

Shelter Scotland
Scotiabank House
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shelterscotland.org

James Dornan MSP
Convener
Local Government and Communities Committee

14th January 2021

Dear Mr Dornan,

[The Homeless Persons \(Unsuitable Accommodation\) \(Scotland\) \(Modification and Revocation\) \(Coronavirus\) Order 2021 \(UAO\), SSI 2021/10](#)

The Scottish Government has laid another Unsuitable Accommodation Order SSI on 13th January, seeking to extend the exemptions to the Unsuitable Accommodation Order (UAO). However, this time the extension is for six months beyond the current 31st January deadline, so until June 2021. We understand this SSI will come before the Local Government and Communities Committee in the next couple of weeks. We believe that this extension, which will allow Local Authorities to continue to place homeless people in unsuitable, and for many, harmful temporary accommodation should not be accepted.

We are calling for this SSI to be annulled and rather than extending the exemptions again, we believe the Housing Minister should stand by his intention outlined in May 2020 to ensure everyone is entitled to suitable accommodation, and as enacted in the new Unsuitable Accommodation Order brought in at that time. These exemptions should therefore 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 we are calling for **more social rented housing lets to be offered to homeless people** and for the Housing Minister to set up a **National Temporary Accommodation Taskforce** to take a national view of the demand and supply of temporary accommodation and consider ways to secure more tenancies from Registered Social Landlords as a top priority.

The focus must be on prioritising those most in need and to ensure that support is provided to local authorities, so they can secure the suitable temporary accommodation that everyone should be entitled to, and ensure that more social housing lets are going to homeless households, especially as we are in a pandemic which will have a devastating and long term impact.

Until there's a home for everyone
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We need to ensure that the most people most at risk in our communities are properly protected during this crisis.

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 to May 2020, 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.

Far too few allocations are still going to homeless households despite the emphasis placed by the Housing Minister 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 2020 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 homelessness 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 called for more to be done immediately to support local authorities to secure

decent and suitable temporary accommodation and to ensure that more social housing lets were going to homeless households.

We do 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. We do not therefore expect all of the local authorities to be ready for the emergency exemptions to be lifted from the UAO by the end of January 2021 without Government support – and this likelihood of lack of readiness was also raised back in October when the previous extension was introduced. However, we do expect there to be a strengthening of rights for those in housing need, precisely because we are in a pandemic, sending the strong signal that they do need to be prioritised.

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 some of our service users have told us about their experiences of 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 and by extending the UAO exemptions yet again this gives a green light to local authorities to put more vulnerable homeless people into these precarious situations

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.

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 exemptions being removed for the UAO, it is clear that much more needs to be done beyond ensuring that the UAO comes properly into force for all individuals as soon as possible. That is why we are calling for 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 therefore urge the Local Government and Communities Committee to annul this latest UAO SSI, sending a very strong signal that during this pandemic it is vital that people's rights are strengthened and that homeless people must be prioritised, suitable temporary accommodation must be sourced and more social housing must be let to homeless households.

Yours sincerely

A handwritten signature in black ink that reads "Alison Watson". The signature is written in a cursive, flowing style.

Alison Watson
Director

Shelter Scotland