

Towards 2012

Homelessness Support Project

Report to COSLA, ALACHO and the Scottish Government

April 2008

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The Scottish Government
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EH1 3DG

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REPORT BY MIKE NOLAN & IAIN MCLEAN
LOCAL GOVERNMENT SECONDEES TO THE HOMELESSNESS SUPPORT
PROJECT

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EXECUTIVE SUMMARY

Introduction

The ALACHO Project was established to provide dedicated support to councils to achieve the national homelessness target to abolish priority need by 2012. To conduct the project, two officers were seconded from council homelessness teams to the Scottish Government under the joint supervision of the Government, COSLA and the Association of Local Authority Chief Housing Officers (ALACHO).

The report is the outcome of visits to Homelessness Teams throughout Scotland. It includes suggested actions for development by interested parties into an Action Plan.

The visits demonstrated very high levels of activity and commitment on the part of homelessness teams to do what they can to achieve the 2012 target, even where the prevailing view is that the timescale is too tight. The report highlights that the single biggest barrier to overcome, as far as most councils are concerned, is the shortage of affordable housing for rent. Despite difficulties and problems associated with the target, the view of many homelessness teams is that the objective is worthwhile; that the clear deadline was necessary to concentrate minds; and that the target has brought about and driven significant improvements in homelessness services throughout Scotland.

The report should be seen in the wider framework of the Scottish Government's policies and actions relating to housing including the Concordat between the Scottish Government and COSLA, the Housing Supply Task Force, the 'Firm Foundations' consultation document, the consultation to revise 'Scottish Planning Policy 3: Planning For Housing' and the revised Homelessness Monitoring Group.

The issues and barriers discussed in this Summary have been grouped under supply, prevention, support, legislative change and guidance and monitoring. The suggested actions are set out in the Annex.

Observations relating to 2012 target (See pages 10-12 of Main Report)

Where the following existed, it appeared that working towards the 2012 target was more effective:

- Political and Senior Officer Endorsement of the Homelessness Strategy.
- Corporate and Partnership working.
- Positive role of other housing providers.
- Prevention/Avoidance of Homelessness.

Issues Of Note (see pages 12-16 of Main Report)

It emerged that many councils continue to refer **young care leavers** through the homelessness route as a means of resettling young people from care. This is regarded as inappropriate since councils, as corporate parents, should develop accommodation and support in much more appropriate settings better to meet the needs of this particularly vulnerable group of young people.

Good **performance monitoring and management** is essential to demonstrate effectiveness and provides strategic direction.

The key issues around addressing **long-term & sustainable solutions to homelessness** involve:

- Longer – term resettlement and what types of support will be required for this.
- Building or re-establishing supportive social networks to stabilise peoples lives.
- Education, training and employability to increase confidence, self-esteem and independence.
- Comprehensively addressing the issues around those with multiple and complex needs.
- Developing enhanced housing management services to better sustain the tenancies of those most at risk of becoming homeless.
- Addressing the physical and mental health factors which contribute to homelessness.

Specific issues

Supply of New Social and Affordable Housing. (See Pages 17-23 of Main Report)

The main issues are:

- High house prices, low incomes & the impact of the tourist industry on house price inflation – contributing to increased demand on the social and private sector rented markets, with a magnifying effect in remote/rural areas.
- Limited available/suitable land.
- Impact of increasing land prices.
- Speculative land banking by developers.
- Location of available land for development.
- Disposal of surplus public agency land.
- Higher construction costs in rural/island councils coupled with restricted development capacity.
- Financial burdens on developers in achieving affordable housing targets/completions.
- Planning constraints.
- Negative local attitudes in relating to affordable/social housing.
- Continuing loss through right to buy.
- Limited impact of pressured area status.

Temporary Accommodation Issues (See Pages 23-35 of Main Report)

The main issues are:

- Variety of factors leading to increasing lengths of stay in temporary accommodation.
- Impact of the suspension of local connection.
- How best to meet 2009 priority need target.
- A wide range of approaches among councils in how they would move to meet the 2009 target.
- Consensus view that to meet the 2012 target the length of time spent in temporary accommodation would have to increase.
- Levels of RSL contributions to temporary accommodation provision.
- Meeting requirements relating to the appropriate provision of temporary accommodation to homeless households.
- Negative impact tourist industry has on councils ability to source private sector temporary leased accommodation and B & B.
- Potential negative impact of possible amendments to the Unsuitable Accommodation Order.
- Reservations regarding the use of PSL schemes.
- Negative impact of current Benefit Regulations in granting access to the Private Rented Sector.
- Addressing local resistance to the establishment of homeless projects.
- Difficulties in complying with the Code of Guidance/inspectorate regarding the length of time spent in temporary accommodation.

Allocations to Homeless Households (See Pages 35-43 of Main Report)

The main issues are:

- Proportion of lets to homeless applicants.
- Interpretation of “reasonable preference”.
- Maintaining “balanced Communities”.
- Complying with Code of Guidance requirements.
- Addressing negative attitudes to homeless people.
- The role of RSLs and the private rented sector.

Prevention of homelessness (See Pages 44-53 of Main Report)

The main issues are:

- Actual impact prevention will have in reducing presentations.
- Prevention as part of a wider set of services and initiatives.
- Defining prevention.
- Identifying what works.
- Monitoring & evaluation.
- Inconsistent buy in from other corporate/partner services.

Housing and wider forms of housing support (See Pages 54-63 of Main Report)

The main issues are:

- Addressing multiple and complex needs.
- Community hostility to supported housing projects.
- Funding constraints.
- Inconsistent corporate and partnership working.
- Inadequate operational frameworks to address MCN.

Legislative Change & Guidance (See Pages 64-72 of Main Report)

The main issues are:

- Confusion regarding the authority, purpose and appropriateness of centralised guidance.
- The role of prescriptive guidance in meeting the 2009 and 2012 targets.
- Uncertainty about the link between the 2009 and 2012 targets.

Monitoring and support arrangements (See Pages 73-74 of Main Report)

The main issues are:

- Concerns regarding the mechanisms to be used by the Scottish Government to assess each councils capacity to implement forthcoming legislation.
- Availability, level and security of all necessary future funding to achieve the target.

CHAPTER ONE: INTRODUCTION

This report from the ALACHO 2012 Support Project brings together the results from a series of visits to all of Scotland's 32 local councils, carried out between October 2006 and October 2007.

Aims & Objectives of the ALACHO 2012 Support Project.

On the basis of the Ministerial Statement of December 2005, the ALACHO Project was established to provide dedicated support to councils to achieve the national homelessness target to abolish priority need by 2012. In the first partnership arrangement of its kind two officers were seconded from council homelessness teams to work within the then Scottish Executive's Homelessness Division under the joint supervision of the Association of Local Authority Chief Housing Officers (ALACHO), COSLA and the Scottish Executive.

The remit of these posts was to visit Homelessness Teams throughout Scotland and hear directly from them what they considered to be the main barriers, local and national, to implementing their homelessness strategies to reach the 2012 objective. On completion of the visits the findings were to be reported to ALACHO, COSLA and the Scottish Executive, now the Scottish Government. An action plan would then be agreed for councils and other stakeholders to take the homelessness agenda forward.

This report reflects the discussion at the visits to the 32 councils and the suggested actions set out in the report have been drawn up in light of these discussions. It has been written by Iain McLean and Mike Nolan, the two officers seconded from local councils to the Scottish Government to conduct the Project. As planned, this is a report to ALACHO, COSLA, and the Scottish Government. Accordingly it should not be seen as representing the views of the commissioning bodies. Rather it is intended as an important insight into what has been and still needs to be done to meet the target to abolish priority need by 2012, sitting alongside for example the Homelessness Monitoring Group report. The intention is that the suggested actions set out in the report should be used as the basis for discussion to agree an action plan to take the homelessness agenda forward.

The policy context has altered significantly since the project began following the change of government in May 2007. In November, the Scottish Government and COSLA agreed a Concordat setting out the terms of the new relationship between national and local government and encompassing a new outcomes focussed National Performance Framework. Under the new Concordat, the Scottish Government will set the policy direction and the over-arching outcomes that the public sector in Scotland will be expected to achieve. This arrangement is intended to allow the Scottish Government to stand back from micro-managing service delivery and allowing Councils and their partners the freedom to meet local needs and priorities. In addition, to reflect the new relationship between Local Government and the Scottish Government, the Concordat also provides a commitment to work together in developing policy on any matter which impacts on Local Government. This would include any policy or guidance on tackling homelessness.

Reporting requirements will be streamlined with a move to a Single Outcome Agreement between the Scottish Government and each of the 32 Councils. This will be based on the National Framework and each Agreement will make a commitment to improve service outcomes for each of the national outcomes which are seen as priorities locally. The evidence base for determining these priorities will draw on existing corporate, service and community planning commitments across local authorities and Community Planning Partnerships. In terms of homelessness, the 2012 target to abolish priority need is explicitly included in the Concordat as one of the 45 national indicators which support the national outcomes.

