duties. This point is particularly relevant as discussions begin around the idea of a prevention duty here in Scotland: while Shelter Scotland agree that efforts should be concentrated on preventing homelessness from occurring in the first place, we recognise that local authorities are already stretched, and any additional duties in this area must be accompanied by additional resource and support.

Recommendation: Long term commitments to social house building must continue – at scale – beyond 2021.

Two factors are crucial to the success of any policy looking to reduce the use of temporary accommodation: one, effective prevention of homelessness to reduce demand on services in the first place, and – related to this – two, the adequate supply of good quality homes for social rent. Shelter Scotland has welcomed the progress being made to meet the target of 50,000 new affordable homes under the current parliament, but this is short of the 60,000 homes needed by 2020.¹⁷ Even more worryingly, there seem to be no plans in place to continue this investment in affordable and social homes post-2021, leaving the housing sector facing a cliff-edge which can only lead to adverse outcomes for those experiencing homelessness. If there were adequate numbers of good quality social homes, households experiencing homelessness would not be being placed in poor quality temporary accommodation for extended periods of time in the first place.

¹⁷ Shelter Scotland (2018), [Review of Strategic Investment Plans for Affordable Housing](#)

Shelter Scotland helps over half a million people every year struggling with bad housing or homelessness through our advice, support and legal services. And we campaign to make sure that, one day, no one will have to turn to us for help.

We're here so no one has to fight bad housing or homelessness on their own.

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