

# Helping Homeless People

## Homelessness Consultation Responses

Ministerial Statement on Abolition  
of Priority Need by 2012 -  
A Summary of Responses to the  
Consultation on Ministerial  
Statement required by section 3  
of the Homelessness etc (Scotland)  
Act 2003



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## **EXECUTIVE SUMMARY**

1. On the 18<sup>th</sup> of August, the Scottish Executive launched a consultation exercise to inform the Ministerial Statement on the abolition of priority need. The Minister for Communities is required, by section 3 of the Homelessness (Scotland) Act 2003, to provide a statement by the end of this year. The Statement will cover the current situation and future action needed to meet the target that, by 2012, all people who are unintentionally homeless will be entitled to a permanent home.
2. Respondents were asked to answer 13 specific questions covering 3 areas: the evidence base; coverage of the Ministerial Statement; and monitoring and interim objectives. This report presents an analysis of the responses to the consultation.

### **The consultation process**

3. The consultation pack was distributed to 332 organisations and individuals. The intended audience of the consultation included all those with responsibility for strategic planning, delivery of and input to Homelessness Strategies in each local authority area, and local partners working with them.
4. In addition to the written consultation exercise, the Scottish Executive hosted 3 seminars in Edinburgh, Aberdeen and Glasgow, providing an opportunity for local elected members to engage directly with the Ministers. Notes of the proceedings were taken and have been combined with analysis of the written responses. In addition to these exercises, there has also been consideration of the issues by the Homelessness Monitoring Group and its 2012 planning subgroup; a Parliamentary debate on homelessness; and various individual meetings between Executive officials and stakeholders.
5. Responses to the consultation demonstrated much evidence of carefully considered comments. In total 50 responses to the consultation were received, the majority (30) from Local Government. Responses from the voluntary sector (13) and NHS (6) accounted for all but four of the other responses received. While there was a relatively low response rate, the specialised nature of the consultation meant that a wide response was unlikely. Many of the submissions were detailed and included significant discussion of the issues raised.

## **OVERVIEW**

### **Support for abolition of priority need**

6. Twenty-two respondents specifically noted their support for the legislative proposals or the commitment to abolish priority need. The Executive was commended for the 'progressive nature' of its homelessness legislation and for its 'innovative and farsighted approach'. The target was seen to be in line with Executive commitments to reduce health inequalities and achieve social justice targets.

7. Sixteen of these supportive statements were qualified with concerns over the ability of local authorities or other housing providers to meet the target in practice, and/ or raised the need for additional investment in social housing and for other financial assistance in order to meet the target.
8. In total, 12 Local Authorities had serious concerns about their ability to meet, or evidence to show that they will be unable to meet the 2012 target. In addition, one respondent felt that Supporting People grant issues reduced the likelihood of achieving the target. Several requests were made for the Ministerial Statement to acknowledge the pressures facing Local Authorities, and the difficulties some would face in meeting the 2012 target.

### ***Balancing need***

9. A major concern for several respondents to the written consultation and also expressed at regional seminars was that the target would have a significant impact on allocations policy, increasing the time spent on general waiting lists, and in some cases making a homelessness application the only viable route to social housing. There was also a concern that it could result in homeless households with greatest need waiting longer for permanent accommodation than at present.
10. There was also a view that discussions of 'balanced communities' and possible impacts on waiting lists may mask prejudicial attitudes towards homeless people, who should be understood as coming from within communities.
11. There was a general consensus on the need to have better information about the likely impact of 2012 on general waiting lists. An analysis of waiting list applications and allocations was seen as potentially useful in this context, including an identification of the extent and nature of need on the general waiting list.

### ***Resources***

12. It was a widely held view amongst respondents to the written consultation, and amongst those attending regional seminars, that the target was not achievable without significant resourcing in the form of additional affordable housing, temporary accommodation provision and financial resources (often for support work). There were requests for the Ministerial Statement to clearly set out what funding and additional resources would be made available to ensure that the target would be met.
13. Many specific comments were made regarding Supporting People funding. Respondents were highly concerned about decreases in Supporting People funding, and were predicting increases in the level and extent of support needs. While existing funding was welcomed, serious concern was expressed about ability to create new services. A focus on crisis provision was predicted, with detrimental impacts on prevention and sustainability.

## **Other key issues**

### ***Local Sensitivity:***

- There were frequent requests for the Minister to recognise the unique concerns facing different types of authority and different geographical areas. The importance of sensitivity to local issues was repeatedly raised in specific comments on evidence base, measuring capacity, and the possibility of setting benchmarks and interim objectives as well as at regional seminars.

### ***Right to Buy***

- Several respondents felt that Right to Buy policy had negatively impacted on Councils' abilities to meet demand. There were requests for a re-consideration of the policy generally, and specifically of the potential extension of Right to Buy in 2012.

### ***Tenancy options***

- Several respondents raised concerns about restrictions on how Local Authorities could discharge their duties to homeless applicants. Some were concerned that a focus on permanent housing may not result in the most suitable housing outcomes for all, and felt a variety of housing tenures suited to individual needs, including the use of long-term supported accommodation and shared housing, would be highly important. Others raised the difficulty of obtaining secure tenancies in the private sector and recommended either allowing the use of Short Assured Tenancies in some circumstances, or findings ways to increase security in this sector.

### ***Joint working***

- Several respondents thought there was a need to improve joint working around homelessness, both for service providers and within the Executive and other bodies. Requests were made for the Minister to clarify the roles and responsibilities of different bodies and sectors and to encourage a corporate approach to homelessness. Comments were also made during regional seminars regarding the need to ensure coordination between different policy areas, for example around regeneration and homelessness, anti-social behaviour legislation and the removal of local connection.

## **CHAPTER SUMMARIES**

### **The evidence base (Chapter 2)**

14. Key areas highlighted in responses to this section were the need to improve the accuracy of data, for better data on housing need, stock availability, support needs and the impact of other legislative changes.

- Respondents identified a need to improve the usefulness and consistency of data collected by tightening definitions used in collection and producing stricter guidance on methodology. Several emphasised the importance of recording local level data.
- Respondents commented on the difficulty of establishing total housing and the need to improve data on hidden homelessness and levels of rough sleeping.
- Several respondents commented on the importance of identifying 'latent need' for housing and support, and some suggested an analysis of waiting lists.
- Frequent comments were made about the lack of information on the private rented sector, including the size, quality and lettings information.
- Respondents frequently emphasised the importance of addressing the 'mismatch' between available stock and housing need when considering capacity, rather than simply the total amount of stock available.
- A review of existing levels and provision of support services was suggested to map what support was currently being provided, to whom, at what level.
- Respondents requested information on the nature and extent of support needs, both current and projected. Several respondents commented on the importance of considering health support needs.
- Suggestions were made for processes to improve joint working between the different agencies involved in providing support, for example, shared assessments and shared databases of support needs.
- The majority of those who commented (87%), were in favour of a re-run of the pro forma exercise, two thirds favouring either an annual or regular re-run. There was also a commonly held view that the pro forma exercise should be refined to tighten definitions and methodology and to include additional information.

### **Coverage of the Ministerial Statement (Chapter 3)**

- There was much common ground regarding the policy areas identified. Most commonly cited areas were Supporting People, Right to Buy, Anti-social Behaviour, Housing Benefit, and Health.
- Respondents also raised issues about the private rented sector, discharge their duty restrictions, funding, planning policy, allocations, children's policy, social work, education and prevention.
- A range of specific actions were identified, with many respondents focusing on areas of supply, support, stigma and prevention.
- There was also much consensus over barriers to diverse housing outcomes for homeless households. Key areas raised were stock issues, stigma, private sector, Housing Benefit and support needs. Again, various solutions were identified.
- There was a common view that additional funding would be required, though some respondents also believed existing funding streams could be used more effectively. There was a recurring view that the short-term nature of current funding streams was unhelpful, and that greater coordination between different funding streams within homelessness, health and social work, would be beneficial.

## **Monitoring and Interim Objectives (Chapter 4)**

- There was support for using the proportion of lets to homeless households and the length of time spent in temporary accommodation as measures of capacity, though also recognition of the shortfalls of these measures. It was commonly believed that the suitability of available stock to housing need should also be considered.
- There was some confusion between benchmarks and measures of capacity, however, about a third of those who commented believed benchmarks could be set. Wide local variations, gaps in the evidence base and the impact of any target on wider housing need were given as reasons why setting benchmarks would be difficult or undesirable.
- Most of those who commented appeared to support the idea that Local Authorities should be required to report against a broader set of targets, though concerns were expressed about increasing the report burden on Local Authorities and about the need to ensure local level sensitivity in any targets set.
- There was less support for a full resubmission of homelessness strategies following publication of the Ministerial Statement, with a commonly held view being that revision of strategies, possibly combined with a requirement to submit a short addendum or annual update, should be sufficient. Some of those in favour of resubmission, however, felt very strongly about this.
- Roughly half the respondents felt an interim objective should be included in the Ministerial Statement. The two main reasons for not including a target were lack of capacity and a preference for locally set targets.
- There was support for phasing to be based on withdrawing the vulnerability test, and /or on age. Other suggestions included that new priority need groups could be identified following a review of homelessness strategies. Several respondents emphasised the importance of sensitivity to local issues and capacity.
- With respect to the timing of any phasing, there was support for a variety of options including a three stage approach and one stage in 2007 or 2008/2009.
- Concerns were raised about the possible interaction of a locally based gradual phasing approach and a suspension of Local Connection.
- Twenty-four responses made suggestions for other possible interim objectives to be included in the statement. Areas suggested indicated targets both for local authorities and for the Executive. Some respondents also requested that targets be set for RSLs, particularly in relation to prevention work and tenancy sustainment.

## **CHAPTER ONE: INTRODUCTION**

### **Background**

15. The Scottish Executive's policy for housing has been set out in *Homes for Scotland's People*; a key aspect of this policy is the target to abolish the distinction between those in priority and non-priority need by 2012. The 2003 Act created the 2012 target by allowing for the abolition of the priority need test. The effect of abolition will be that local authorities will have a duty to provide permanent accommodation to all people assessed as being unintentionally homeless. The 2012 target therefore involves increasing homeless people's rights to housing. The aim is to remove bureaucratic distinctions between different 'categories' of homeless people and to acknowledge that all homeless people require sustainable accommodation.
16. The 2012 target is therefore an important driver for increasing the supply and quality of housing in Scotland. The achievement of the target depends on the capacity of local authorities and partners to meet it – which in turn relies on an adequate supply of quality housing in order to meet immediate needs of homeless people and to ensure sustainable resettlement. Housing supply and quality is also important in preventing homelessness and ensuring that people have a range of housing options to explore, as well as the protection of the homelessness legislation. The consultation paper states that the 2012 target cannot be seen in isolation from wider work to ensure that there is an adequate supply of quality housing across Scotland and cannot be met if supply and quality issues are not addressed.

### **The report**

17. This report presents the findings to emerge from a consultation exercise conducted by the Scottish Executive on the Ministerial Statement on the abolition of priority need required by section 3 of the Homelessness (Scotland) Act 2003. The aim of the consultation is to inform the Ministerial Statement and to ensure that this is as comprehensive as possible in setting benchmarks and providing an effective planning tool for the future.
18. The written consultation paper was published on 18<sup>th</sup> August 2005. The paper sought views on the content of the Ministerial Statement which is to be made by the end of this year. The statement will cover the current situation and future action needed to meet the target that, by 2012, all people who are unintentionally homeless will be entitled to a permanent home. In addition to the written consultation exercise, the Scottish Executive also hosted three seminars with elected members in Edinburgh, Aberdeen and Glasgow. Malcolm Chisholm (MSP) Minister for Communities attended the seminar in Edinburgh, and Johan Lamont (MSP) Deputy Minister for Communities attended the seminars in Aberdeen and Glasgow. Notes of the proceedings were taken and have been combined with analysis of the written responses. In addition to the written consultation exercise and regional seminars, there has also been consideration of the issues by the Homelessness Monitoring Group and its 2012 planning subgroup; a Parliamentary debate on homelessness; and various individual meetings between Executive officials and stakeholders.