The Concordat also provides a 3 year funding package which is intended to give Councils much greater flexibility to meet local priorities and deliver the commitments made in the Single Outcome Agreements. The number of separate funding streams will be reduced substantially, with ring-fencing around homelessness and housing support funding amongst those being removed. Performance reporting at the end of the financial year will also be streamlined with submission of one report setting out progress and achievements. COSLA and the Scottish Government have put in place arrangements to oversee and monitor the new working relationship.

More specifically the changes in housing policy proposed by the new Scottish Government are relevant to many of the issues raised by councils during the course of the project meetings. Since their election the SNP administration has established a Housing Supply Task Force to consider the main impediments to increasing the supply and provision of affordable housing. It has published a consultation document 'Firm Foundations' setting out a range of proposals to address housing need in Scotland. There is consultation to revise 'Scottish Planning Policy 3: Planning For Housing' as part of a wider review of the national planning framework which will obviously have significant impact on the future provision of housing. The remit and membership of the Homelessness Monitoring Group has been revised to provide greater focus on outcomes rather than processes and to provide greater strategic advice on delivery including taking into account the service users perspective. Taken together these changes in Scottish Government approach and policy will provide councils with greater levels of responsibility and discretion in setting priorities and implementing legislation to better reflect local circumstances and demand for services.

Background to the Visits.

Prior to any visits being made, each council was written to in order to explain the purpose of the project and the manner in which it would be carried out. It was important that the visits were not interpreted as inspections on progress or that any judgements would be made about how councils were tackling the issues.

They were reminded that the project was established at the request of councils themselves articulated through ALACHO and supported by COSLA. It was an opportunity for councils to be frank and honest about the issues which they saw as being key in achieving the target for 2012 and what guidance or further assistance they would require in order to do so.

Before each visit the council was sent a further letter reminding them of the purpose together with a check list of topics which they might wish to include in the discussions. This was not intended to dictate the content of the meetings. It was for councils to set the agenda concentrating on the matters which affected them the most. The councils found the check list a useful prompt to related matters which were not their most immediate or had not particularly preoccupied them up to that point in time.

It was for each council to decide who attended the meetings but it was encouraged that both strategic and operational staff from homelessness services be involved so that these two important perspectives were represented. For the most part those in attendance were Senior or Principal Officer and upwards including Service Managers or, less occasionally, Heads of Service. A small number did involve operational staff as well as people from housing management and strategy departments. A limited number involved representatives from wider partnership agencies such as social work, health services, the voluntary sector or local Registered Social Landlords (RSLs). The views expressed therefore are largely from homelessness teams rather than housing departments or councils as a whole. Many were critical, sometimes very critical, of other departments and services within their own councils.

On occasion this criticism was extended to senior management and political leadership, for not providing the resources or support homeless teams felt they needed to effectively deal with homelessness in their areas. In such circumstances the Homelessness Team's commitment to 2012, along with their view as to its achievability, could be at variance to the opinion of their managers or the formal council view.

Excluding the ALACHO Officers the number of people attending meetings ranged from two to eleven. On average meetings lasted for around three and half to four and half hours. The shortest was about two hours, the longest close to seven. Councils were asked in advance to allow sufficient time to cover the issues they wished to raise. In the majority of cases staff had taken time to prepare themselves in advance and were clear on the matters they wanted to discuss. Apart from periods of leave or absence, both ALACHO Officers attended each meeting in order to better capture and interpret the points being made and to ensure more accurate notes. Once written up these notes were returned to the council to ensure that they properly reflected what had been discussed and sufficiently promoted the matters which councils wanted to see being taken forward.

Expectations From The ALACHO Project.

As part of the post visit feedback questionnaire councils were asked to outline what their hopes from the project were. All have welcomed the opportunity to directly feed back their views on the 2012 target to the Scottish Government and the senior officers and councillors represented through ALACHO and COSLA. They have high expectations that, given the project was set up for the specific purpose of gathering their views, its findings will be listened to, taken seriously and acted upon. To quote one of the participants, "Our hope is that the outcome of these discussions will be a

range of solutions that are tailored to meet the particular difficulties faced in each area”.

The project has been particularly welcomed by rural and island councils, further removed from the central belt and main urban centres of Scotland, whose perception is that their voices can too often be drowned out by the larger, more politically influential councils.

The credibility of the project will rest on its results in taking the issues forward for serious consideration, not only by the sponsoring bodies, but by those in appropriate positions of authority within the wider range of agencies best able to address them.

Response To Visits.

In virtually all cases the responses to the visits were very positive. There was no indication that those involved supposed any “hidden agendas” and for the most part were prepared to highlight their concerns openly as well as frankly express their views on the 2012 target and its feasibility. Most took the opportunity to also highlight what they were doing by way of developing new services, projects and partnerships to take their homelessness strategies forward. All showed a keen interest in what was being done in other council areas to address the issues they share.

General Observations On The Visits And Council Responses.

There are a number of quite specific observations on the findings from these visits which are detailed later in this report. In the meantime there are a number of more general points which will assist in putting the following chapters on the issues raised in a more useful context.

Generally the visits have demonstrated very high levels of activity and commitment on the part of homelessness teams to do what they can to achieve the 2012 target, even where the prevailing view is that the timescale is too tight. As this report will highlight, the single biggest barrier to overcome, as far as most councils are concerned, relates to the shortage of housing for rent. Beyond supply, there are a range of other dilemmas and difficult decisions to be made in relation to meeting the target which are outlined in more detail in the appropriate sections of the report.

Attitudes to 2012 Target.

Despite the difficulties and problems associated with the target, the view of many homelessness teams is a positive one. Their opinion was that without a clear deadline little would have been done to tackle the issue and the very real progress which has been made in service development and provision would not have happened.

The target has brought about and driven significant improvements in homeless services throughout Scotland. It has also prompted a number of councils to identify and focus on the critical issues and to shift the focus onto the longer term measures required to achieve lasting solutions to homelessness.

Some officers felt that at the time the legislation was introduced, the Government may not have fully appreciated the practical and operational difficulties of implementing the policy at the local level. This perceived lack of appreciation led a number of homeless teams to express the view that the target would be difficult to meet and there were those who felt they would not be able to achieve the target, mainly on the basis of the lack of supply. This would result in greater numbers of households residing in temporary accommodation for significant periods of time. In this respect it is likely homeless teams were reflecting the view of their councils as a whole. The lack of appreciation of local circumstances is a particularly strongly held view of rural and island councils who believe that the national policy largely reflects central belt and larger urban and city circumstances.

Impact On Service Development And Delivery.

Regardless of opinion on the target itself, the homelessness agenda has been instrumental in driving very many positive changes in a number of important areas. These include joint working between agencies and across different sectors; challenging prevailing methods of service delivery; shifting the focus towards a more strategic, preventative approach when dealing with homelessness and related issues; compelling councils to review their relationships with other providers and external agencies; improvements in commissioning procedures; increasing awareness of the practical value of accurate monitoring frameworks and expanding the skills of homelessness staff.

Due to the cross-cutting nature of homelessness and the degrees of vulnerability amongst homeless people, strong links are being established between homeless services and health as well as social work and criminal justice. While not problem free they are at least happening and there are numerous examples of very good practice. In the best examples joint working is leading to a situation where workers in different sectors and services are better appreciating the roles, skills and professionalism of their counterparts elsewhere, giving rise to greater trust and confidence in the planning and delivery of services.

Strategic Developments.

Most councils are still largely focussed on responding to homelessness in terms of getting people out of crisis and into some form of temporary or supported accommodation prior to moving them onto permanent housing. More attention is being given to prevention which is an area of expanding activity but still has some way to go. A few councils are considering what were referred to as “second stage” strategies – looking beyond the “firefighting” role to a much greater emphasis on prevention and options around longer term, sustainable solutions to homelessness. A number were in the process of rewriting their strategies or were already out to consultation with stakeholders.

Observations Relating To 2012 Target.

As the visits progressed it appeared that where certain conditions existed the overall process of working towards the 2012 target was more effective. Where in place these factors provided a firmer foundation on which other elements of councils homelessness strategies could be built. Where any of these were absent or less well established, developing and implementing the programme seemed more difficult. For this reason these strategic priorities are presented at this stage in the report.

They are:

- Political and Senior Officer Endorsement Of The Homelessness Strategy
- Corporate and Partnership working
- Positive role of other housing providers
- Prevention/Avoidance of homelessness

Political Endorsement Of The Homelessness Strategy.

Where members overtly supported the homelessness agenda the positive impact on taking the strategy forward was significant. Where senior councillors, or at least members of the ruling group, express support this tends to percolate down through the organisation to include Chief Executives and senior officers, providing confidence to better defend the service and argue for a greater share of resources. It also boosts staff morale to know that their work is being supported when confronting hostile views or addressing negative public attitudes against homeless people. On the other hand where a councillor publicly expressed negative attitudes to homeless people this could have a disproportionately damaging effect.

It is appreciated that councillors have to strike a balance between the housing needs of the whole community. However, it was still felt by many homelessness teams that councillors could take a more proactive lead in defending homelessness strategies more publicly and challenging the misconceptions about homeless people. Political commitment will also bolster attempts to create stronger corporate working around homelessness as other services will be aware this is something that ruling councillors want.

