

Site name  
Site address  
t Telephone number  
f Fax  
email  
shelterscotland.org

Kevin Stewart MSP  
Minister for Local Government, Housing and Planning  
Scottish Government  
**ministerlghp@gov.scot**

Date: 12 January 2021

Dear Minister

### **Unsuitable Accommodation Order**

Thank you very much for your response of 18<sup>th</sup> December 2020 to my previous letter on the Unsuitable Temporary Accommodation Order. I am extremely disappointed that the exemptions regarding the Unsuitable Accommodation Order will yet again be extended after the 31<sup>st</sup> January deadline, with a further damaging delay being proposed to the end of June 2021.

Shelter Scotland, alongside all the members of the Homelessness and Rough Sleeping Action Group, including local government representatives, welcomed the decision to bring forward the date of implementation of the new protections for vulnerable rough sleepers and single homeless people due to the dangers of the Covid-19 crisis. The original plan to implement the protections currently only available to families and pregnant women to cover all homeless people was a proportionate response to the dangers of the time we find ourselves in.

That is why we strongly objected to these exemptions being extended from the previous October 2020 deadline to 31 January 2021. Far from the promise to bring forward new protections in light of the crisis, the proposal is now to delay beyond even the pre-pandemic promise of introducing the UAO in May 2021, with the exemptions being lifted in June after the elections. In our view this damaging delay represents the renegeing of a widely welcomed commitment in May last year to ensure **everyone** who is homeless, **particularly during this health crisis and beyond**, is safe and supported.

A hotel room for example is not a home and we cannot, in good conscience, support keeping hundreds of people long term in a harmful situation solely due to a lack of political will to secure the suitable temporary accommodation required, and utilise the affordable homes that exist in the system, but are not being made available to those who need them most.

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Far too few allocations are still going to homeless households despite the emphasis placed by yourself on how important this is. With only 39% of lets in November, according to the latest Scottish Housing Regulator report, going to homeless households.

It is therefore of great concern for the people across Scotland trapped in unsuitable temporary accommodation, that the commitment made in May 2021 to ensure everyone is entitled to suitable temporary accommodation, is not being honoured by the Scottish Government. This means that people in Scotland who are in a housing crisis are being expected to pay the price of the pandemic, on top of the price they were already paying for Scotland's broken homelessness system. This cannot be right.

We fully understand the difficulties local authorities are facing as they seek to give people a home during this pandemic, while also focussing on preventing the further spread of coronavirus. The use of hotels for those who are homeless was required at the start of the pandemic to ensure we did not see a surge in rough sleeping, and could house those who were in the hostels which were closed, as people could not safely self-isolate in them. People who were already rough sleeping were also supported off our streets. We welcomed this at the time as an emergency measure, but have always said that it is not a long-term solution, as the negative impact of living in unsuitable accommodation, without access to all the facilities and support that is needed is significant.

We do also know that the problems some of the local authorities are facing in providing decent and suitable temporary accommodation are unfortunately long-standing, they did not appear overnight when the pandemic struck, and they will therefore require support and additional resources to ensure they can provide the accommodation required. While we do not expect all of the local authorities to be ready for the new UAO by the end of January 2021, it is vital that at this point in the pandemic, 11 months since it started, that the UAO is fully implemented. We cannot delay further. Last year we called for more to be done immediately to support local authorities to secure decent and suitable temporary accommodation, and to ensure that people are supported as quickly as possible into the social rented accommodation which is available.

Provision of suitable temporary accommodation must be a key priority, as through our helpline and community hubs, we hear from people day in, day out about the horrendous conditions they are facing in some temporary accommodation such as B&Bs and hotels – from the poor quality of the accommodation, lack of space, lack of access to facilities, to the imposition of arbitrary curfews that can impact on people's ability to earn a wage. Often it is a chaotic environment with anti-social behaviour that none of us would feel comfortable being around.

Our services have also seen cases of individuals being stuck in this temporary accommodation for significant lengths of time – and suffering as a result. "Brutal". "Horrendous". "Soul-destroying". That is what our service users have told us about their experiences of this temporary accommodation. When people report that they feel safer sleeping rough, even in winter, rather than being in this temporary accommodation – it is very clear that some temporary accommodation is definitely not fit for purpose and leaves people at high risk of harm. This is the

reality of unsuitable temporary accommodation for many people, and extending the UAO exemptions yet again, gives a green light to local authorities to put more vulnerable homeless people into these precarious situations. Often their needs are not met, with the resulting high risk of detrimentally impacting on their mental and physical health.

Regrettably, it is clear that the Scottish Government and local authorities have not fully prioritised reducing the harmful impact of Scotland's housing emergency for those most at-risk, under the guise of measures to protect public health in a pandemic. It is a false dichotomy to present the choice as between being on the streets or in unsuitable temporary accommodation. It did not and does not have to be this way, but as so often, marginalised individuals are being forced to pay the price for a housing emergency not of their making.

**Rather than extending the exemptions again, we therefore call on the Minister to stand by his intention outlined in May 2020 and as enacted in the Unsuitable Accommodation Order, and that these exemptions should all be removed on 1 February 2021. Sending out the right message and policy intention that everyone should be entitled to decent and suitable temporary accommodation in Scotland, especially during a health pandemic. In addition to this there needs to be a significant increase in the number of social housing lets being made to homeless households.**

**We are also calling on the Scottish Government to urgently set up a National Taskforce on Temporary Accommodation in Scotland, to take a national view of the demand and supply of suitable temporary accommodation and consider ways to secure more tenancies from Registered Social Landlords as a priority. This should bring together stakeholders from across the public and third sector.**

We need proper, effective solutions to what is a long-standing problem in Scotland's housing and homelessness system. Given the opposition from local authorities to the UAO changes brought in last year to ensure everyone is entitled to suitable temporary accommodation, it is clear that much more needs to be done beyond ensuring that the UAO comes properly into force for all individuals on 1 February 2021. That is why we are calling for you also convene a new National Taskforce on Temporary Accommodation in Scotland, inviting key stakeholders, including the third sector, to develop new solutions to these long-standing issues. We cannot continue letting people's lives slip through the cracks of a broken homelessness system.

We look forward to your response.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Alison Watson', written in a cursive style.

Alison Watson  
Director, Shelter Scotland