## **The Consultation Process**

19. The consultation pack was distributed to 332 organisations and individuals, including representatives from the voluntary sector, NGOs, the NHS, statutory equality bodies, and central and local government on 18<sup>th</sup> August 2005 and was also published on the Scottish Executive's web site. The intended audience of the consultation included all those with responsibility for strategic planning, delivery of and input to Homelessness Strategies in each local authority area, and local partners working with them.
20. The closing date for receipt of written responses was Friday 14<sup>th</sup> October 2005. Of the 50 responses received to the consultation, 3 were from individuals. The majority of responses came from Local Government (30), with the voluntary sector (13) and NHS (6) contributing all but one of the remaining responses. Appendix 3 of this report lists the organisations responding. While there was a relatively low response rate, the specialised nature of the consultation meant that a wide response was unlikely.
21. Respondents were asked to complete a respondent information form containing contact details and information on confidentiality. Not all respondents included this form. Direct quotes or references to responses have only been used where the respondent indicated they would be happy for their response to be made public.
22. The Consultation Paper laid out the background to Scottish Executive Policy on Housing & Homelessness and explained the 2012 target. It then discussed the main issues for consultation under three separate sections: evidence base; coverage of the statement; and monitoring and interim objectives. Each section concluded with specific questions on which views were sought. 13 specific questions were raised in all. The questions were designed both to identify specific actions and sources of information and to gauge levels of support for various proposals. There were very few yes or no answers given, most responses included a discussion of reasons or related factors even where a yes or no response would have been possible.
23. The majority of responses followed the question format given in the consultation paper, some grouping answers by section rather than answering each individually. A minority of responses did not follow the question format but gave free text answers emphasising what they saw as the key issues. In addition to answering the specific questions, some respondents also made general comments on the abolition of priority need, and/ or included detailed information regarding the local situation in their area. Where general comments were made these have been considered and reported below. Local level information has been identified and noted as a resource for the Scottish Executive to inform further work. Despite following the question format, respondent answers did not always relate exactly to the questions addressed, for instance responses to question 1, which requested identification of additional sources of information tended to overlap heavily with those to question 2, which asked respondents to identify the main gaps in the evidence base. For these reasons, the analysis presented also combines answers to different questions where appropriate.

## OVERVIEW

24. Where respondents did make a general comment on the intention to abolish priority need, they were generally supportive and in favour of the legislation. Statements of agreement with the intention of the legislation, however, were often combined with concerns over the ability of local authorities to meet the targets in practice. Key issues include increasing pressure, lack of affordable social housing, difficulties with using the private rented sector, and wider lack of resources including for support work.

### Support for abolition of priority need

25. Twenty-two of the respondents specifically noted their support for the legislative proposals or the commitment to abolish priority need. Sixteen of these responses qualified their supportive statements with concerns over the ability of local authorities or other housing providers to meet the target in practice, and/ or raised the need for additional investment in social housing and for other financial assistance in order to meet the target. Typical comments were:

*We welcome this opportunity to comment on the important proposals to work towards the abolition of the priority need provisions, which have been instrumental in excluding many homeless people from finding routes towards the housing they need. We emphasise that without the provision of sufficient affordable housing, particularly for rent, the new regime for tackling homelessness will be unworkable. There is a real danger that by providing solutions for homeless people, housing lists will become redundant as a route to social housing.*  
(APN 23)

*SFHA welcomes the provisions of the Homelessness Act and supports, in principle, the abolition of priority need by 2012. SFHA believes that the legislation contained within the Homelessness Etc (Scotland) Act 2003 provides the framework for a 21<sup>st</sup> century Scotland to respond to homelessness in a humane and civilised manner. The abolition of priority need will be a key marker in progress to implementation of real change in homeless provision. However SFHA believes that there are serious issues to be addressed before this policy aim can be implemented, and which the ministerial statement should address.*  
(APN 41)

26. In total 12 Local Authorities responded saying that they had serious concerns about the 2012 target, or evidence to show that they will not be able to meet it. One response included “an urgent plea to Ministers for assistance to relieve the current crisis before expanding responsibilities” (APN 21). In addition to these 12 responses, one council commented that it “strongly believes that Supporting People Grant issues reduce the likelihood of achieving the abolition of priority need by 2012” (APN 6), and another that “the removal of priority need could well place impossible pressure upon making balanced judgements in allocations and giving “wider preference” to a wider needs base” (APN 43). There was also

a concern that the abolition of priority need could have a negative impact on those with the greatest need as these households would have to wait longer for permanent accommodation than at present.

27. At the regional seminars some more critical comments were made about the legislation. There were views that the definition of homelessness was too all encompassing with the result that 'homelessness is the only game in town', that the Scottish Executive would 'balk at the cost' of implementation, that ending the use of intentionality tests would remove deterrents, that the legislation would force families to make their children leave home to obtain housing, and that there were legislative conflicts with anti-social behaviour legislation and legislation around sex offenders. There was a specific request for legislation on council tax to be amended to allow Moray council to buy up MOD properties.

## **Resources**

28. It was a widely held view amongst respondents that the target was not achievable without significant resourcing in the form of additional affordable housing, temporary accommodation provision and financial resources (often for support work):

*An increased right to housing can only be met by an increase in the supply of good quality affordable housing.  
(APN 38)*

29. Several requests were made for the Ministerial Statement to acknowledge the pressures facing Local Authorities, and the difficulties some would face in meeting the 2012 target.

30. There were also requests for the Ministerial Statement to clearly set out what funding and additional resources would be made available in order to ensure that the target would be met, for example:

*The Ministerial Statement is a critical step towards the 2012 target date, and we hope that the Minister takes the opportunity to make an unequivocal commitment that adequate resourcing will be made available to ensure successful implementation of the core element of the 2003 Homelessness (Scotland) Act.  
(APN 42)*

31. Various resource issues were also raised at the regional seminars. A specific request was made for funding for a hostel in Lewis. At a more general level, there were views that funding needed to be clearer and longer-term (this was echoed in written responses to question 7 of the consultation paper), that Councils should be directly allocated money and not 'forced' to go down the stock transfer route, and that there is a need for an accurate assessment of housing need to inform the Spending Review.

## Local factors

32. There were requests for the Minister to recognise the unique concerns facing different types of authority and different geographical areas, for example island authorities, rural areas, areas with particular issues regarding housing stock including those with a 'mismatch' of properties to needs, or having undergone large scale stock transfers, and issues for those authorities providing higher levels of service that may potentially result from a suspension of local connection.
33. Several responses contained detailed information on the local situation as evidence for the concerns raised and to highlight particular issues for the area concerned. The following summaries illustrate some particular issues in four local authority areas.
34. **In Glasgow**, the availability of social housing is not seen as the key challenge. Rather this is seen to lie in changing the homelessness culture and legacy of the large-scale hostels. A central element in this task is identified as the assumption that homeless people will be permanently without work. The employment problems of those becoming homeless in what remains a difficult labour market - Glasgow has the lowest employment rate in Scotland - are also identified as in need of attention.
35. Given this, the need for adequate access to employment and training services suited to homeless people's needs is seen as necessary to achieve the level of permanent resettlement required to achieve the 2012 target. In this context, the response requests that the Ministerial Statement should address this policy area and set out a commitment to develop, through further research and project development, a costed programme identifying the scale and type of employment and training provision needed to achieve both the 2012 target and the hostel reprovisioning programme.  
(APN 14)
36. **In the Highlands**, a very high demand for affordable housing is reported alongside limited affordable housing supply. The response reports that there are no 'hard to let' areas, and therefore no capacity to meet increasing need through existing social rented stock. The response reports that work is being undertaken with housing associations and Communities Scotland to deliver an innovative programme of affordable housing whilst tackling the significant development constraints faced in the Highlands.
37. The view of Highland Council was that the information submitted through its pro-forma return presents an essentially misleading picture of the situation in the Highlands, as it cannot reflect the significant divergence between different areas within the Council boundaries.
38. The impacts of housing a homeless applicant wherever a vacancy arises are seen to be exacerbated by the geographical size of the area. For example, a household housed in the Caithness Area with family or other support networks in Inverness would spend significant time in travelling to reach these support networks. The response notes that many vulnerable people will have no access

to private transport and use of public transport will add travel time and often require an overnight stay. Costs of travel are also considered to be expensive.

39. In addition to these issues, Highland Council believes that the abolition of priority need will have a greater impact in the Highlands than in other areas due to the comparatively high proportion of households currently assessed as non-priority.

(APN 45)

40. **In Stirling**, the use of temporary accommodation and the average length of stay is reported to be continuing to increase, while social rented housing stock is decreasing rapidly. Stirling's response reports high house prices, pressure on affordable housing from the University community, the selling of over 50% of council houses through right to buy sales and the removal of almost 500 units of unpopular housing through regeneration projects. It further states that the loss of housing stock is not being met by the 150 new houses, that with current funding, will be developed in these areas.

41. The current position is therefore that there is a shortage of social rented properties available to let. There is currently no identified funding beyond 2008 for the regeneration of these areas and there is therefore no prospect at present of housing supply increasing.

(APN 31)

42. **In Orkney**, the Council expresses concern that winter lets give an impression of a greater number of lets than is actually the case. Their response reports that some people living in winter lets present as homeless when the property reverts to a holiday home over the summer period.

(APN 27)

43. During the regional seminars, there were also requests to acknowledge the particular difficulties facing different local authorities. Members for Dumfries and Galloway reported that they predicted that 700 extra households would require accommodation by 2018, and members for Aberdeen requested significant assistance to address issues of overcrowding, hidden homelessness and mismatch within areas of supply and demand.

### **Specific issues**

44. In addition to comments made on the intention of the legislation and the ability of councils to meet this, some respondents included covering letters or preamble sections to their responses raising or emphasising various issues. Topics covered within these general sections were:

- The need for resources and investment in social housing, temporary accommodation, support services (including related health and addiction services),
- The impact of increasing lets to homeless households on other housing need,

- Issues regarding the suitability and appropriateness of existing accommodation, both temporary and permanent, for various sections of those in housing need, including BME communities and disabled people,
- The use (or under-use) of Section 5 referrals,
- The impact of Right to Buy,
- The need for resources to support direct action and prevention measures, and the development of work in this area,
- The need to ensure consistency with, and to offer guidance on, other legislative proposals which could conflict with the homelessness legislation (anti-social behaviour, registration of private social landlords, housing benefit regulations),
- The need to encourage joint working and clarify the roles and responsibilities of other agencies and services with regards to homelessness,
- Further guidance and clarity was also requested with regards to Single Shared Assessment process and methodology for assessing housing need.