Corporate/Partnership Working.

Both corporate and partnership working are vital if homelessness is to be effectively tackled. Of the two however, strong corporate working may be the more significant in that it demonstrates to external partners and stakeholders that the council is serious in its commitment and expects the same from them. Homelessness, because of its complexities, needs to be tackled corporately. In order to do so the role of the other essential services needs to be clearly delineated. There must be an appropriate alignment of staff and financial resources as well as agreed priorities and processes. Each service should demonstrate transparency and accountability in terms of how it fulfils its role and the strategy needs to be effectively monitored in terms of the outcomes that are being achieved.

As far as partnership working with external agencies is concerned, an effective monitoring framework is essential not only to clearly demonstrate whether or not services are achieving their objectives but for the valuable information that needs to be gathered around client profiles, access to, and passage through, services etc. A strong tendering and commissioning system is also very important in that it clearly sets out what the council is looking for and expects to be achieved and demonstrates whether the services delivered are meeting the needs of the users.

Positive Role Of Other Housing Providers.

It is clear that the 2012 objective cannot be achieved without the significant involvement of other providers of housing for rent. This is obviously the case for councils who have transferred their stock but it is no less true for councils where transfer does not apply. The role of Registered Social Landlords (RSLs) is particularly important and it is vital that they are involved in the strategic process as partners and acknowledge their responsibilities as social landlords in addressing the needs of homeless people. In areas where councils and local RSLs are working well together households are spending less time in temporary accommodation and being housed sooner than they would be otherwise. Where RSLs assist councils by providing units for temporary accommodation the pressure on councils own stock is relieved. RSLs also provide a wider choice of types of housing and location.

The potential too for the private rented sector in areas where it has a stronger presence is currently under-utilised. More needs to be done to allow access to the sector, particularly for those not requiring, nor necessarily seeking, a secure tenancy in the social sector.

There are areas where the sector is not strong or shows no inclination or need to work with councils, but there are incentives which can be used to negotiate or encourage closer co-operation. The opportunity to expand these should be explored further.

Prevention/Avoidance Of Homelessness.

Despite initial reservations councils are increasingly acknowledging the greater potential role of prevention. A number of those who are considering the further development of their strategies to take a longer term view of how homelessness needs to be addressed are placing prevention at the centre of their activities. Councils are increasingly aware that to be most effective, prevention needs to be based on the local causes and dynamics of homelessness. There is widespread frustration that prevention is not sufficiently endorsed by other services whose own earlier actions might have prevented the crisis leading to homelessness. Homeless teams are looking to their senior managers or chief executives to do more to get this message across. An important aspect of prevention is the targeting of those groups most at risk to make them more aware of the dangers associated with becoming homeless and how to avoid it. From the point of view of staff, preventing homelessness avoids the frustrations of having to deal with a situation which might have been avoided if earlier intervention had occurred. The rewards of successful prevention are in assisting people avoid crisis and traumatic disruption to their lives. Prevention also changes the relationship between staff and service user to a more

positive one of working together to arrive at solutions rather than short term amelioration of circumstances.

ISSUES OF NOTE

In addition to the above, the following items also emerged as significant topics in themselves. As such it seems worthwhile to highlight them as matters deserving specific consideration.

Throughcare And Aftercare.

Many local councils continue to refer young care leavers through the homelessness route as a means of moving them into independent tenancies. This is a process of formally declaring these young people homeless in order to get them the priority they need to access housing. In some cases this is on the advice of housing services who have advised their colleagues in social work that homelessness will achieve quicker results than the normal applications procedures, where young people would wait for years before being allocated a house. A number of councils have developed or are in the process of developing protocols between their homeless service and the Throughcare & Aftercare teams to improve joint working in this area and reach agreement over each services mutual responsibilities in meeting the needs of the young people involved. Most of these protocols are about making the route through homelessness work more smoothly while a few are about circumventing homelessness service altogether. The majority of homelessness teams are of the opinion that separate arrangements should be made to re-house young people leaving care that avoid making them homeless first.

The use of homelessness as a means of resettling young people from care runs counter to the Homelessness Task Force recommendation which states homelessness in these situations should be prevented.

Throughcare and Aftercare services are obliged by law to plan and prepare young people for moving on and a dedicated Pathways Planning procedure is in place to assist them do this. Referring previously looked after children to a homeless team can be compared to parents who “turn out” their children when they reach a certain age with the expectation that the council will provide – it is a failure of the corporate parenting role and poor practice. More care leavers will spend time in temporary accommodation while their applications are considered or while they wait for housing to become available.

Homelessness teams have noted that very few are properly prepared for independent living and most have quite unrealistic views about what their housing options are. All 16/17 year olds are likely to be vulnerable on grounds of their age, lack of experience and maturity but young people with a history of care are particularly disadvantaged taking into consideration the reasons they were taken into care in the first place.

The feeling amongst homelessness teams is that this is a group for whom planning mechanisms are in place and provision could be arranged well in advance of them

leaving care. The use of homelessness facilities is inappropriate and unnecessary and takes up resources which would be better directed at “genuine” homeless cases. It is also artificially inflating the number of homeless people. Councils, as corporate parents should be developing accommodation and support in more appropriate settings than that which homelessness provides and which would better meet the needs of this particularly vulnerable group of young people. Social work services and housing services should be working together from an early stage in planning for the time when a young person leaves care, both in terms of identifying suitable accommodation and in ensuring that the young person has the life skills to deal with independent living.

The role of councils as “corporate parents” is one which was highlighted last year with the publication of ‘Looked After Children & Young People: We Can and Must Do Better’ (Scottish Executive, January 2007), and Extraordinary Lives (SWIA 2006). Both emphasised the need for councils to strengthen their corporate parenting functions and to behave more like good parents in addressing the needs of the young people in their care. Work which is ongoing to further develop and challenge the corporate parenting role is underpinned by a need for services to work better together to address the needs of young people in care both as individuals and as a group. This provides an opportunity to review the widespread use of homelessness services for housing looked after children and consider more appropriate options.

Performance Monitoring And Management.

This is an area to which the majority of councils are coming very late and, for many whose homelessness services have been inspected, too late. In response to the legislation and the establishment of the 2012 target all councils have set up a range of new services to meet the varied needs of homeless people. Due to the nature and causes of homelessness this has involved partnership initiatives and projects across different services and sectors with homelessness teams taking the lead role.

Progress in tackling homelessness is often measured in terms of the number of new services set-up, outputs, rather than in assessments of how effective these services have been – outcomes. As already mentioned it can be difficult, particularly in relation to prevention, to demonstrate the effectiveness of some services and more sophisticated methods have to be devised to enable this. This takes time, resources and specialist/specific expertise, including systems for gathering information and databases, interpreting information and reporting formats. The best systems do not only provide evidence that services are achieving their aims – or not as the case might be – but also build valuable profiles of the homeless population and the local dynamics of homelessness. This information better informs the direction the homelessness strategy needs to take to resolve homelessness in the longer term.

Demonstrating effectiveness and proving that investment in homelessness services brings value-added benefits for the council is crucial if the service is to hold its own or even increase its share of resources.

There are further implications as well, particularly in changing the tendering and commissioning of new services. Agencies contracting for services will be required to buy into the council’s monitoring framework or provide their own versions to the

same standard. Contracts will be more rigorously monitored to ensure targets etc are being met. There is a need therefore for more councils to develop much more robust systems to monitor the effectiveness of services in meeting their strategic objectives through the sharing of information and drawing on existing best/developing practice.

Indications from the project visits suggested that where councils did have a reasonable performance monitoring framework in place there was a better sense of what progress was being made; staff could see the value of what they were doing; and there was a greater awareness of strategic direction.

Addressing Long-term & Sustainable Solutions To Homelessness.

The first homelessness strategies concentrated on the years 2002 to 2006/7. The focus was on assessing the nature and extent of homelessness within councils, leading to the building of partnerships and extending corporate working in order to develop the range of services required to get homeless people out of acute circumstances and into some form of appropriate and settled accommodation. Improving the standards and quality of existing services was also an important element in order to meet the requirements of the legislation as it was rolled out over time. This could be seen as putting in place the systems and infrastructure to effectively manage the homelessness function by creating an effective response to households in crisis.

While the majority of councils are still concentrating on front-line responses the focus in others is shifting towards an increasing awareness or appreciation of prevention as well as the need to think beyond responding to crisis to develop a better understanding of what needs to be done to resolve homelessness in the longer term.

A number of councils have already produced “second stage” strategies to cover the period 2006 to 2012 or are in the stages of consulting with stakeholders on these.

The key issues around resolving homelessness are concerned with:

- Longer – term resettlement and what types of support will be required for this.
- Building or re-establishing supportive social networks to stabilise people’s lives.
- Education, training and employability to increase confidence, self-esteem and independence.
- Effectively addressing the issues around those with multiple and complex needs.
- Developing enhanced housing management services to better sustain the tenancies of those most at risk of becoming homeless.
- Addressing the physical and mental health factors which contribute to homelessness.