45. Some topics received frequent comment in these general sections, and these topics are expanded on below:

### ***'Balancing need'***

46. Several of the responses stressed the importance of considering homelessness need and provision together with wider housing provision and emphasised the difficulties they saw for local authorities in balancing their different priorities in these areas. There was a commonly held concern that meeting the obligations under the 2012 target would be to the detriment of applicants on the general waiting list, and also a concern that a homeless application may become the only realistic route to social housing. These concerns were also raised during the regional seminars. There were also reports that officials and members were facing threats of abuse over allocations issues. Some believed that the only way to get a house would be to present as homeless, and there was a view that single people would be 'forced down the homeless route'. There was a view that whilst the legislative position may be that local authorities have an element of flexibility in terms of their allocations systems, "the reality is that inevitably the percentage of lets to homeless people is increasing" (APN 6). One respondent commented:

*In considering housing supply, the ministerial statement should provide a commitment that preparation for abolishing priority need will include evidence that housing providers will still be able to address, through allocation from housing lists, other streams of housing need other than homelessness and provide a commitment that it is not desirable or sustainable that homeless presentation becomes the principal or main means of accessing social housing.  
(APN 41)*

47. There was also a view that the likely impact of the change to priority need was significantly underestimated in the Background section of the consultation paper, paragraph 25. Specifically, the possible impact on vulnerable people currently housed through the waiting list, caused by a predicted rationing of

housing stock as increased demand is not met by similar increases in supply, was emphasised. At one regional seminar, the member for Fife commented that 93% of people on their waiting list are on benefits.

48. There was also a view that discussions of 'balanced communities' and the possible impacts on waiting lists of meeting the target may mask prejudicial attitudes towards homeless people. The need to understand homeless people as having come from within communities was raised to question why it was felt that increasing numbers of homeless households in a given area would lead to an unbalanced community.
49. There was a general consensus, both in written responses and also expressed at regional seminars, on the need to have better information about the likely impact of 2012 on general waiting lists, both from those who wished to emphasise the pressure likely to result, and from those who wished to stem what they saw as a tendency to extrapolate from anecdotal evidence. A view was expressed at the regional seminars that the homelessness agenda is 'perceived' to be at other expense and that a clearer understanding was needed of how and why that perception has arisen. An analysis of waiting list applications and allocations was seen as potentially useful in this context, including an identification of the extent and nature of need of applicants on the general waiting list.

### ***Supporting people***

50. Recurring comments were also made in relation to Supporting People funding, with much concern expressed over decreases in funding in a context where many respondents were predicting increases in the level of support needs of homeless households as priority need categories are expanded. While previous funding through Supporting People was welcomed and seen to result in improved services to homeless applicants, concern was expressed about the ability to create any new services due to reductions in the grant and the consequent need to ration services, with the result that services may focus on crisis provision only. This, in turn, was seen to have detrimental impacts on prevention and sustainability work. These views echoed comments made at the regional seminars. In addition, members called for more support to address issues of anti-social behaviour, analysis of the impact of cuts to Supporting People funding, a view of the allocation formula and for ring fencing of budgets to focus on prevention work. There was also a view that 'labour intensive' projects should be allowed to continue, as these are the types of projects which are needed for the most vulnerable in our society.

### ***Right to Buy***

51. There was also a view that the impact of the policy of Right to Buy had negatively affected Councils' abilities to meet demand for housing as a result of reductions in the social housing stock available. At the regional seminars, there was concern that Local Authorities were losing more properties through Right to Buy each year than they were building; for example, Aberdeenshire reported that they were losing 300 properties through Right to Buy and only building 200. The member for Moray present felt that this was a particular issue for rural

areas and that Right to Buy should be linked to any outstanding debt on properties. Requests were made at the seminars for a consideration of the impact of the policy and for further restrictions on it. There were also requests in written responses for a re-consideration of the policy generally, and specifically of the possible extension of Right to Buy in 2012:

*Loss of housing stock through Right to Buy is of major concern to the Council. An application for Pressured Area Status is currently being developed for submission to the Scottish Executive. More fundamentally, the Council considers that the current arrangements for Right to Buy should be reconsidered in the Minister's report on this subject in 2006.*

*(APN 6)*

*Given the current inability of our members to address housing needs in their areas as a result of scarcity, and that the abolition of priority need is likely to result in different additional streams of applicants in housing need owed an offer of permanent accommodation through homeless presentation, reducing the available supply of social housing by providing the Right to Buy to housing association tenants in 2012 seems a conflicting policy aim. We welcome the draft ministerial statement's reference to the report on Right to Buy due in 2006 in considering the preparedness of local authorities to abolish priority need.*

*(APN 41)*

### **Tenancy options**

52. Several respondents raised concerns about restrictions on how Local Authorities could discharge their duties to homeless applicants. Some were concerned that a focus on permanent housing may not result in the most suitable housing outcomes for all, and felt a variety of housing tenures suited to individual needs, including the use of long-term supported accommodation and shared housing, would be highly important. Others raised the difficulty of obtaining secure tenancies in the private sector and recommended either allowing the use of Short Assured Tenancies in some circumstances, or finding ways to increase security in this sector:

*The absolute duty to provide permanent accommodation does not allow for other arguably more appropriate and better outcomes for people who are homeless. There is a real danger that the focus to responding to homelessness will be to provide a Scottish Secure Tenancy rather than on providing long term sustainable solutions that meet the individual needs and aspirations of homeless people. Sustainable solutions to homelessness at an individual level do not all necessarily involve a tenancy in a council or a housing association property. Consideration should be given to creating a legislative framework that gives homeless people a clear entitlement to a home but also allows for a range of different options to be offered.*

*(APN 39).*

### ***Joint working***

53. Several respondents thought there was a need to improve joint working around homelessness, both for service providers and within the Executive and other bodies. Requests were made for the Minister to clarify the roles and responsibilities of different bodies and sectors and to encourage a corporate approach to homelessness. One respondent specifically requested that the Ministerial Statement would acknowledge that:

*There are a range of partners with a role to play in the effective delivery of the 2012 target, and that partnership working is the key to success (APN 42)*

### ***Cultural change***

54. For one respondent, “one of the biggest challenges resulting from the abolition of priority need will be the cultural change from gatekeepers to enablers for local authority homeless sections. This change will need to be supported by training which will have to be adequately resourced” (APN 38).

## CHAPTER TWO: EVIDENCE BASE

55. The 2003 Act states that the priority need test can only be abolished at such a time as Scottish Ministers are of the view that local authorities can reasonably be expected to fulfil the new duty. Scottish Ministers are therefore required to assess local authorities' capacity to meet their homelessness duties without regard to the priority need distinction before legislating to bring the abolition of priority need into effect. The ability to accurately measure capacity is therefore a key issue. It is addressed by three questions in this section. The consultation document recognised the need to have a wider range of data in order to measure progress and capacity, and stated that it was crucial that responding to the needs of homeless people is seen in the wider context of identifying and providing for others in housing need.

### Specific answers to Questions 1 and 2

56. Answers to these questions are considered together as there was much overlap between responses, with many of the answers to question 1 on other sources of information relating more closely to information gaps (question 2). Overall, there was a great deal of similarity between responses in terms of both information gaps identified and recommendations of additional sources of information. The following summarises the factors identified in the consultation paper and summarises the issues raised in responses.

***Q1) What other sources of information should be considered in assessing capacity to meet need?***  
***Q2) What are the main gaps in the evidence base in relation to assessing the capacity to meet need?***

57. The consultation document identified various information sources as key to assessing capacity. In relation to **homelessness**, these were: *the HL1 and HL2 data collections; Homelessness Strategies, and monitoring of these; and information from the Glasgow decommissioning programme.* In relation to **housing stock and management** it noted: *the Affordable Housing Review; information from RTB sales; SHCS; Scottish Continuous Recording System and local authorities lettings information; Communities Scotland inspections; Local Housing Strategies and housing needs assessments; SHQS delivery plans; Community Ownership Business Plans.* Regarding **housing support** the *Supporting People Strategies* were regarded as the key source of information. The **pro-forma** exercise was identified as a means by which information from these various sources could be pulled together to inform planning for 2012.

### ***Prevention***

58. The need for monitoring and evaluation of preventative activities, including their impact on homelessness figures was a recurrent theme. Some respondents also commented on the difficulties of assessing preventative activity, especially given the newness of much of this work. There was a view that RSLs and private landlords should be encouraged to monitor and report upon activities aimed at

sustaining tenancies and that their roles and responsibilities with regard to this and homelessness prevention should be made clear.

### ***Accuracy of data***

59. There was a widely shared concern that the evidence base on homelessness needed to be sensitive to differences at the local level, and there was a view that this might require different sources of information in different areas: 'the same approach in assessing capacity will not apply in different geographic regions (e.g. urban or rural) or local authorities where stock transfers have taken place' (APN5). For some respondents, analysis needed to go beyond the level of the local authority to a 'micro-level' analysis of demand and supply and related factors, as authority area analysis could mask acute difficulties in particular areas. Local Housing Strategies together with Local Housing Needs Assessments were seen as useful sources of local level data, needing to be more closely linked to the process of assessing capacity and to Homelessness Strategies at a national level. In particular, links between the Local Housing Needs survey work and pro forma were requested. There was also a view that introducing a sub-area identifier as part of the HL1 system for areas such as Highland should be considered. A need for clear guidance on needs assessment methodology for Scotland was noted.
60. Revision of both the HL1 and HL2 data collection systems was seen as required by several respondents and forthcoming revision of the HL1 was welcomed. In particular respondents felt that definitions used in data collection, for example of repeat homelessness, needed to be tightened to ensure consistency in interpretation, and also that collection of data on the use of temporary accommodation in the HL2 returns needed strengthening to allow for an assessment of capacity. Similarly, while some respondents commented on the usefulness of the pro-forma in bringing together relevant data to give an assessment of demand and supply, this was also seen as in need of revision, to tighten definitions of, for example 'support needs', and to include additional data around health and local level data<sup>1</sup>. There were also more general comments made about the need to improve the accuracy of existing data sources, and a view that 'the one main gap is the accuracy of data' (APN 8). There was also a request for HL1 and HL2 forms to allow for an accurate identification of numbers of women presenting as homeless as a result of domestic abuse.
61. There was a suggestion that information from the Rough Sleepers Initiative Common Monitoring System (RSI CMS) could be used in assessing homelessness pathways and identifying issues about the capacity to meet need. It was suggested that through the CMS it would be possible to demonstrate and measure in a more qualitative way the impact of legislative changes, and that there is the opportunity to develop a means to aggregate HL1 data and data from CMS on a periodic basis to give a fuller picture of the extent and nature of homelessness in Scotland. Another respondent suggested that CMS would provide valuable data about service capacity in voluntary and RSI funded services.

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<sup>1</sup> This issue is addressed further below

### ***Supply and stock issues***

62. Information on stock availability, across all sectors and including the impact of stock transfer and taking into account infrastructure requirements for new builds, was a key issue in responses. There was widespread emphasis on the need to address the 'mismatch' of available stock to housing need in terms of size, type and location, with comment that capacity assessments needed to address not just the volume of stock, but also its suitability. Demographic information on age, household size and type and information on location, size, type and quality of stock as well as its suitability for disabled people was thought to be necessary. Demographic trends and projections regarding the numbers of young people leaving the care system, young offenders units and prison were also suggested as sources of information to assist planning. One respondent commented that the concentration of RSL new builds on housing for particular needs (sheltered or amenity housing for older people) made them unsuitable for the majority of households presenting as homeless in that area. Location factors were raised as particularly important in rural contexts where travel distances could be very great. Research into rent levels across the social rented sector was also identified as a potentially useful exercise along with considering income levels of homeless people and other applicants for social rented housing to assess the impact that poverty is having on homelessness at both national and local levels.

### ***Support needs***

63. Support needs, including health support needs, and the growing numbers of applicants presenting with complex and often multiple needs were consistently raised as relevant to measuring capacity. Various sources of information were suggested including user views, health and homelessness action plans, knowledge held in health and social work sectors and supporting people reviews and returns. Two responses recommended the development of a shared authority database containing information on support needs and health, socio-economic and demographic issues of clients and one noted that the data protection legislation could be a barrier to sharing information at present. Related to this, there was also a view that joined up working needed to be improved, with homelessness becoming a core aspect of other services' work. Requiring social work services in particular to routinely record the housing/homelessness status of clients and asking others e.g. health boards to do the same was suggested. A frequently stated view was that there was a need for an agreed methodology for assessing support needs. Some respondents also commented that a review of existing support was needed to identify what support, at what level, is being provided to whom.

### ***The private sector***

64. Information on the private rented sector including local sector size, stock condition, affordability, lettings and type of stock was seen by many respondents as an information gap, and one which made predicting capacity difficult. The proposed registration of private landlords was identified as a possible source of such information. This issue was also linked to wider concerns

about the use of the private rented sector raised in response to later questions. For many, the lack of information about this sector was a barrier to addressing some of these other issues about the suitability and security of rents in this sector.

### ***Housing Need***

65. Information on the total numbers of homeless people, and likely increases in need were noted as difficult to assess, particularly given levels of latent need, hidden homelessness and rough sleeping. Numbers of lost contacts were also seen as an issue. Analysis of waiting list applicants was suggested as potentially giving a better indication of those who potentially could apply as homeless. Analysis of waiting lists, including needs, transfer requests, rate of new applications, time spent on the list, accommodation required was also seen as necessary to assess capacity and to provide evidence on the issue of 'balancing needs' raised earlier. A need for consistency between Local Authority and RSL recording practices and use of definitions was noted.
66. The resource implications of meeting needs and improving stock were specifically raised by some as important in assessing capacity and 'cost' was identified by one respondent as 'the single most important gap in assessing the capacity to meet need, and the one which is causing councils anxiety about their ability to meet their obligations' (APN 42).
67. Less frequently stated suggestions included the need for employability and social network services to form part of the measure of capacity to reflect wider understanding of meeting needs and the need for a better understanding of the causes of, or reasons for, homelessness which go beyond the primary cause, and which could be disaggregated by age and household type. Similarly further work on reasons for repeat applications was requested. The impact of depopulation in areas was also raised. There was also a view that a more integrated Information Technology database for the voluntary sector was needed, which would require to be compatible with local authority databases.
68. Information on the impact of other legislative changes, particularly any likely impact of the proposed suspension of Local Connection, changes to intentionality and the impact of Anti-Social Behaviour legislation, specifically on evictions, was requested and seen as necessary to assess capacity.

### **The pro-forma**

69. The consultation paper stated that the Scottish Executive considers it would be useful to re-run the pro-forma exercise at a later date – in order to reality-check the forecast, test the assumptions made in the original return and revise forecasts for 2012. It also noted that this would provide an opportunity to refine the exercise and to promote good practice for local authorities in their own local planning. The paper asked for respondents' views on this.

***Q3) Would it be useful to re-run the pro-forma exercise at a later date and if so when? If not then what process would be helpful to inform local authority planning for 2012?***

70. Thirty-eight responses addressed this question and of these 33 (87% of those who answered) were in favour of re-running the proforma exercise. Sixteen of those in favour of a rerun were of the view that the pro-forma should be further refined or amended to include additional information. Three (3) respondents were of the view that it should only be re-run if refined and 2 respondents felt it should not be re-run.
71. Refinements required to the pro-forma centred on reducing possibilities for differences in interpretation of the exercise between Local Authorities with the aim of increasing consistency. Specifically, requests were made for: further clarification and refinement of definitions within the pro-forma (demolition, housing support, prevention); a clearer 'steer' to local authorities to ensure greater consistency, and a stricter definition of methodology.
72. The following were proposed as additional data to be included in the pro-forma:
- Support needs (with a refinement of methodology and definitions to be used in gathering data);
  - Preventative activity; suitability of stock (size and location);
  - Number of temporary accommodation units available and time taken to re-house;
  - Potential impact of extension of Right to Buy to assured tenants of housing associations;
  - Local area demand and supply factors;
  - Private sector information; and
  - The changing nature of client groups presenting as a result of increased access rights to permanent accommodation.
73. It was also suggested that training could be provided to local authorities on both the methodology and completion of the pro-forma under agreed criteria. There was a view that re-runs of the pro-forma might require additional resourcing and a request for a more planned and achievable timescale for re-runs was made.
74. With regard to the timing of a re-run, 14 felt this should or could be annual, 2 that re-runs should be linked to any phasing of priority need categories introduced, 7 that it should be run 'regularly' or 'several times' (including those who suggested every 1-3 years or 3 times), 6 that it should be re-run once and 2 that it should be re-run twice, (2 did not express a view).
75. There was no consensus on when the pro-forma exercise should be re-run, but 2007 and 2008 were cited most often.
76. There was a view that the pro-forma exercise should be linked to homelessness strategies and local housing needs assessments and monitoring of these rather than seen in isolation, and one respondent remarked that the pro-forma exercise should not be the only method to assess capacity. There was a request for more detailed guidance on the form and content of the needs assessment to

ensure consistency with the pro-forma analysis. One respondent, while supportive of a re-run also felt that 'it would be more appropriate to invest the time and resource in solving the problem rather than re-measuring it' (APN 35).

77. The pro-forma exercise was also discussed at the regional seminars and the following points were raised:

The pro-forma should be more sophisticated, and in particular should reflect supply and demand issues within Local Authority boundaries and any potential mismatches between available accommodation and housing need. There was support for an annual monitoring or updates of the pro-forma exercise.

### **Key points**

78. In summary, respondents identified the main gaps in the evidence base as:

- Information on the private rented sector
- Information on the levels and impact of preventative activity
- Information on stock quality, turnover, suitability, voids and developments across all housing sectors
- Information on housing and support needs, including latent need, hidden homelessness and rough sleeping and the quality and extent of current provision
- Use and quality of temporary accommodation
- Impacts of other legislative changes
- Infrastructure and land issues
- Impacts on allocations policies

79. In addition, there was a recurring view that the accuracy of existing data need to be improved, and there was also support for a more qualitative understanding of homelessness and related capacity issues.

80. Respondents identified a range of additional data sources to address the information gaps they reported.

81. The majority of those who commented (87%, 33 respondents) were in favour of re-running the pro-forma exercise, with 19 respondents commenting that the pro-forma should be further refined to increase consistency or amended to include additional information.

## CHAPTER THREE: COVERAGE OF THE MINISTERIAL STATEMENT

82. The Ministerial Statement must set out the measures Scottish Ministers and local authorities have taken, are taking and intend to take to ensure that local authorities can reasonably be expected to fulfil their homelessness duties without distinguishing between priority and non-priority households. This section of the consultation paper identified demographic change, preventative activity, sustainable solutions, availability of affordable accommodation and the range of accommodation options available as key areas in this regard. The paper set out measures being taken by the Executive and local authorities to prevent homelessness and reduce repeat homelessness, but also requested views on any additional actions which should be prioritised as a means of preventing homelessness and ensuring more sustainable solutions. Views on the current barriers to rehousing homeless people in housing association and privately rented properties and suggestions as to how greater diversity could be achieved were also sought.

83. The consultation paper set out the areas which it is intended the statement will cover, and identified specific actions in each. The areas identified are:

- amending the homeless legislation to abolish priority need, and allow changes regarding intentionality and local connection;
- producing guidance and drawing on good practice;
- preventing homelessness;
- housing supply – ownership / social rented/ private rented;
- housing quality;
- housing support; effective sustainable solutions; and
- gathering information and monitoring progress.

84. Four questions were set out at the end of the section. Responses to questions 4 and 5 are considered first:

***Q4) Are there other policy areas which are relevant to the 2012 target which should be considered? What are the priorities?***

***Q5) Are there specific actions which would contribute to the 2012 target which the statement should contain? In particular are there additional actions required to ensure homelessness is prevented, and sustainable solutions achieved for homeless people and local communities?***

85. Question 4 was answered in 43 of the responses. There was a high degree of consensus among responses on the policy areas relevant to the 2012 target. In order of frequency, those most commonly cited were the Supporting People programme, Housing Benefit rules and regulations, Anti-social Behaviour legislation, private sector lettings, and the Right to Buy. Other frequently cited areas included:

- Health policy including mental and physical health, drug and alcohol misuse;

- Discharge of homelessness duty for Local Authorities;
- Employment, training and vocational opportunities (and the Employability Framework);
- Funding, including the Strategic Investment Framework and Comprehensive Spending Review;
- Planning policy and land use regulations;
- Migrant workers;
- Allocations policy;
- Social work and other care services, children and young people policy;
- Use of section 5 referrals and nominations;
- Education, prevention and tenancy sustainment; and
- Communities Scotland's development programme.

86. Some respondents felt that the priorities relevant to the 2012 target had been set out in the Scottish Executive's publication "Homes for Scotland's People", including actions to: increase the supply of social rented homes and low-cost homes; increase the supply of affordable rural housing, ensure the Supporting People programme addresses the needs of vulnerable homeless households to assist them sustain a tenancy and prevent homelessness; and actions to address Community Regeneration.

87. There was no clear indication of consensus on the top priorities in terms of policy areas, with all of the above seen as important. However, areas specifically identified as priorities were: additional accommodation, Supporting People funding and support services, prevention work, Housing Benefit issues, Anti-social Behaviour legislation and the private sector.

88. Particular comments made with regard to these policy areas illustrate the issues raised:

### ***Additional Accommodation***

*The main priority has to be provision of additional accommodation.  
(APN 3)*

*The key policy area is the provision of additional affordable housing to address the increasing demand, whilst aiming to ensure mixed communities.  
(APN 16)*

### ***Supporting People***

*Local Authorities need long term financial commitment here, to ensure that housing support services are well resourced in order to meet the increased duties placed on them through Housing and Homelessness legislation.  
(APN 10)*

*Supporting People funding is the major funding source for Women's Aid groups to temporary accommodation and in several areas groups' funding has been reduced resulting in cuts in service provision. (APN 38)*

### ***Housing Benefit***

89. Both respondents to the consultation paper and members present at regional seminars commented on specific aspects of Housing Benefit rules and regulations which they saw as unhelpful in meeting the needs of homeless households and enabling local authorities to discharge their duties. Access to the private rented sector was seen to be particularly difficult for those in receipt of Housing Benefit due to the unwillingness of landlords to take on such tenants, possibly due to potential problems associated with the administration of benefit. There was a concern that introducing direct payment of Housing Benefit would exacerbate this problem. Difficulties of accessing private rented accommodation were thought to be particularly severe for young people under the age of 25 due to restrictions on benefits and single room rents restrictions. Ex-offenders who have served in excess of 13 week sentences were also seen as a particularly vulnerable group. There was a view that it should be possible to pay Housing Benefit on two homes, in order to enable a new home to be suitably equipped before a tenant moves in, and thus to ensure sustainable moves from temporary accommodation and to avoid a situation where tenants are in rent areas before the tenancy has even begun. In addition, in situations where project staff are left to collect arrears direct from residents they are working with to support it was felt this made projects unofficial collecting agencies for the Local Authority with potential negative impact on resident /staff relationships.

### ***Anti-social behaviour***

90. Various concerns were raised about the compatibility of anti-social behaviour and homelessness legislation. Requests were made for clearer guidance in this respect and on balancing the need to house households with complex support needs and challenging behaviour and the use of anti-social behaviour orders. It was suggested that the 'Breaking the Cycle' pilot project could provide useful examples of work in this area, and that the funding stream for this work needs to be extended. There were concerns that duties to house those with challenging behaviour could have negative impacts on other households in the area, and that it was necessary to make clear the responsibilities that are owed to this client group, and to address issues of stigma and negative attitudes towards homeless people:

*'I would suggest that the Minister needs to make it clear that agencies have to accept their responsibilities to this client group [homeless people with complex and multiple needs] and produce clear strategies or plans that identify how they are going to respond to this demand. (APN 25).*

## ***The Private Rented Sector***

91. Again the need for access to information on the size and availability of accommodation in the private sector was raised. There were also calls for consideration of ways to facilitate the use of the private sector in discharging authorities' duties to a homeless household. There was support for allowing the use of Short Assured Tenancies in the private sector, and also for finding ways to strengthen the security of tenancies in this sector.
92. Additional policy areas identified were the Crofter Housing Grant Scheme, domestic abuse, community ownership programme, fuel poverty and Eco-Homes standards, criminal justice, council tax rates, rural diversification strategies and issues surrounding the developing choice agenda and introduction of Common Housing Registers.