Some councils are looking for comprehensive guidance on taking their strategies forward in this way and are keen to know how others are approaching this. Those taking their strategies forward in this way tend to be the councils which feel reasonably confident about the progress they have made in implementing their initial strategies and are beginning to think beyond 2012 and what should be done to consolidate the gains they have made. For others the emphasis was still in dealing

with the numbers of households presenting and meeting those more immediate needs. This explains to a certain extent the relative lack of engagement with forums such as Scottish Homelessness Employability Network (SHEN) and Scottish Social Networks (SSN). These issues also call for specialist knowledge and expertise and the development of specific services which require additional management and resources. In the absence of more formal guidance, councils would welcome an opportunity to come together to consider these longer term issues and how they can be tackled.

Key Issues

Many of the issues which were identified as constituting significant barriers to achieving the 2012 target were raised by the majority of the councils visited. There were no great surprises as most were concerns which were generally already well known. What was valuable however, was the range of different perspectives on the same matters across different councils. The implications for individual councils of issues generally shared by others could be very different and required a variety of approaches and likely solutions. This was particularly true for smaller councils and those in rural or island settings.

It was often felt therefore that much of the guidance, including parts of the Code of Guidance, was too general and did not always reflect local circumstances and practice. Alternatively in other areas it was seen as too prescriptive, not flexible enough to tolerate local approaches.

The main issues and related suggested actions are set out in Chapters 2-6 and the suggested actions are brought together for ease of reference in the Annex. The suggested actions reflect the views expressed during the visits over the last year. With the passage of time, some of the actions which would otherwise have been suggested are already in train. Such 'actions' are listed as "actions currently underway".

CHAPTER TWO: SUPPLY

This section has been broken down further under the following sub themes:

- 1 Supply of New Social and Affordable Housing.**
- 2 Temporary Accommodation Issues.**
- 3 Allocations to Homeless Households.**

1 Supply of New Social and Affordable Housing.

The majority of councils mentioned the shortage of suitable housing for rent as being the major barrier in their ability to achieve the 2012 target. This is being compounded by house price inflation forcing more people to look to the rented sector to meet their housing needs.

However supply is about more than just crude numbers. Various factors affect the supply of new housing and if these aren't addressed then local housing needs will not be met. The major issues affecting the supply of and access to new affordable and social housing are reported as follows.

High house prices, low incomes & the impact of the tourist industry on house price inflation.

Increasing house prices throughout Scotland over the last few years have contributed to increasing demand on the social and private sector rented markets. Previously those on lower incomes who would have been able to buy have been forced out of this market as prices have risen. In remote/rural areas these rises can have a magnifying effect due to sparse supply. In addition those working in rural localities tend to have lower than average household incomes making it even more difficult to afford to buy. In some rural locations house price inflation is higher than that of the national level due to the purchase of property as second homes or holiday lets.

In other areas there are concerns that house prices are now so high that even government shared equity schemes, may not be as effective as intended.

With the introduction of new shared equity schemes some rural/island councils feared that these would replace existing successful schemes, such as Rural Home Ownership Grants and Gro-Grants which had proved to be effective in these locations.

Available/Suitable Land.

A number of councils stated that they had very limited land available for housing held on their Housing Revenue Account (HRA) - or that land available was unsuitable because of contamination or other reasons (flooding etc).

This means that in those areas land for house building is generally only available from private owners at current market values.

In other cases while there is a significant proportion of land zoned for housing the majority may be privately owned, or in the hands of Trusts, with owners expressing a reluctance to sell or develop the land.

Impact of increasing land prices/speculative land banking by developers, appropriate location of available land for development.

Some councils have raised concerns over their difficulties in influencing developers to bring on sites for housing. There is also frustration at developers who, rather than building on a site, hold on to it for a number of years then sell it on for a profit as land prices have increased.

A number of councils noted that the increasing price of land was making it more difficult, particularly for RSLs, to successfully bid for land. In one council land prices had risen by 100% in the past 2 to 3 years.

There are concerns that funding for new developments provided by Communities Scotland no longer reflects increasing land prices. Where RSLs are successful in securing land, they may have to build to a higher density to make developments financially viable.

In some areas the high price of land coupled with the cost of development makes it increasingly difficult to build social housing as the rental income would not be sufficient to service the debt. Higher land costs also puts pressure on the developer's ability to meet the 'affordable' proportion of the project. In some cases the developer will transfer the element of proposed affordable housing from one site to another further down the development programme. In this respect one council stated that despite planning consent for a large number of affordable homes on private sites very few of these had actually been delivered as yet.

Government Agencies/Departments disposal of land.

It was suggested by a number of councils that it would be particularly beneficial if surplus land held by public agencies, such as the NHS, MOD, and by councils for housing themselves, e.g. Education Departments is made available first of all to councils or RSLs at below market prices. In certain areas this would make a huge difference to the supply of affordable housing if land were to be released at affordable prices.

One council has been successful in agreeing disposal of land from the Health Board at less than market rates. They have also been successful in acquiring surplus Ministry Of Defence (MOD) property at below market value. However, the condition of the housing varies with some properties requiring considerable expenditure to bring them up to the Scottish Housing Quality Standard (SHQS).

Higher construction costs in rural/island authorities/building capacity/too few developers.

In island councils in particular, construction costs are generally higher than that on the mainland. There are also issues with having limited numbers of local builders who can only complete a set number of properties per year depending on what other work they have. In cases where local builders are engaged in large projects e.g. schools, hospitals or wind farms it is almost impossible for them to take on other work such as house building. In these situations it is also particularly difficult to bring in workers from other areas as there is nowhere to house them during the course of the construction work.

The lack of developers is an issue particularly in rural areas. This can create a problem particularly if one or more of the key developers are resistant to the recommended 25% quota of affordable housing on sites.

Financial burdens on developers in achieving affordable housing targets/completions.

Homeless teams have commented that developers can be hampered in their ability to deliver the affordable housing element as a result of the financial burden placed upon them. This is not only in terms of the increasing cost of land, but also the cost of providing broader community services as part of the development, e.g. schools provision. If this burden was reduced in some way by providing alternative funding streams for the provision of community services it may be possible to increase the percentage of affordable housing delivered within developments.

Infrastructure issues particularly problematic in rural/island councils.

A number of councils, in particular rural & island councils, commented on the capacity issues Scottish Water is encountering in meeting the demands placed on water and sewerage systems by new developments. In some areas Scottish Water had apparently placed a moratorium for new housing developments because of a lack of capacity leading to delays in programmes being started.

Planning constraints.

Planning constraints are regularly raised as an issue in progressing new build affordable & social housing. Some councils have extensive green belt areas within their locality and developers find it difficult to get planning consent to develop on these sites. Councils are looking for greater flexibility in how to tackle these and other planning issues, requiring a review or relaxation of current planning regulations. One council mentioned that despite the need for more houses the limit of land zoned for house building had already been exceeded.

Negative local attitudes in relation to affordable/social housing.

Councils have commented that when proposing the development of a new site for affordable housing they can face considerable objections from members of the public.

These relate for example to possible increased traffic in the area and NIMBY concerns about the potential lifestyles of the occupants of the new development, particularly in the “affordable” and social housing parts of the development.

This attitude is sometimes reflected by some private developers themselves who fear that affordable housing within a development will “lower the tone” and make it less attractive to potential buyers of the higher cost accommodation.

For councils which have traditionally low density housing, objections are often common if developers plan to build to a higher density in order to make the site financially viable.

Some councils also face community opposition to developing housing in certain areas because of concern with the possible environmental and social impact, and councils often come up against public opposition to development on green belt land.

Yearly loss through Right To Buy outstripping new build social housing developments.

Prior to recent announcements by the new Government on the Right To Buy (RTB), many councils commented that the completion of new build RSL housing for rent is not matching the numbers being lost by the council via RTB. If supply is to catch up with demand spurred further by increased rights to permanent accommodation, as per the homelessness legislation, this situation needs to be reversed. On a positive note two councils are planning to build housing for social rent with construction currently on site in one of these.

Effectiveness of Pressured Area Status (PAS).

A number of councils are still year on year losing significant amounts of their remaining stock, in some cases despite being granted Pressured Area Status. Councils generally felt that PAS had a limited impact in preserving rented stock.

The time consuming process of applying for PAS was questioned by a number of councils. Applications have to be made on a lettings area basis rather than on a council wide basis. This process is particularly time consuming for smaller councils who have less staff but may still have numerous lettings areas based on many small communities. Other councils didn't feel that the savings in house sales warranted the effort given that some tenants retain a protected right to buy. Others were concerned that if the council stated it would be applying for PAS this would create a rush of applications prior to PAS being granted.

Councils with identified net housing surplus.

For some councils, Bramley's modelling had identified that they had in fact a net surplus of housing. However in many instances the surplus was as a result of the need to carry out major regeneration or demolition or was in areas where applicants didn't want to live. In cases of regeneration there were concerns that new housing provision would be sufficient to meet increasing demand or long-term need.

What are councils looking for?