## **Common themes**

### ***Joint working***

93. Within the discussion of relevant policy areas it is possible to identify some common themes. The need for greater joint working on homelessness was a commonly held view, with emphasis placed on the connections between homelessness, health and social work / care services and with drug and alcohol addiction services. There was a perceived need for other services to do more to address the needs of clients accessing their services who were homeless – in effect for the 'mainstreaming' of homelessness within other policy areas. This was also requested within government departments. In relation to this, requests were made for the Ministerial Statement to incorporate social work strategies which deal with vulnerable adults, looked after children and children at risk, and to set out the responsibilities of other organisations and departments in tackling homelessness. The Health and Homelessness Action plans and Standards were also cited.
94. There was a suggestion that the Executive should consider legislation to clearly define Social Work and Health responsibilities to homeless service users (APN 15), other respondents made similar comments:

*I would suggest that the Minister call upon the Chief Executive of the Local Authority to take on the responsibility of developing a corporate response to homelessness in their respective areas.*  
(APN 25)

*The Ministerial Statement should acknowledge that the overlap between homelessness, community care and health policies is fundamental.*  
(APN 29)

*COSLA considers a key priority to be increasing the cross-agency and cross sector responsibilities of tackling homelessness. Further enhancement of the partnership working of all key stakeholders is essential, but so too is the full appreciation of the role that all sectors of*

*the housing market must play, including the private rented sector, all of the social rented sector, and to a lesser extent, the owner-occupied sector.*  
(APN 42)

95. Many respondents also made suggestions in the various policy areas they identified, these overlap with responses to question 5 on specific actions required to contribute to the 2012 target and are therefore considered together with answers to question 5 (which was answered in 43 of the responses).

### **Supply**

96. In particular, there was a widely held view that additional affordable accommodation and additional funding for housing support would be needed to meet the target. Concerning the supply of affordable housing, requests were made for a commitment by the Scottish Executive to provide affordable housing for example, 'to provide x number of houses on a year on year basis' (APN 3) and for targets to be set for using new accommodation for homeless people. Similarly, there was a view that the needs of homeless people should be considered in all regeneration and new-build developments and that specific targets should be contained in all development briefs, and approved by Communities Scotland (APN 11). There was also a view that the next Comprehensive Spending Review must prioritise the building of new homes if the 2012 target was to be met.
97. Other comments relating to the supply of housing addressed ways of more effectively using existing stock. These included requests to amend council tax guidance to allow the use of second homes discount to acquire existing properties, for a strategy to be developed to encourage private investment in the private rented sector, for the use of Short Assured Tenancies to be allowed as a means of discharging Local Authorities' duties through the private sector, and for strategies to encourage private landlords to use Assured Tenancies, or otherwise increase the security of their lets. Some of those attending regional seminars were concerned that the registration of private landlords, and the extension of the Local Housing Allowance (LHA) scheme, could cause private landlords to leave the market, however, there was also a view that the private rented sector would potentially be a good option for housing, if current barriers could be broken down.
98. In addition, strategies to encourage or ensure that sufficient lets by RSLs will go to homeless applicants were requested by both respondents to the consultation paper and those attending regional seminars, including requests for a commitment by the Executive to legislate to ensure all RSLs accommodate homeless people. The need to address attitudinal issues among RSL landlords was also raised. There was a view that they needed to review their allocations policy to give reasonable preference to homeless applicants and that better service level agreements needed to be put into place between local authorities and housing associations.
99. Planning and land issues were also seen as relevant to the ability to provide affordable housing with requests for processes to be simplified so that land

could be brought forward more quickly. The need to address infrastructure requirements, particularly regarding Scottish Water, was seen as a connected issue. In addition to more general comments on the proposed modernisation of the planning system and constraints on land supply, some specific comments were made regarding planning and infrastructure at the regional seminars. There was a view that Local Authorities were unable to compete with others on the price of land and an exploration of the potential of 'zoning' for affordable housing was suggested. A 'surprising' number of objections to plans for new builds in Right to Buy areas was also noted. There was also a view that Local Authorities were 'not allowed' to build and that they should have the same rights as Registered Social Landlords in this respect, there was also a view that Local Authorities would build houses more cheaply than RSLs. In relation to issues concerning infrastructure, it was suggested that Scottish Water should be made a Community Planning partner.

100. Right to Buy was again raised as a policy that has negatively impacted on the ability of Local Authorities to address housing need by a number of respondents. There was a request for the Executive "to fully research the impact that Right to Buy has on individual local authority areas and restrict, abolish or suspend as appropriate" (APN 10). The extension of Right to Buy in 2012 to RSL tenants was predicted to increase pressure on social landlords. There was support for the suspension of Right to Buy in areas with pressured area status, and for the extension of Right to Buy to be cancelled. There was a view that:

*The Homelessness legislative agenda cannot be sustained, if as is presently the case, Right to Buy Sales outstrip new build of social rented housing.*  
(APN 10)

### **Support**

101. Regarding funding and provision of support services, the need for an integrated approach and for the roles and responsibilities of different services to be clearly recognised was reiterated. The need to ensure an adequate level of funding through the Supporting People programme was raised again. There was a common view that meeting the support needs of homeless households would require additional funding from the Executive. There was a perceived need for significant investment in intensively supported accommodation. There was a view that funding for services needed to be long term and clearly identified in order to allow effective delivery and planning. One respondent commented that:

*No additional actions will be required, other than ensuring the tasks currently set out within the Homelessness Strategies in relation to increasing supply, prevention of homelessness and providing sustainable solutions for homeless people are achieved. However without adequate levels of long term funding, these objectives may not be achieved.*  
(APN 19)

## ***Stigma***

102. The need to address the stigma of homelessness, with education and awareness raising campaigns was a recurrent theme in responses. There was a view that a national campaign may be necessary due to the potential for the abolition of priority need to be seen as having implications for mainstream waiting list applicants. Addressing stigma attached to homelessness within RSLs was seen as a specific need. Specific action to address the stigma attached to mental health was also seen as relevant, as was action in relation to homeless people who have drug or alcohol misuse problems. A suggestion was made that those with experience of successful engagement with people with substance misuse issues should be commissioned to provide training in best practice to help overcome some of the negative attitudes to such people (APN 4).

## ***Prevention***

103. Prevention activity was also a consistent theme, with suggestions that a duty to deliver wider prevention outcomes for Local Authorities should be monitored by Communities Scotland as part of their inspection process, and that all social landlords should demonstrate the outcomes of their prevention strategies during inspection and regulation visits. It was thought that guidance on what constitutes a successful prevention outcome would be required. Another suggestion was for national guidance to promote a corporate approach to preventing homelessness in all Local Authorities and to detail these in Homelessness Strategies. In relation to tenancy sustainment, better monitoring of outcomes was also seen as necessary, and again clear guidance and definitions were requested. Education on leaving home and homelessness was also identified as an early prevention measure that could be included in the school curriculum. There was a view that access to a national database or website of best practice on prevention in Scotland would be invaluable for the development and implementation of local services.

104. The development of employment, voluntary and training opportunities was seen as key by some respondents to ensuring sustainable solutions and to addressing the wider needs of homeless households. The Executive was asked to ensure a clear long term funding stream for the Employability Framework.

105. Many specific activities were suggested in responses to questions 4 and 5, these are summarised in the list below:

- In-depth research in relation to applicants who become homeless because families or friends can no longer accommodate them;
- Changing the Key Performance Indicator on Rent Arrears so that local authorities who work with tenants in arrears without evicting them are recognised, rather than penalised, for their positive work in preventing homelessness;
- The extension of Housing Support to those who are not tenants (i.e. other family members);
- Recognition of the role of Community Health Partnerships in preventing the determinants of homelessness and the response to the needs of homeless people;

- Monitoring the impact of actions already taken to improve housing supply;
- Revamping Rent Deposit/Guarantee schemes to include those not on benefits;
- Give sufficient time for people in temporary accommodation to find other alternatives;
- Making the Code of Guidance mandatory;
- Commission comprehensive resettlement practice guidance and associated training;
- Developing more robust protocols between Homelessness Strategies and Drug and Alcohol Teams;
- Wider roll-out for mediation schemes which have been proved effective elsewhere;
- Housing Benefit reforms (as above);
- Reviewing the effects of setting targets, e.g. the impact of the expectation to make a decision in 28 days on preventative activity;
- Clear guidance on use of Private Sector leasing;
- Increasing resources to Social Work Department and Health partners;
- Setting clear targets and timescales for Local Authorities in regard to the abolition of priority need;
- Recognising and addressing the common root causes of homelessness;
- Ensuring homelessness strategies are tied in with the Scottish Executive's other work aiming to reduce social exclusion;
- Training in mental health awareness to Community Casework Teams to enable them to recognise early warning signs or risks of mental health problems;
- Targets to monitor and reduce the number of tenants / owner occupiers evicted in an area;
- Consider restricting evictions for rent arrears to cases where balance is more than ten times the net rent for the previous year;
- Making funds available for 'tenancy rescue';
- Introducing 'spend to save' funding;
- Encouraging prisoners to sublet their properties in their absence;
- Considering the extension of 'key worker' schemes as developed in London and the South East;
- Amending the Code of Guidance to reflect the right that a woman experiencing domestic abuse would have to choose to be housed elsewhere or to remain in her home and for the ex-partner to be housed elsewhere;
- Commissioning research to identify why exclusion orders do not currently work and making recommendations as to how they could be effectively implemented;
- Action to ensure Section 5 Referrals and nomination arrangements work more consistently and effectively;
- Endorsing and promoting revised guidance 'Dealing with Domestic Abuse' for Housing Associations; and
- Looking to how long term financial support can be given to helping people access furniture when moving into permanent accommodation.

***Q6) What are the barriers to diverse housing outcomes for homeless people and how can these be overcome?***

106. Barriers to diverse housing outcomes identified in the responses can be summarised under five categories: stock, stigma, issues relating to the private rented sector, housing benefit, and tenancy types allowed to discharge duty and support needs. In addition, the short-term nature of funding streams, planning and land use regulations and infrastructure issues were also identified as barriers as were specific issues regarding the accommodation of ex-offenders and the grant level under the new Crofter Housing Scheme.

### ***Stock***

107. Stock issues were a shortage of social rented stock, a mismatch of available stock to needs in terms of location, state of repair, size etc, a lack of single person stock and, in Glasgow, of larger housing stock, the development of too much stock for particular needs, the concentration of voids in hard to let areas, the affordability of housing, high rents in the private sector, the impact of the Right to Buy policy, and the existence of second and holiday homes, especially in rural areas. In addition, there was a common view of a lack of information on lets by RSLs and of an under use of section 5 referrals and nomination agreements.

### ***Stigma***

108. Issues identified in relation to stigma were 'Nimbyism', negative attitudes towards homeless people among the media, general public and private sector, the stigma of mental health issues, the creation of 'ghettos' through a service culture that can encourage homeless people only to mix with other homeless people, for example through the provision of specialist services and discriminatory attitudes in Local Authorities towards those with disabilities which can prevent disabled people being offered accommodation in the private sector.

### ***Private sector***

109. There was a view that landlords in the private rented sector could be reluctant to house those on benefits, and that the introduction of the Local Housing Allowance and direct payments could exacerbate this. The use of Short Assured Tenancies, as above, was seen to limit the potential for using this sector. Private sector stock was also thought to be inadequate in terms of both quality and quantity.

### ***Housing Benefit***

110. The rules and regulations regarding Housing Benefit, as discussed above, were seen as further barriers to diverse housing solutions.

### ***Inflexibility of discharge options***

111. There was also a view that there was inflexibility in the types of tenancy acceptable in discharging an authority's duty towards a homeless applicant. This issue was raised both in relation to the use of Short assured tenancies in the private sector, and in relation to the provision of long-term supported accommodation and shared housing options.

### ***Support needs***

112. There was a view that there is a lack of recognition of the complexity of needs of some homeless applicants, and that both the level and complexity of needs of applicants were likely to increase with expanding eligibility. The challenging behaviour of some applicants was also seen as a barrier to housing as was a reduction in Supporting People funding.

### ***Solutions***

113. Solutions to the barriers identified often overlapped with the issues identified in relation to questions 4 and 5. With regard to stock issues, the following suggestions were made:

- Resources for new builds and requiring new build programmes to include more new build of single person homes;
- Increasing investment as set out in "Homes for Scotland's People";
- Targeting the Communities Scotland Development programme at the social rented sector;
- Resources for Local Authorities' regeneration programmes to address mismatch issues;
- Excluding any social rented provision in areas of shortfall from Right to Buy; and
- Providing sufficient funding towards SHQS.

114. Prevention activity was also identified as having the potential to reduce pressure on housing supply. Developing the prevention agenda and requiring RSLs to demonstrate prevention work were suggested and there was a view that earlier intervention work was needed. Greater coordination of services and the funding and strategic coordination of housing information and advice were also seen as aiding prevention. There was a view that an analysis of the circumstances and preferences of those whom prevention activity may be targeted at, including both homeless households and those on the general waiting list, was needed. Various initiatives to develop housing options could then be piloted and good practice identified and shared.

115. With regard to the use of the private rented sector the following were suggested:

- Encouraging the use of Assured Tenancies, through e.g. use of rent deposit /guarantee schemes;
- Encouraging imaginative ways of increasing security in the private sector (through, for example, long-term tenancies and safety net solutions);

- Allowing more flexible housing options including use of Short Assured Tenancies and shared housing (not just private sector);
- Publicising successful tenancy work;
- Lobbying for changes to Benefits rules; and
- Providing guidance on the use of this sector.

116. In relation to tackling the stigma attached homelessness respondents recommended: education on housing and homelessness to remove stigma; a national education programme for schools, communities and agencies; and stressing the positive futures for homeless people (learning from 'see-me' campaign re mental health)

117. With regard to support needs/support packages, secure and long-term funding for support was required. There was also a view that greater use of the voluntary sector could be made in the provision of support.

118. Allowing greater flexibility in the types of tenure which would discharge an authority's duty was identified as helpful in relation to increasing use of the private sector and in allowing for more diverse and supported housing outcomes.

119. Other solutions identified included:

- Amending Section 5 so that it included non-priority cases;
- Greater joint working on homelessness including closer partnership between local authorities and the private sector;
- Altering the planning system and increasing local authority powers with regard to planning and development;
- Providing longer-term funding and increasing investment in the areas identified in Homes for Scotland's People;
- Tightening the definition of a 'reasonable offer' in the Code of Guidance;
- Mainstreaming funding for, and expanding, Rent Deposit schemes and national support to provide better facilities and / or resources for rent deposit /guarantee or bond schemes to overcome the difficulties of administering schemes in rural areas;
- Encouragement of moves from under-occupied accommodation; and
- Ensuring that Anti-social Behaviour legislation and Housing Benefit legislation compliment rather than conflict with homelessness legislation.

120. In addition there was a view that the Scottish Executive could play a useful role in aiding work with the Scottish Prison Service around accommodation for ex-offenders.

121. With regard to Housing Benefit, solutions identified were for DWP to consider extending the power to pay Housing Benefit direct to landlords in circumstances where the tenant is considered to be vulnerable, so that it includes homeless persons; reviewing the single room rent restriction; reflecting anticipated increases in the demand for housing from households in need of Housing Benefit in the amount of Discretionary Housing Fund allocated to Local

Authorities; and taking account of the additional costs and resources that will be required in administering Housing Benefit by local authorities. In relation to people under the age of 25 and students in full time education, one respondent commented:

*We support the current discussions between the Executive and the Department for Work and Pensions to improve the situation for these groups. We would welcome a commitment in the Minister's Statement to accelerate the joint-discussion to find a positive way forward to assist people with rent support.*  
(APN 46)

122. There was also a view that it would be beneficial for Communities Scotland to produce quarterly information on RSL lets and for the obligations of RSLs to be strengthened in relation to:

- The provision of advice and information;
- The demonstration of preventative work and the impact it is having on tenancy sustainment rates; and
- A more robust approach towards compliance with Section 5 duties.

***Q7) Could existing funding streams be used more effectively to prevent and tackle homelessness? How could this be done?***

123. Thirty-eight respondents answered this question. Several respondents were of the view that existing funding streams were stretched to full capacity, though some also believed that they could be used more effectively. It was commonly believed that more effective use of existing funding streams did not alter the need for additional funding which would be required. In some cases, the provision of specific additional funding was thought to allow for the more effective use of existing funding streams. In addition to addressing the specific issue raised in the question, respondents also made more general points in relation to funding.

124. A recurrent view was that the short-term nature of current funding was detrimental to the effective provision and planning of services, and that longer-term funding, linked to the 5 year cycle of Homelessness Strategies, and committed at least until 2012 would be necessary to reflect the long term goal 2012 represents. In addition, a common suggestion was that funding streams for different services and areas needed to be more closely linked, and that, in keeping with homelessness being taken on board as a core area of work in other services, funding for homelessness should be identified from these budgets. In this respect, there was a view that homelessness must be a central consideration of the current development of the Strategic Investment Framework. There was also a request for clearer guidance to, and encouragement of, Local Authorities to allocate resources to support the health contribution to homelessness work.

125. There was also a view that a clearer steer and more transparent basis for resource allocation was required and clarity about future funding commitments was requested. One respondent commented that it would be useful to know what the potential funding streams were. Another suggested that the scope of funding streams to support the involvement of the NHS in preventing and tackling homelessness has not been clear.

126. The view that there is a need to ensure that Supporting People Programme funds are sufficient to address the housing support needs of homeless households was raised by approximately 40% of those who responded to this question. The planned research to assess the impact of Supporting People funding on different client groups was welcomed. Research by Shelter was reported as making a number of relevant recommendations including: Executive to consider how it could provide an active role in monitoring the extent to which SP money is spent on homelessness within local authority areas; increasing allocations, or an alternative development and innovation fund for new projects created to take into account the new duties towards homeless people; and Executive to provide clarity on how the new SP formula would be implemented locally.

127. There was support for more streamlined funding to reduce the inflexibility of narrow funding streams, potentially through bringing together existing funding streams and giving greater scope for local authorities to draw creatively on other sources of funding.

128. There was a view that more attention needed to be paid to the particular difficulties facing rural areas and the need to ensure that funding allocations reflected these. In particular, dependence on the Scottish Index of Multiple Deprivation was seen as unhelpful and as penalising deprived households living in rural areas. 'Sparsity funding' and the development of funding formulas that more effectively recognise rural deprivation were requested.

129. Specific recommendations made were:

- Implementing a system to pay off rent arrears to prevent evictions by way of a Tenancy Sustainability Grant;
- Specific funding aimed at assisting local authorities to provide temporary accommodation with the effect of freeing up other funding for preventative work;
- Development of a crisis response model as in Glasgow;
- Changes to Housing Benefit rules;
- Funding to bodies other than local authorities, such as development funding not currently administered by local authorities, and grants to private developers;
- Use of social care monies, funding attached to ADATs and Mental Health services, Social Work;
- Better support to children in homeless families through the Additional Support for Learning Act (2004);
- National furniture recycling schemes;
- Coordinating health funding more effectively to ensure a better strategic fit with Homelessness Strategies and Health and Homelessness Action plans; linking

Health Improvement Fund allocations directly to the prevention of homelessness;

- Community Scotland's development programme to be more targeted at social rented housing (rather than low cost home ownership);
- Clear links to Changing Children's Services Funding, Working for Families Funding;
- Role of NGOs and experience in developing creative and innovative services; and
- Proving GAE and external challenge funding for a longer term than current practice.

## **Key points**

130. There was a high degree of consensus among responses on the policy areas relevant to the 2012 target. In order of frequency, those most commonly cited were the Supporting People programme, Housing Benefit rules and regulations, Anti-social Behaviour legislation, private sector lettings, and the Right to Buy.

131. Respondents also felt that ensuring improved joint working was a key issue, connections between homelessness, health and social work / care services and drug and alcohol addiction services were seen as particularly significant. Respondents also felt that all parts of the housing sector needed to recognise their responsibilities towards homeless households.

132. Suggestions for specific actions centred on the provision of affordable housing and funding for support services, actions to address the difficulties Local Authorities face in discharging their homelessness duties through the private rented sector, work to address the stigma of homelessness and to promote preventative activity and work to ensure coordination with other areas of legislation, in particular anti-social behaviour and housing benefit.

133. The main barriers identified to diverse housing outcomes for homeless people were:

- Lack of available suitable stock;
- Stigma;
- Issues relating to the private rented sector;
- Housing benefit rules and regulations;
- Restrictions on tenancy types allowed to discharge duty; and
- Support needs.

134. In addition, the short-term nature of funding streams, planning and land use regulations and infrastructure issues were also often identified as barriers.

135. Several respondents were of the view that existing funding streams were stretched to full capacity, though some also believed that they could be used more effectively. It was commonly believed that more effective use of existing funding streams did not alter the need for additional funding which would be required.

## **CHAPTER FOUR: MONITORING AND INTERIM OBJECTIVES**

136. The consultation paper stated that it would be necessary to have robust monitoring systems in place in order to plan the next steps towards 2012 and also to assess the capacity of local authorities, and other accommodation and service providers, to implement the changes required to meet the 2012 target. It also stated that it will be necessary for the statement to contain interim objectives in order to fulfil legislative requirements and to ensure that the path ahead to 2012 is agreed and progress can be monitored along the way.

137. This section of the consultation paper identified the following key areas:

### **Measuring capacity**

138. The consultation paper stated that it was considered to be useful to agree an indicator, or a small range of indicators, which give a top-level assessment of supply and demand which is relatively straightforward to measure and understand. The proportion of social lets required to house homeless people was suggested as one such possible target.

139. In measuring capacity, the consultation paper comments it would be necessary to look at the full range of housing options open to local authorities (local authority, RSLs, private sector and voluntary organisations) and to consider issues of mismatch between housing stock and need, and that it might be relevant to look at the number of social lets relative to the size of the population in order to gauge capacity to meet wider housing need. Temporary accommodation statistics are identified as a possible indicator of pressure. The support needs of homeless households in permanent accommodation was also seen as important to assess.

### **Benchmarks/targets**

140. The paper requested views on whether it would be possible to set quantifiable benchmarks, which if met would be taken to show that local authorities are capable of implementing change.

### **Measuring progress**

141. The paper set out the existing mechanisms for measuring progress, these are: Communities Scotland Regulation and Inspection regime, monitoring of homelessness strategies through annual reporting and local outcome agreements, and reporting by local authorities to the Executive on targets they have set for reducing repeat homelessness (the paper suggested that there may also be alternatives to looking at repeat homelessness in terms of measuring the effectiveness of solutions – for instance looking at tenancy sustainability directly). The paper notes that there is no target related to preventing homelessness or set method of assessing the effectiveness of preventative interventions. It also noted that it may be considered unwise to assess the effectiveness of preventative measures solely by focussing on the number of homelessness assessments as this may introduce a perverse incentive to discourage early interventions which may in fact boost the number of people

making a homelessness application but allow for a more effective and quicker solution.