- **House prices:** Councils recognise that the Government can do little with regard to the increase in house prices. However councils would ask that shared equity schemes and the mortgage to rent scheme continue to be sufficiently funded to ensure that they take account of rising house prices and continue to assist as many people as possible.
- **Land/Development Issues:** Councils would like to see the Government encourage public bodies to dispose of any surplus land or housing to councils or RSLs at preferential rates. This will be of great assistance in particular to those councils who have limited land available themselves.
- Councils request the Government to take account of the increase in land prices when allocating development funding to RSLs. If finance does not take account of increased land prices RSLs will either be priced out of the market, will have to build to high densities or will have to charge significantly more than a social rent in order to service the debt incurred.
- Some councils are seeking a review in relation to the current situation where a trade off is often required between developers and themselves to provide the maximum number of affordable units at the potential expense of community facilities for which no alternative funding is currently available.
- **Rural/island issues:** Councils in rural or island areas require the recognition that they have unique problems in relation to the supply of housing and need to have specific options/solutions tailored to their needs. Account should be taken of higher construction costs, limited numbers of developers and building companies. Issues around second homes and the impact of the tourist industry also have to be considered, with locals being priced out of the property market.
- **Infrastructure Issues:** Issues with Scottish Water's difficulties in providing water and sewerage services need to be looked at. Councils want discussions with Scottish Water at a national level to look at ways to resolve their capacity issues which have been delaying developments. These capacity issues are regarded as particularly problematic by rural and island councils.
- **Planning Constraints:** Councils expect that the Housing Supply Task Force will examine the issues mentioned around the supply of land and will also look at planning constraints faced by councils and will take action to ensure more land is made available for housing.
- **Negative local attitudes to affordable/social housing:** Councils themselves need to find ways of working with the local community to avoid community objections to plans for the development of sites for housing.

- **Greater loss via right to buy than completions by RSLs & effectiveness of pressured area status:** Councils need RSLs to increase their housing completions to keep up with the numbers of houses councils are selling via right to buy. This will not be easy given the above issues already highlighted.
- Despite being reviewed in 2006 councils would like the pressured area status process to be re visited as the application process is still considered cumbersome and the effect of the status is limited given that some tenants still retain a protected right to buy.
- **Councils with net housing surplus:** Councils accredited with net surpluses argue that this surplus can be artificial. The surplus tends to be either housing that has been earmarked for demolition, regeneration, in poor condition or generally in areas of very low or no demand. In relation to demolition and regeneration councils would hope that the number of properties built would match that which was lost.

1. Supply of New Social and Affordable Housing

Actions currently underway

Since the Homelessness Support Project began, the Housing Supply Task Force has been established to examine all the barriers to the provision of housing in Scotland. The remit of the Task Force covers many of the issues which have been raised by councils relating to the lack of supply including planning and infrastructure issues. The Task Force is also considering the specific housing supply difficulties faced by rural and island councils. Accordingly, this report does not include suggested actions on supply as the relevant issues are already being taken forward by the Task Force. The Task Force, which includes representatives from COSLA, will continue to engage with councils, and RSLs, developers and other housing interests to ensure that their concerns relating to supply are taken account of in the Task Force process.

The Scottish Government continues to fund shared equity packages and the mortgage to rent scheme, but should ensure that these reflect increasing house prices. Rural and island councils are particularly keen that rural home ownership grants continue to be available as a shared equity option.

The Scottish Government should ensure (a) that their funding for new housing and RSL new build schemes continues to take account of supply issues affecting costs; and (b) that this funding is maintained at a level which will provide new housing and represent value for money.

Suggested Actions in recommended order of priority

1. The Scottish Government, along with COSLA, ALACHO, SFHA and RSLs should enter into discussions with other national bodies who may have surplus land or property with a view to negotiating preferential rates for its disposal. These organisations could be NHS, MOD and the Forestry Commission.

In addition councils should ensure that when disposing of any of their own land first priority is given to the consideration of new housing. This is a vital action if the general shortage of land for affordable housing in certain council areas is to be effectively addressed.

2. It is equally important in areas of acute shortage of housing that councils retain current stock levels. In this respect ALACHO, COSLA and the Scottish Government should enter into discussions with a view to further restrictions in the right to buy than that proposed in Firm Foundations. In addition although revised in 2006, the application of the pressured area status should be further assessed in terms of its impact.

3. The Scottish Government should ensure that Scottish Water's investment programme is sufficiently funded and prioritised to take account of all anticipated strategic infrastructure development to ensure the provision of new housing is not delayed.

2 Temporary Accommodation Issues

Since 2001 councils have significantly increased the provision and quality of temporary accommodation offered to homeless clients. This increase has in some cases resulted in a reduction in use of bed and breakfast accommodation. However there are a number of issues with regard to the provision of temporary accommodation as follows.

Length of stay in temporary accommodation as a result of low turnover generally and specifically within particular communities.

Rural, semi-rural and island councils in particular are experiencing increasing lengths of stay in temporary accommodation because of very low turnover in smaller villages and communities. One council highlighted that because of the lack of available permanent accommodation clients could spend up to 3 years in temporary accommodation.

Numbers of social housing have fallen in these communities and this has had a severe impact on councils ability to house people close to family networks. This difficulty also occurs in certain parts of other more urban councils where stock numbers are low. However the consequences for clients in urban areas are not as acute, as transport links are better and distances between communities are less making it possible to house a client in a neighbouring community and enable them to retain family links.

There were also instances where a low percentage of council and RSL allocations to homeless clients created increased lengths of stay in temporary accommodation.

Length of stay in temporary accommodation as a result of the mismatch in sizes of current stock with what is required by those on homeless lists.

The length of time spent in temporary accommodation is also increasing as a result of the mismatch in the size of accommodation which is required compared to that which is available. This mismatch reflects both ends of the scale. In some areas there is particular pressure on smaller properties, with length of time spent in temporary accommodation for a 2 apartment property in one council being 3 years while in others there is a lack of larger and adapted properties for bigger households and those with disabilities.

Impact on temporary accommodation as a result of the Suspension of Local Connection & methods employed to meet the 2009 target.

A number of homelessness teams stated that they would have preferred that a national decision had been made with all councils implementing the same changes to priority need categories to allow equality of assessment. This view was countered by others who felt that the current arrangement allowed councils the flexibility to take local circumstances into account.

There are concerns that councils will vary widely in how they extend priority need. This will result in inconsistencies across the country giving rise to the fear that homeless people will seek out those councils which are more attractive than others, particularly if local connection is suspended. There is general support for inter-council meetings to discuss this issue.

One council expressed the view that the suspension of local connection coupled with the 2009 target would not really make a difference as they are experiencing a significant influx of migrant workers at present which could in the future result in increased homeless applications.

Some expressed the view that the suspension of local connection will not have a significant impact on numbers presenting from outwith their area as they believe applicants generally want to be housed in the area that they are from and where their family and social networks are.

Others are also more relaxed in relation to the suspension from the view that there has always been a natural drift as people migrate to find employment or services and that as long as exporting councils assist with the long term resettlement of their clients they will be able to cope with this. They also believe that tenancies are more likely to be sustained if clients present in the places where they really want to live.

A particular council has the concern that as it has borders with 6 other councils people from adjoining areas will be attracted by the range of services it has to offer. These include services not mirrored in the neighbouring councils such as those addressing addiction and mental health. Should this happen the capacity of these services will be unreasonably stretched to the possible detriment of existing users.

There are strong concerns from some that the suspension of local connection on its own could have a significant impact. These councils are already experiencing in-migration as they are perceived to be attractive places to live because of their natural beauty. There are fears that the suspension of local connection could exacerbate this. These are smaller more pressured councils where even small increases in numbers can have a significant impact on the council's ability to accommodate all applicants housing and wider social needs eg education, health services etc.

There are concerns in relation to the suspension of local connection in circumstances where the council has a major hospital or prison serving a number of council areas within its boundary. In such cases they fear they would then become the council of choice for homeless presentations as this would be easier than using the referral process currently in place for other local councils.

There is also the possible issue of applicants making multiple homeless applications to different councils. How would councils know a client had made multiple applications and who would be principally responsible for assessing the application?

Councils were also seeking greater clarity as to how the local connection provision could be re-introduced, questioning what the process and timescale would be and what percentage increase (or other measurement) of applications would have to be evident when applying for re-introduction.

Approaching 2009.

During the visits a number of councils gave an indication as to how they would move to meet the 2009 target. Some suggested that they would extend definitions of vulnerability, although not all had come to a firm decision on how to do this. The most common approaches were around changing the upper and lower age ranges; access to children; medical factors; addiction issues; including looked after children; separating spouse, discharge from institution, and those linked in with Criminal Justice or Social Work.

Some suggested they would be more flexible in the interpretation of vulnerability allowing greater discretion by case officers.

Many had not come to a definite view at the time of the visit, with one council seeing little scope for increasing priority need as they are already extremely flexible. Others stated that because of circumstances particular to them they would not meet the target or it would be very difficult to achieve.

One council intended to pilot a total abolition of priority need in spring/summer 2007; however they felt that the suspension of local connection should be delayed to nearer 2012.

Two councils made the comment that the 2009 target is artificial and doesn't reflect actual needs of vulnerable people and as a result may in some circumstances make it more difficult to discharge duty to all current applicants including the more vulnerable.