### **Phasing the abolition of priority need test**

142. The timing and content of any phased expansion to priority need categories was identified as one possible area around which interim objectives could be set. The paper noted four approaches, identified through research by Tribal HCH and discussions with the Homelessness Monitoring Group, these are:

- A 'big bang' approach, whereby the distinction would be abolished without a further phasing stage;
- A second phase around 2007/8 to include a further group of 'in need' households;
- A gradual phasing, based on local targets; and
- Abolishing the vulnerability test that currently attaches to some categories of applicants, so that anyone in these categories is in priority need without having to demonstrate vulnerability.

143. The paper also asked whether it was thought that the current challenges facing local authorities should preclude any announcement of a further expansion of priority need in the Statement.

### **Interim objectives**

144. The paper also requested views as to whether there are other specific interim objectives that should be included in the statement. Areas for consideration for potential objectives identified were:

- Specific milestones in relation to any of the policy areas set out in Section 4;
- Revision of homelessness strategies;
- Gathering of additional evidence;
- Date by which expansion of priority need should be announced if not in this statement;
- Revision of the statement at a later date; and
- Fulfilment of capacity measures.

145. The specific questions raised in this section were:

***Q8) How should capacity be measured and is it possible to set relevant benchmarks?***

146. There were 38 responses to question 8, of which 31 addressed issues of capacity, and 22 commented on the possibility of setting relevant benchmarks. Some confusion was evident in responses between measures or indicators of capacity and benchmarks. Of the 22 who made specific comments on the possibility of setting benchmarks, roughly two thirds (14) believed it would be possible. Of the remaining third, 2 believed that it would only be possible if such benchmarks were relevant at a local level, 2 believed that it was not yet

possible, 3 that it would be very difficult, and 1 that it was not possible. Reasons given for the difficulty of setting relevant benchmarks were the wide ranging diversity between authorities, and the gaps identified in the evidence base which lead to a reservation on making suggestions as to how to measure capacity. For those who felt it was not yet possible to set benchmarks, it was felt that the level of any benchmark set would impact upon the wider housing system and local authority allocation policies and that therefore a much clearer understanding of the relationship between homelessness and allocation policies would be required before any benchmark could be set.

147. Other issues raised in relation to setting relevant benchmarks were that it could be appropriate for the Scottish Housing Best Value Network to carry out work in relation to setting benchmarks, that guidance on key benchmarks may be necessary but that local variations should be allowed to reflect local circumstances, that benchmarking would only be useful between LAs sharing similar characteristics, not measuring all against one nationally aggregated benchmark and that issues of quality and location of housing should be considered. In addition, it was suggested that local benchmarks could include assessing the progress on the number of private sector properties that meet the higher standards set out in the Housing Bill and the number of private landlords who are willing to offer longer tenancies.

148. There was support from several responses for using the proportion of social lets to homeless households as an indicator of capacity, and also for using the length of time spent in temporary accommodation. There was a concern from some respondents that measurement of lets to homeless households should be combined with that of lets of those in other housing need. One respondent suggested that no more than 50% of allocations in any year should be made to homeless households, but that this must be balanced with ensuring that households did not spend longer than 6 months in temporary accommodation. Some other comments in relation to this issue were:

*It would be possible to set relevant benchmarks, but it is important to remember that homelessness is only one needs group. It is vital to ensure that the impact on other needs groups is appropriately monitored.*

*(APN 27)*

*The proportion of social lets which is required to house homeless people is considered to be a good indicator of capacity. However, the other side of this equation is to have a measure of the social housing need as a whole.*

*(APN 29)*

*SHFA therefore believes that, in considering housing supply and capacity, the ministerial statement should consider, not just proportions of social lets going to homeless households, but specific needs groups being housed from housing lists and monitoring of how this changes in relation to rising proportions of lets going to homeless households.*

*(APN 41)*

149. The need to address not just total capacity but also the suitability of available housing, for example by matching social rented accommodation available in a given year (by area, size and type) to the number of households with whom a statutory duty is owed, was also raised. There was a view that in considering location, using local authority boundaries would not be sufficient, particularly for rural areas. Some respondents were also concerned that measurements of capacity should reflect local circumstances, and be based on local provision and the local profile of homelessness. Other comments included that capacity measures should be linked to Local Housing Needs studies on supply and demand, that prevention of homelessness would be a key factor and that the local dynamics of the private rented sector and the capacity to deliver housing support to homeless / at risk households would also need to be taken into account.

150. Specific measurements of capacity were also suggested, these were:

- ‘Conversion rates’ for the percentage of unintentionally homeless people rehoused in permanent accommodation from present levels to 100%;
- Use of section 5 referrals and the number of people being housed by housing associations;
- Time taken for assessments of homelessness;
- Housing Support outcomes;
- Performance against Care Commission Standards;
- Waiting list and transfer applicants time on general waiting lists;
- Turnover/availability of accommodation to rent;
- Improved management of voids and reduced void times;
- Tenancy success and failure rates;
- Key Performance Indicators and Statutory Performance Indicators (when reviewed); and
- In addition, there was a view that information on the proportion of lets to homeless households should be broken down by sector, and that the use of and time spent in temporary accommodation should include both non-priority and priority households.

***Q9) Should local authorities be required to report against a broader set of targets?***

151. There were 36 responses to this question. It was not always clear from responses whether respondents were in favour of a broader set of targets and many respondents commented more widely on information gathering. It is possible to say that the view that this was definitely not appropriate was less common (4 responses), with the remainder of respondents expressing views varying from the belief that this would be a good idea (or that it might or could be under certain circumstances) to the view that a shift was necessary from quantitative to more qualitative indicators. There was also a recurrent view that it was important to ensure the accuracy of existing data collection and references were made in this respect to reviews of the HL1 and HL2 data collection systems. To lessen the burden on Local Authorities by increasing

reporting requirements, there was a view any new targets should be developed and implemented via the HL1 system.

152. Reasons given against introducing a broader set of targets were: that increasing data is resource intensive and that certain data / outcomes are difficult to measure; that it will be important for Local Authorities to continue to report against the existing targets in Homelessness Strategies; and that it is too early for specific targets to be set. There was also a concern expressed about creating a further level of reporting requirements and several respondents commented that Local Authorities already gather and report upon a considerable amount of information.
153. Suggestions of areas where targets may be appropriate were: lost contacts; repeat homelessness; time in temporary accommodation; affordability; prevention activity and outcomes; how many homeless households get their support needs assessed and met; the possible 'knock on' effects of legislative change; tenancy sustainment; numbers of tenancies established with support; and demonstrating good use is made of RSL nominations, private sector landlords and low cost ownership.
154. Comments were also made in relation to the need for local level sensitivity, there was a view that national level indicators would need to be augmented by a set of local indicators and that targets should be set individually for each council as there are too many variables between councils to have one set of targets. There was also a suggestion that consideration should be given to developing a broad range of indicators across all local authorities based on current practice in each. In this respect it was suggested that the Executive could conduct an audit of targets currently in use and then decide if a standard range of targets should be adopted, it was thought this process could also identify Best Practice issues.
155. There was also a view that the obligation to report should be expanded to include all housing providers, not just local authorities, and for RSLs to report on how they will prevent homelessness and comply with Section 5 duties. A similar view was that information on a wider range of socio-economic activities should be sought to ensure both that there is a unified response with all agencies playing their parts and that long-term steps are being taken to prevent initial and recurring homelessness.
156. There was a view that a shift of focus was needed to measuring individual outcomes of people in housing need, whether they were homeless or at risk of being homeless and that the impact of prevention activity is only measurable through the impact on housing and support needs of individuals in terms of their progress towards permanent, sustainable solutions. There was also a view, however, that reporting requirements should focus on outcomes arising from Local authorities' strategic approach rather than detailing outputs against each individual action.

*For one respondent "effort put into strategy-setting can be seen as diverting resources from front-line provision, and can therefore be*

*justified only to the extent that it improves that provision. Therefore there has to be a balance between the two”.*  
(APN 23)

***Q10) Would it be useful to resubmit homelessness strategies following the publication of the statement?***

157. Forty respondents addressed this issue, 22 of whom were of the view that re-submission following the statement would not be appropriate. Amongst these respondents, there was a common view that the existing review procedures and information given in Local Outcome Agreements should be sufficient. Some respondents were in favour of requiring Local Authorities to submit an annual statement outlining progress towards the 2012 target and noting any changes to their homelessness strategies rather than a formal resubmission. There was also a view that Local 2012 Delivery Plans should be considered the key document for reporting on progress. Of the remaining respondents, 13 believed that strategies should be resubmitted, 4 that this would depend on the content of the ministerial statement, particularly in relation to the inclusion of any interim objectives for phasing the expansion of priority need categories, and one response was of the view that strategies should either be resubmitted or a short addendum attached to existing strategies.

158. Among those not in favour of resubmission, there was a view that resubmission would require a diversion of resources from service provision and strategy implementation. There was a view that “already administration around homelessness reporting is impacting on resources available to develop additional services” (APN 16).

159. Of those in favour of resubmission, the importance of outlining how abolition of priority need will be achieved and demonstrating proactive movement towards any phases introduced in the statement was seen as important. Some expressed a view that resubmission should occur at a point sufficiently after any changes introduced to ensure that it was possible to fully consider the impact of such rather than eliciting ‘knee-jerk’ reactions. Possible dates suggested were 2008.

160. There were also suggestions that it would be useful to develop a central resource to collate and disseminate examples of good practice identified through reviews and evaluations of homelessness strategies.

***Q11) Should the statement contain an interim objective in relation to the abolition of the priority need test or is this precluded by the current position?***

***Q12) If an interim objective on the abolition of the priority need test is incorporated, how should it be framed?***

161. Of the 42 respondents who answered question 11, 38 stated views as to whether an interim objective should be contained in the Ministerial Statement. Respondents were divided roughly equally on this (16 were in favour, with a further 3 probably in favour, 18 were against and 1 was possibly in favour). Of

those who believed an interim target should not be included, 8 were of the view that locally set targets were preferable to national ones, 6 that the current position with regards to lack of capacity and ability to meet current demand precluded setting any interim targets and, one that there was insufficient evidence to provide feedback.

162. Some comments made in relation to each of these points are:

*It is not considered realistic to expand the definition without further pressure being placed throughout the housing system. (APN 6)*

*The impact of proposed interim measure for this area are attached which outline that the housing stock is not available to meet this demand at any interim period ... a phased approach ... will currently only serve to place the Council in a position where it cannot fulfil its statutory obligations earlier than is necessary.  
(APN 10)*

*There should be no interim objective until all current responsibilities are met and the waiting list of unintentional priority cases is reduced.  
(APN 21)*

*South Lanarkshire Council believes that as far as possible, Local Authorities should plan their own progress towards readiness for 2012. If they wish to establish interim objectives for themselves as milestones in this process, then they should have the ability to do so.  
(APN 12)*

*Unless it is possible to confidently predict significant changes and milestones which are relevant to ALL Local Authorities this would be a very prescriptive approach.  
(APN 44)*

163. In addition, there was a view that any expansion of priority need would need resourcing:

*On the question of an interim objective I would question its validity. Not because I necessarily support the concept of a sudden abandonment of priority need but because without backing it up with the resources to develop the services needed to make 2012 a reality it would be quite meaningless in my opinion. As we cannot provide enough appropriate accommodation for those who need it currently, unless something radical happens 2012 will remain a concept.  
(APN 25)*

*We are not opposed to a statement that contains an interim objective but the scale of the issues that encompass homelessness and the costs associated with targeting initiatives would require a committed financial resource to allow LAs to meet the objective.  
(APN 17)*

164. Comments on phasing made during the regional seminars indicated support for a set of local targets linked to benchmarks identifying resource requirements necessary to meet them. It was felt that if such resources were not forthcoming it would not be possible to meet the targets. There was concern that locally set targets could lead to further pressure on councils providing the best services.
165. One respondent was of the view that the consultation paper asked if there should be an option of not expanding priority need in light of the challenges faced by some local authorities. The respondent felt that this was not acceptable, and that challenges must be met by expanding provision, rather than restricting services. Another respondent expressed concern that any interim objective would be used to extend the 2012 target. There was a view that interim objectives would allow for monitoring of the impact of legislative changes, and for the pace of change to be slowed down (or accelerated) as required.
166. Those in favour of an interim objective saw this as necessary to aid planning and ensure that the target was met. One respondent emphasised the importance of ensuring any interim objectives resulted in beneficial outcomes for homeless households:

*Whilst evidence suggests that the removal of priority need will be very challenging, we support in principle the statement containing an objective regarding abolition of priority need. We would qualify this by saying that if the statement contains a target that Local Authorities are unable to meet then implementation is likely to disadvantage households further by resulting in, for example, excessive times spent in temporary accommodation; households perhaps being housed outwith the community with which they have links and increasing stigmatisation as homeless households are seen as taking all allocations. In these respects final outcomes could be worse for homeless households.*  
(APN 45)

167. With regards to how an interim objective should be framed (question 12) there were views both that phasing or interim objectives should be set nationally (16 in favour) and locally (11 in favour). There was a view that locally set targets should be approved and monitored, Communities Scotland, the Scottish Executive and the Homelessness Monitoring Group were suggested as bodies that could undertake this task. Some of those in favour of a national objective thought this should be qualified by taking into account the capacity of local authorities to comply with it. There was support for phasing to be based on withdrawing the vulnerability test and / or to be based on age. There was also a view that looking at support needs, types of applicants e.g. families, or by specified needs groups could be beneficial. Other suggestions included that local authorities could review their homelessness strategies and identify new priority need groups from a collated analysis of these, or that local authorities could be required to draw up local implementation plans specifying their approach, to be approved by the Scottish Executive. It was thought that these should be able to include a case for the extension of abolition beyond 2012 where this could be demonstrated as necessary, and also that the Scottish Executive should have access to powers (possibly through Communities

Scotland R&I process) to ensure progress where this was lacking. There was also a contrasting view expressed that it should be made clear that the 2012 target is non-negotiable.

168. The importance of clearly setting out the approach to be taken, providing adequate resources for implementation and monitoring, giving detailed timescales and encouraging prevention activity were also raised.

169. With respect to the timing of any phasing, there was support for a variety of options including a three-staged approach in 2009/10, 2010/11 and 2011/12, a target of 2008 for either complete abolition or at least 50% of those currently not considered priority need to be included, the proposed date of 2007 and a phase in 2008/09. One respondent was of the view that:

*it is important that incremental targets are set sooner rather than later. There is a real risk if that does not happen the commitment will begin to fall into disrepute and there will be a growing belief it will slip, undermining one of the most fundamental planks of the Executive's commitment to tackle the injustice and social impact of homelessness.*  
(APN 50)

170. Concerns were raised about the possible interaction of a locally based gradual phasing with the suspension of Local Connection, with possible detrimental impacts on both service providers and homeless applicants. There was a view that evaluations should be conducted following the introduction of any phasing, and that this should include an assessment of impact on homelessness services, supporting people services, temporary accommodation provision, RSL waiting lists and achieving balanced communities.

**Q13) What other interim objectives should be set?**

171. There were 24 responses making suggestions for possible interim objectives to be included in the Statement. Some respondents felt the areas set out in the consultation paper would be appropriate. Others suggested various areas where targets could be considered. Areas indicated suggested targets both for local authorities and for the Executive, with some respondents also requesting that targets be set for RSLs, particularly in relation to prevention work and tenancy sustainment. There was also a view that broader targets should be set locally and agreed by the Executive.

172. Suggestions made included:

- The levels and impact of prevention activity;
- Requirements for effective monitoring and reporting;
- Completion dates for research, including into single homelessness;
- Increases in the number of private lets to homeless people;
- Increases in fully furnished tenancies;
- Increases in the range of models for single homeless;

- Short SSTs with support for homeless applicants who have demonstrated they lack the skills to sustain a tenancy; action to address information gaps;
- Specific actions to ensure coordination between homelessness legislation and other relevant areas of work such as Joint Futures and Anti-Social Behaviour;
- Progress on policy areas identified within the Consultation Paper and responses to it including the Strategic Investment Framework;
- Levels of investment, numbers of affordable housing completions/ increasing provision of affordable social housing;
- Financial and other resource commitments; and
- A proposed date for the end of Local Connection.

173. Other comments made in response to this question were that clarification is sought on the proposals for removing intentionality, that there are concerns over the proposed removal of the local connection test – specifically in relation to how this would impact on the responsibilities of Dumfries and Galloway towards prisoners on release from Dumfries Prison who have no local connection, that the issues of short-term funding needs to be addressed, that concern over pressure on Supporting People budgets needs to be addressed and that the Executive should set national guidelines for the proportion of lets made to statutory homeless households by RSL, and consider a similar system for local authorities.

### **Key points**

174. Respondents felt that considering the suitability of housing stock to needs was very important when measuring capacity. Several also emphasised the need to consider capacity issues in the wider housing market. In addition, local level data on capacity and needs and information on prevention work were seen as important.

175. Respondents appeared to support a requirement on authorities to report against a broader set of targets, again emphasising the importance of sensitivity to local issues. The following were identified as potential areas for targets to be set:

- Lost contacts;
- Repeat homelessness;
- Time in temporary accommodation;
- Prevention activity and outcomes, and tenancy sustainment work;
- Assessment and provision of support needs;
- Potential ‘knock on’ effects of legislative change; and
- Demonstrating good use is made of RSL nominations, private sector landlords, low cost ownership.

176. Just over half of those who commented were against a formal resubmission of homelessness strategies, favouring either normal revision processes or annual updates / addendums. Of those in favour of resubmission, the importance of outlining how abolition of priority need will be abolished and

demonstrating proactive movement towards any phases introduced in the statement was seen as important.

177. Respondents were divided roughly equally on whether the Statement should contain an interim objective. The two main reasons against an interim target were that there was not sufficient capacity to meet one and that locally set targets were preferable to national ones. There was no clear consensus on the framing or timing of an interim target, though several respondents thought it important that any target was sensitive to local issues.

178. Suggestions for other interim targets included both those for Local Authorities and for the Scottish Executive. Some respondents also requested that targets be set for RSLs, particularly in relation to prevention work and tenancy sustainment.

## **APPENDIX 1 FULL LIST OF QUESTIONS ASKED IN THE CONSULTATION**

### **Section 3 – Evidence base**

Views are sought on the issues covered by this section of the paper; in particular:

1. What other sources of information should be considered in assessing capacity to meet need?
2. What are the main gaps in the evidence base in relation to assessing the capacity to meet need?
3. Would it be useful to re-run the pro-forma exercise at a later date and if so when? If not then what process would be helpful to inform local authority planning for 2012?

### **Section 4 – Coverage of the Ministerial Statement**

Views are sought on the issues covered by this section of the paper; in particular:

4. Are there other policy areas which are relevant to the 2012 target which should be considered? What are the priorities?
5. Are there specific actions which would contribute to the 2012 target which the statement should contain? In particular are additional actions required to ensure homelessness is prevented, and sustainable solutions achieved for homeless people and local communities?
6. What are the barriers to diverse housing outcomes for homeless people and how can these be overcome?
7. Could existing funding streams be used more effectively to prevent and tackle homelessness? How could this be done?

### **Section 5 – Monitoring and interim objectives**

Views are sought on the issues covered by this section of the paper; in particular:

8. How should capacity be measured and is it possible to set relevant benchmarks?
9. Should local authorities be required to report against a broader set of targets?
10. Would it be useful to resubmit homelessness strategies following the publication of the statement?
11. Should the statement contain an interim objective in relation to the abolition of the priority need test or is this precluded by the current position?
12. If an interim objective on the abolition of the priority need test is incorporated, how should it be framed?
13. What other interim objectives should be set?

## APPENDIX 2 LIST OF ORGANISATIONS RESPONDING

<b>Response number</b>	<b>Organisation</b>
APN 01	Lister Housing Co-operative Ltd
APN 02	NHS Forth Valley (Individual response)
APN 03	Argyll & Bute Council
APN 04	Aberdeen Cyrenians
APN 05	Dumfries & Galloway Council
APN 06	Moray Council
APN 07	NHS Grampian
APN 08	Glasgow Homelessness Network
APN 09	NHS Ayrshire & Arran
APN 10	East Dunbartonshire Council
APN 11	Inverclyde Council
APN 12	South Lanarkshire Council
APN 13	Aberdeenshire Council
APN 14	Glasgow City Council
APN 15	Dundee City Council
APN 16	West Lothian Council
APN 17	South Ayrshire Council
APN 18	Quarriers
APN 19	East Lothian Council
APN 20	Shelter Scotland
APN 21	North Lanarkshire Council
APN 22	Comhairle nan Eilean Siar
APN 23	Scottish Churches Housing Action
APN 24	West Dunbartonshire Council
APN 25	Dundee Cyrenians - (Individual response)
APN 26	NHS Lanarkshire (Individual response)
APN 27	Orkney Islands Council
APN 28	Scottish Association for Mental Health
APN 29	Perth & Kinross Council
APN 30	Aberdeen City Council
APN 31	Stirling Council
APN 32	Ownership Options in Scotland
APN 33	East Ayrshire Council
APN 34	Renfrewshire Council
APN 35	NHS Forth Valley (Organisation response, Director of Public Health)
APN 36	Angus Council
APN 37	Chartered Institute of Housing in Scotland
APN 38	Scottish Women's Aid
APN 39	City of Edinburgh Council
APN 40	East Renfrewshire Council
APN 41	Scottish Federation of Housing Associations
APN 42	CoSLA
APN 43	Clackmannanshire Council
APN 44	Rock Trust
APN 45	Highland Council
APN 46	Fife Council
APN 47	North Ayrshire Council
APN 48	Scottish Council for Single Homeless
APN 49	Falkirk Council
APN 50	NHS Greater Glasgow

## **APPENDIX 3 DISTRIBUTION LIST**

The consultation paper was distributed to the following groups of organisations/individuals:

Aberdeen Cyrenians  
Clerk of the Scottish Parliament Communities Committee  
Commission for Racial Equality  
CoSLA  
Disability Rights Commission  
Dundee Cyrenians  
Edinburgh Cyrenians  
Equal Opportunities Commission  
Glasgow Homelessness Network  
Glasgow Simon Community  
Homelessness Monitoring Group  
Homelessness Monitoring Group 2012 Subgroup  
Homes for Scotland  
Landlord Organisations  
Local Authority Chief Executives  
Local Authority Directors of Finance  
Local Authority Directors of Housing  
Local Authority Directors of Social Work  
Local Authority Leaders  
Local Authority Homelessness Strategy Co-ordinators  
(Scottish) Members of the European Parliament  
National Rent Deposit Forum  
NHS Scottish Chairs  
NHS Scottish Chief Executives  
Rock Trust  
SACRO  
Scottish Association of Citizen's Advice  
Scottish Council for Single Homeless  
Scottish Churches Housing Action  
Scottish Federation of Housing Associations  
Scottish Foyer Network  
Scottish Parliament Information Centre  
Scottish Social Networks Forum  
Shelter Scotland  
Women's Aid



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