Meeting the 2009 target coupled with the suspension of local connection will require additional units of temporary accommodation to cope with potential increases in presentations. In addition, if there is an increase in presentations, without an increase of permanent lets households will inevitably spend longer periods in temporary accommodation.

Ability to provide temporary accommodation up to 2012.

Councils noted that to meet the 2012 target the length of time spent in temporary accommodation would have to increase if other factors remain unchanged. One council forecast that length of time spent in temporary accommodation would have to increase by a factor of 6. As the length of time spent in temporary accommodation increases additional units of accommodation are required to meet the needs of those presenting. Most councils stated that the supply of temporary accommodation would have to increase significantly, with some indicating supply of temporary accommodation would have to double and in one case quadruple in order to meet 2012.

For some councils this increase in length of time and provision of temporary accommodation would be unsustainable in the longer term unless overall supply is increased.

Other councils stated that despite increasing their numbers of furnished temporary accommodation they still don't have enough to meet current demand and are increasingly having to use B&B accommodation. Some councils have had to revert to using B&B where they had previously managed to stop its use.

Temporary Accommodation provision by RSLs.

There were a number of comments that RSLs should be encouraged to provide greater numbers of temporary accommodation. Others however expressed the view that increasing RSL temporary accommodation would only reduce the availability of RSL stock for permanent housing. In general the provision of temporary accommodation by RSLs across Scotland was variable.

Provision of Temporary Accommodation in appropriate locations.

Councils expressed concern about their ability to provide temporary accommodation in appropriate locations close to a client's family and social networks as recommended by the Code of Guidance. This issue is particularly problematic within small/remote communities because of the lack of available housing and in locations where the majority of the councils own stock has been sold with limited PRS or RSL accommodation available.

Impact of tourist industry on rural/island councils ability to source private sector temporary leased accommodation and B&B accommodation.

Rural and island councils have far greater difficulties in securing leased accommodation from the private sector because of the pressure on supply caused by the tourist industry. As landlords have their own secure market there is little interest in working with the council. In addition rents in this sector tend to be high, in excess of £500 per week making it unaffordable to those on lower incomes. In some cases however lets can be available during the 6 month “winter period” or at best case for up to 1 year. This in turn creates a greater reliance on B&B accommodation because there are no alternatives.

Again because of the impact of the tourist industry in rural/island and some city councils it can also be difficult to source good quality B&B accommodation. B&B providers would rather accommodate tourists than homeless people. In the summer months it becomes almost impossible to source B&B within some council areas.

Difficulties in sourcing Temporary Accommodation/difficulties in complying with the Unsuitable Accommodation Order and effects of potential expansion of the order.

A number of councils have encountered difficulties in complying with the terms of the Unsuitable Accommodation Order as they are now at the stage that if homeless applications continue to rise temporary accommodation options other than B&B are limited.

These councils have expanded available units of temporary accommodation both by looking at the private sector and their own and RSL stock. However they are now at the stage whereby further use of their own or RSL stock would have a significant detrimental effect on the councils ability to permanently house applicants and the availability of Private Rented Sector stock is limited due to a number of factors. One council mentioned that it had to go back to using B&B in the last 18 months as a result of increased demand for temporary accommodation.

Councils have raised concerns about the difficulty in sourcing private rented accommodation as the accommodation is being taken up by migrant and incoming workers or tourism. In addition, in areas with a buoyant but small private rented sector, landlords are largely uninterested in working with councils to provide accommodation for homeless clients further forcing councils to rely on B&B.

It is therefore difficult in some cases to provide accommodation other than B&B. The resulting increasing use of B&B could lead to increased breaches of the order. In some cases the limited availability of B&B within their own area forces councils to place clients in B&B out of area. This will result in a breach if the order is extended to cover out of area placements for all applicants. Smaller councils also indicated that by the nature of their geographic size temporary accommodation options within their own boundaries are limited and they have no choice but to rely on out of area placements.

The point was also made that in some cases out of area placements might be in the better interest of the client. This can be because the standard of accommodation is better or that the accommodation is actually closer to family supports. In some cases transport links are better than that which would have been available from within the council's boundaries.

Concerns were raised by one council in particular on the use of B&B's in its area by other councils. It was stressed that before a placement is made the appropriate risk assessments need to be carried out and the council should be contacted prior to other councils placing clients in B&B accommodation in its area. The council stated that protocols had been agreed for this process but was disappointed that these were not always followed.

In respect of the proposed expansion of the order for shared accommodation for formerly looked after children and the removal of the exception for Women's Aid properties, it was argued that some models of good quality and well managed shared accommodation can be beneficial for these groups as the client can gain support and encouragement from their peers.

In relation to Women's Aid accommodation, a number of councils stated that properties used for this provision currently did not meet the standard. If the current exception is to be removed many councils may require additional time and will have to allocate considerable future funding for the replacement or adaptation of existing accommodation.

Private Sector Leasing Scheme Issues.

As a result of the overall pressure on councils to provide temporary accommodation a number have either started or are considering providing a private sector leasing scheme. However there is the need for further clarity on how such schemes operate and are financed.

One concern is the possible inflationary effect this could have on the PRS market making the market less affordable for all.

There is also the issue of the affordability of such schemes for both the client and the council. Rents and management charges tend to be high and those on low incomes may not be in a position to afford this, particularly in the event of finding, or sustaining, employment. In this respect it is important that rents are affordable and housing benefit caps are realistic to the local rents being charged.

Other questions relate to the financial operation of the scheme by councils. This is either via the Housing Revenue Account (HRA) or General Fund, and whether the schemes are operated in house or are contracted out.

With regard to private sector leasing schemes used to provide alternative accommodation to unsatisfactory Bed and Breakfasts, the argument is made that these schemes should be classed as social housing rather than general private rented accommodation, for the purpose of housing benefit caps.

General Private Rented Sector benefits barriers.

It has been recognised that greater use must be made of the private sector's role in providing temporary accommodation. However there are a number of additional barriers to achieving this. One is the impact of the Single Room Rate on those under the age of 25. This restriction is particularly harsh on single pregnant women for whom the restriction is only removed after the child is born. Councils stated that they thought that single room rate should not apply to this client group.

There are issues with the current level of housing benefit caps in some councils as current rental charges significantly outstrip the maximum benefit which can be paid. Councils are keen for PRS accommodation which is used as temporary accommodation to be affordable to both tenant and council which will allow councils to reduce dependency on bed and breakfast accommodation.

There are further concerns with the introduction of the new housing benefit regulations and the new local housing allowance due to be implemented in April 2008. The concerns are that the new flat rate for council areas will not reflect the difference in rents charged throughout a council area. This will in some cases make parts of council areas unaffordable to those on housing benefit.

There are also concerns that the practice of paying Housing Benefit direct to the tenant rather than the landlord could put more vulnerable clients at risk of eviction.

Negative attitudes of local community/elected member to new homeless temporary accommodation or projects.

In some areas councils find that there can be significant difficulties in providing temporary accommodation or supported accommodation projects within communities because of community/member hostility. In some cases this issue has not been helped by the practice in a few councils of concentrating temporary accommodation in certain locations, although this is not always done by choice but by where properties have become available.

One council in particular noted 300 objections to a Houses in Multiple Occupation application which would have provided 12 temporary accommodation places. Because of the objections the project did not go ahead. These objections occur as too often there is a readiness by communities to associate all homeless people as troublesome or threatening and having drug or alcohol issues.

Perceived inflexibilities in the Code of Guidance regarding length of time spent in Temporary Accommodation.

There are calls for greater flexibility in the Code of Guidance regarding the length of time households may have to stay in temporary accommodation and that this be reflected by Communities Scotland inspectors demonstrating greater appreciation of local circumstances. Councils made the point that in some cases longer periods could be better for some clients – such as those with more complex needs. This allows the client time to settle and for support to be provided.

It is also important that clients are only moved on to permanent tenancies at the point where support staff believe they are ready to make that move and not as a result of trying to meet a target timescale.

Comments were also made that too often housing services are driven by the regulation agenda, rather than the needs of service users. Currently there are tensions between certain management and policy targets which cause conflict across different services e.g. anti-social behaviour orders/exclusion orders & homelessness prevention agenda. There is a need to ensure that the priorities match up and the mutual interests of all service users are appropriately addressed.

Where supply is static increases of Temporary Accommodation can only be at the expense of available lets.

A number of councils were in the position of having to use B&B because of an insufficient supply of temporary accommodation. These councils had explored all other options but the only alternative would be to use their own or RSL stock as temporary accommodation. Councils were reluctant to do this as it would mean a reduction in the availability of stock for permanent accommodation. This has obvious implications in their duty to secure permanent accommodation for those assessed as homeless.

Pressure on resources as a result of B&B use, provision of furnished accommodation and staffing & other funding concerns.

A number of councils have raised concerns in respect of the pressure their general fund is under because of the cost of B&B provision. The majority of councils raised the cost of B&B provision as an issue with annual costs ranging from under £62,000 to over £2 million per year. A few councils did however note that as a result of sourcing additional alternative accommodation they had been able to reduce spend on B&B or restrict its use to crisis situations only.

Resources to increase the provision of temporary accommodation are stretched with costs currently drawing heavily on the General Fund, Housing Revenue Account (HRA) and Homelessness Task Force (HTF) funding. Furnishing costs can be high with some councils receiving only small amounts from the furnished tenancies grant. Support and management costs have also to be taken into account in the provision of temporary accommodation and as a result many councils are finding it increasingly difficult to provide furnished temporary accommodation at a reasonable cost to tenants both in work, on low incomes or on benefit.

Councils also mentioned the increase in costs as more staff have to be employed in an effort to meet additional duties as the legislation is rolled out. As councils move to 2012 greater numbers of temporary accommodation will be required. Clients will stay longer which will further increase pressure on accommodation budgets. As the provision of temporary accommodation is increased additional staff will be needed to manage properties and provide housing support.

For those councils who no longer have an HRA the funding of temporary accommodation is particularly difficult.

As they have no ring fenced income generation account to offset furnishing costs, all costs for B&B and furnishing temporary accommodation have to be met from the general fund. There is a squeeze on funding which will only become more acute as the legislation is implemented.

A number of Homelessness Teams expressed concern regarding future funding arrangements for homelessness services, particularly if ring fencing was to be removed. There is concern that funding for homelessness services may lose out to other demands on such as community care, services for the elderly etc.

Department of Work and Pensions/Benefits Issues when moving from Temporary to Permanent Accommodation.

A number of councils had raised concerns over the length of time DWP were taking to process Community Care Grant applications. In some cases this was taking up to 8 weeks. Other councils reported that the majority of applications were initially refused then granted if an appeal was submitted. There are also inconsistencies in the evidence required to support the application with some areas requiring more robust evidence e.g. proof of support package in place to evidence that the client had support needs and, in other cases, the tenancy agreement had to be signed before applications were accepted. These requirements and the length of time to process claims impacts on the client's ability to move from temporary to permanent accommodation within as short a time as possible.

Most councils also reported difficulties in obtaining discretionary housing benefit overlaps. Councils benefit teams are only awarding these in particular circumstances and generally not for homeless clients. These overlaps are beneficial to clients who can't move from temporary furnished accommodation to an unfurnished permanent property quickly simply because they have no furniture. In these circumstances benefit is often only paid on one property and as the client is unable to move in incurs rental charges for both their temporary and permanent accommodation. The client is then in arrears in their new property before they have even moved in. Some councils commented on their limited ability to get overlaps as the discretionary housing benefit budget was small.

What are Councils looking for?

- **Code of Guidance strictures in relation to location and time spent in temporary accommodation.** Councils would like the Code of Guidance to reflect a greater appreciation of local circumstances which may restrict their abilities to site temporary accommodation in certain areas. Also a lack of stock combined with low turnover of vacancies can result in households staying longer in temporary accommodation. It can also be the case that, for some categories of homeless people – requiring greater preparation for independent living – longer periods in temporary accommodation can be beneficial. If the Code was more flexible, Regulation and Inspection would have more discretion in judging councils performance in this area of provision. At the moment many councils feel that in interpreting the Code as it stands currently, inspectors do not reflect an appreciation of the practical difficulties councils can face in moving people on from temporary accommodation.

- **2009 Priority Need target/suspension of Local Connection.** While some Councils stated that discussion and consideration should be given to the possibility of replacing the percentage targets with a national agreement for the extension of priority need, others were more in favour of coming together where possible on a regional basis to agree common extensions to priority need which would allow each to meet their 2009 target. The ability to achieve agreement will depend on differences in percentage distance to travel between councils. If this difference is significant then this may not be possible.
- Recognition that some councils will be more attractive to present to than others given the services which they provide or the nature of the council itself. In this respect councils want clear guidance on the process of applying for local connection to be reinstated and that all circumstances should be looked at, not just housing provision e.g. impact on health or education services.
- Councils are also looking for clear guidance on the approach to be taken when addressing issues of multiple applications to different councils. There is also the question of how councils will know if an applicant has made multiple applications.
- Recognition by Government and Regulation and Inspection that if other factors such as supply and prevention remain unchanged additional units of temporary accommodation will have to be found to meet the 2009 and 2012 targets. In some circumstances the only options available will be increased B&B usage with its associated higher costs.
- **Temporary Accommodation provision in rural/remote areas and role of RSLs.** Councils are looking for recognition of the difficulties faced in attempting to source temporary accommodation in areas where tourism has a significant impact. Local councils can't compete with the tourist industry in securing private rented accommodation and in some cases B&B. Councils in these situations would wish that the Government look at this issue in conjunction with them and attempt to try to find a solution or alternative options.
- Good practice guidance in engaging with private sector landlords. How to encourage private landlords particularly in pressured areas to assist councils with the provision of housing for use as temporary accommodation.
- Discussions with SFHA and RSLs on the varied provision of RSL tenancies as temporary accommodation. Councils want greater assistance where possible from RSLs in providing accommodation for temporary use.
- **Unsuitable Accommodation Order.** Councils wish to continue to be allowed the flexibility to place clients in B&B accommodation outside the councils area. The determining factor will generally be ensuring that this is in the best interest of the client. Councils will require additional time and will have to earmark future funding for the re- furnishment or reprovisioning of Women's Aid Hostels if the current exception for this type of accommodation is to be removed.

- **Private Leasing Schemes.** Councils would like to have legal clarification on whether it is permissible to operate these schemes from within the HRA. If it is not permissible councils would wish to ensure that they have discussions with the DWP on housing benefit regulations for the provision of temporary accommodation. Discussions around levels of housing benefit caps and the level of the cap for their area would also be welcome.
- **PRS Barriers.** Councils are looking for discussion/lobbying of DWP to ease single Room rate restrictions particularly for single pregnant women under the age of 25.
- Councils homeless teams need to ensure that housing benefit teams are using discretionary housing payments in the most effective way as possible to prevent homelessness and assist clients to settle into permanent accommodation. Councils need their benefit teams to be more receptive in relation to applications for housing benefit overlaps. In councils where the discretionary housing benefit budget is tight the option to lobby for an increase in the budget needs to be looked into.
- Discussion required on the introduction of the Local Housing Allowance and the possibility of paying the allowance to the landlord rather than the tenant in some circumstances.
- **Community opposition to Temporary Accommodation projects.** A number of Homelessness Teams would welcome greater support, particularly from councillors, MSPs and MPs, when consulting with the local community on the development of new temporary accommodation projects. The need for additional temporary accommodation is great and councils need to be in a position to provide this in the most appropriate locations. Local communities sometimes need to be persuaded that homeless people are not by definition addicts or trouble makers.
- **Pressure on council budgets.** As councils move towards the 2012 target greater resources will have to be spent on assisting homeless people in providing accommodation and support. Councils would wish that the increase in resources required should be taken into account when future spending review decisions are taken.
- In anticipation that budgets will no longer be ring fenced homelessness teams expressed concerns regarding the implications for this in securing longer term funding for homeless services.

2. Temporary Accommodation Issues

Actions currently underway

The Scottish Government should come to a decision on the extensions to the unsuitable accommodation order and inform councils accordingly.

In coming to its decision, the Government should take account of (a) the views expressed that the flexibility to place out of area should be retained on the basis of agreed arrangements being in place between the councils concerned to do so and (b) councils support for the removal of the exception for Women's Aid refugees. The Government's decision should include a realistic timescale to implement (b).

The Scottish Government will publish the good practice guidance on temporary accommodation which is currently being prepared. The guidance should include practice examples of working with private landlords and information on how to effectively engage with the private sector.

The Scottish Government has initiated discussions with the UK Government regarding the current impact of reserved benefit issues on Scotland's social reform agenda, including bureaucratic barriers to affordable rented housing. ALACHO, COSLA and the Scottish Government should seek clarification from the Department of Work and Pensions on the housing benefit regulations in relation to private leasing schemes for the provision of temporary accommodation and the circumstances (if any) in which benefit thresholds and caps don't apply. Homelessness Monitoring Group (HMG) and COSLA should continue to feed into the on going DWP consultation on housing benefit for the private sector to ensure that future caps and thresholds and the local housing allowance allow this sector to be affordable to those on low incomes. In addition adequate safeguards are needed to ensure that those who are vulnerable are still able to have housing benefit paid directly to their landlord.

Suggested Actions in recommended order of priority

4. Given the pressure on councils own stock it is extremely important that ALACHO, COSLA and the Scottish Government should discuss with RSLs and the SFHA the varying provision of temporary accommodation throughout Scotland.

5. Problems of supply and access to temporary accommodation are particularly acute in rural and island communities. Therefore ALACHO, COSLA and the Scottish Government should look at ways to assist such councils to compete with the likes of the tourist industry in securing the provision of temporary accommodation from the private sector and bed and breakfast where necessary. This should include consideration of (a) the need for private landlord incentive schemes to attract landlords; and (b) whether a forum should be set up to allow discussion between the councils concerned. The purpose of the forum would be to share innovative approaches in sourcing both temporary and bed and breakfast accommodation and to produce a good practice guide in engaging with private landlords. CRISIS could assist with the good practice guide as they have experience in attracting landlords to rent deposit schemes.

6. Community resistance is another factor which many councils have to deal with. ALACHO and COSLA should continue to work with elected members to ensure that they see the homelessness agenda as a priority for their council. They should consider organising local or national events to get the message across, possibly involving SCSH as they have previously provided induction training for councillors. Some councils themselves may already have developed induction/awareness raising packs for elected members. The Scottish Government should disseminate the results of the Scottish Social Attitudes survey and ALACHO, COSLA and the Scottish Government should discuss how to take forward the awareness raising agenda with the general public.

7. The Scottish Government should adjust the Code of Guidance on Homelessness to make it clearer that in some cases longer stays in temporary accommodation can be in the best interests of some clients. Regulation & Inspection would then be able to take these factors into account during inspections.

8. With regard to the 2009 target and the increase in pressure on temporary accommodation as a result, COSLA should encourage and ALACHO should facilitate regional meetings for councils who may wish to explore common methods of extending priority need categories. As all councils have different distances to travel to meet their 2009 target those facing the greatest challenges need to know what their options are.

9. In order for councils to access and use temporary accommodation effectively ALACHO, SCSH and Shelter should separately lobby DWP for an ease in the Single Room Rate regulations particularly where it applies to single pregnant women under the age of 25.

10. It is for councils themselves to determine how best to use discretionary housing payments. ALACHO, Directors of Finance and COSLA should raise the awareness of the availability of discretionary housing payments as an additional resource to prevent homelessness and assist homeless clients when moving from temporary to permanent accommodation.

11. ALACHO should consider providing guidance and assistance if required to homeless teams to assist them in the bidding process to secure long term homelessness funding, from their councils allocation of funding from the spending review.

12. The Scottish Government should issue clear guidance on the handling of multiple applications to councils if local connection is suspended. The guidance should clarify which council will have the duty to make the assessment. The Scottish Government should also issue guidance to councils on the grounds for applying for reinstatement of local connection.

3. Allocations to Homeless Households

General:

The main issue around allocations is determining what level of lettings should go to homelessness applicants rather than other categories of need on the council list. There are concerns about interpreting “reasonable preference” as stated in the Housing (Scotland) Act 1987; maintaining “Balanced communities”; responding to community frustration regarding too many houses being perceived to go to homeless people at the expense of those equally, or “more deserving”, on the waiting list; political sensitivity and the need to challenge negative attitudes towards homeless people in general.

There is also the expectation that other social landlords take their share of homeless households and whether this is best achieved through established nominations systems or by the use of Section 5 Protocols. In the current context of the shortage

of suitable rented accommodation greater use should be made of the private rented sector in meeting the needs of homeless people.

Issues:

- Proportion of lets to homeless applicants.
- Maintaining “balanced Communities”.
- Complying with Code of Guidance requirements.
- Addressing negative attitudes to homeless people.
- The role of other housing providers.
- Stock Transfer implications.

Lets to Homeless People.

Over the period of visits councils were allocating from 18 – 80% (average 32%) of their vacancies to homeless people. A number believe that in order to achieve the 2012 target they will eventually be giving upwards of 80% or more of their stock to homeless applicants at the expense of others on their waiting lists. A few expressed the view that the legislation gave homeless people an (unfair) advantage over other applicants in that the former were able to realise their housing aspirations, rather than just their needs, by sitting tight in temporary accommodation until they were offered the housing they wanted in the areas of their choice.

While councils were aware of the guidance on “reasonable preference”, the pressure is generally to give more lets to homeless, not only as a consequence of the legislation but by the need to free up temporary accommodation for the increasing numbers of homeless applicants approaching for assistance. Generally it was felt across the country that as more houses are seen to go to homeless people, more people will be tempted to use the homelessness route adding further to the pressure on both temporary and permanent lettings, as well as assessment and support services.

Balanced Communities.

Social landlords, through guidance or by inspection regimes, are exhorted to use their allocation policies to create or maintain “balanced communities”. There is a fair degree of scepticism around this concept and it is open to a variety of interpretations, but the majority of providers feel that giving more and more housing to a single category of applicant is not the best way to achieve this objective.

The biggest increase in homeless applications is from single people, whose general behaviour and life style can vary considerably from other households and might, where concentrated in larger numbers, give rise to tensions and conflict with neighbours. A growing proportion of homeless people in this group are also reported to have other issues such as drug and alcohol or mental health problems which need to be taken into consideration on how allocations are made. This does not necessarily imply that homeless people are any more problematic than any other group within the community.

Negative Attitudes.

As reported earlier and despite the lack of substantive evidence, there is generally a negative attitude towards homeless people by the wider population. This can also be represented amongst staff in housing agencies and at the political level of councillors, Housing Association Boards, MPs and MSPs. Councillors in particular can be pressured by constituents frustrated at long waiting times for housing and the perception of queue – jumping by people considered “less deserving”.

Many homelessness teams remarked on the unwillingness of some councillors to drive forward the homelessness agenda. This might accompany a tendency to understate the local factors contributing to homelessness and present the problem in terms of outsiders adding pressure on housing waiting lists. In rural or island councils the extent of homelessness can be less visible and where it does manifest itself be more associated with more personal rather than structural causes. This demonstrated, in certain areas, a lack of understanding or resistance to accept the local dimensions of homelessness and therefore the need to take responsibility for dealing with the issue. In at least two stock transfer areas, a number of councillors had assumed that the responsibility for homelessness now lay with the new landlord and was no longer a council concern, resulting in the service being denied the level of resources required to provide an adequate response.

Code of Guidance.

Turnover of properties in all areas is low relative to the demand for housing. The housing which becomes available more regularly tends to be in less popular areas where many people don't want to live. In many localities there are high incidences of refusals, particularly on first offers, and the majority of appeals relate to rejected offers of accommodation. In many cases it can be difficult to comply with Code of Guidance recommendations to house homeless people close to family or social networks if turnover in these areas is low. The alternative is longer periods in temporary accommodation or B&B, blocking spaces for new applicants and prolonging the period people are homeless and in the system as live cases.

In many councils, more particularly rural and island there are areas which have no council housing at all, making it all the more difficult to meet people's needs. If compelled by circumstances to accept housing in areas they don't want then the chances of repeat homelessness occurring are all the greater.

A number of councils still do not grant homeless people the level of choice available to mainstream applicants in terms of the number of offers of accommodation. Their justification for this is the degree of pressure to get people through the system and minimise time in temporary accommodation or B&Bs. This can be counter-productive where people choose to appeal or if further homelessness arises. Councils may be criticised for this if inspected, but they will also be criticised if households spend extended periods in temporary accommodation or the time to close cases is too long.

In areas which operate Choice Based Lettings, homeless applicants are expected to be “realistic” with regard to their bids for housing by concentrating on areas where the levels of competing bids will be lower. In most choice based systems homeless

people are likely to be awarded the highest priority along with that of top medical cases. It is important that where Choice Based systems are in place the necessary guidance and support is provided to assist people make the best use of their bids to secure the housing that most closely meets their needs.

Role of other providers.

In a context of short supply and high demand the more providers of affordable rented housing the better. Councils are not expected to meet the needs of their homeless populations on their own and are required within their homelessness strategies to demonstrate effective and genuine partnerships with other agencies in meeting both the support and accommodation needs of homeless households. The other key players are RSLs and, increasingly, the private rented sector.

Registered Social Landlords (RSLs): RSLs are publicly subsidised social landlords and it is appropriate that they share with councils the responsibility to address homelessness. On the other hand they are independent organisations run by their own management boards with a great deal of discretion in determining their own policies and objectives, albeit within a national framework of regulation subject to inspection by Communities Scotland.

Where stock transfer has occurred RSLs will be the only providers of social housing and in certain areas where only one RSL operates it constitutes the single provider of such housing. In the stock transfer context, councils retain the strategic responsibility for addressing homelessness and in most cases also provide the homelessness service in terms of assessing need, co-ordinating support and access to other related services, but are totally dependent on RSLs to provide the housing, including sufficient temporary accommodation. In terms of allocations, Section 5 of The Housing (Scotland) Act 2001, provides the principal legal mechanism by which councils can request that RSLs provide secure tenancies to unintentionally homeless households, in priority need, the grounds for non compliance being legally defined.

There is a general feeling amongst councils throughout Scotland that RSLs need to be more involved in tackling homelessness, not only in allocating more houses and providing more temporary or supported accommodation but also developing a more strategic/preventative approach to housing management and tenancy sustainment as well as a wider role in housing advice. Even where there are good joint working relations, councils are of the opinion that RSLs should be inspected more robustly on their contribution to tackling homelessness and should have an explicit legislative responsibility for doing so.

Section 5 referrals are used inconsistently across councils and, excluding stock transfer councils, nowhere are they used exclusively when it comes to accessing accommodation for homeless households. Nominations continue to be used in conjunction with section 5 referrals as the means for securing RSL lets to homeless people, with variable results.

In many situations where Section 5s are used they are preceded by informal discussions to test out whether the Association is likely to accept the referral. Most protocols use the “void led” rather than the “person led” model.

This is often regarded as the most practical approach on the basis that there is little point making a referral for which no accommodation is likely to become available in the 6 weeks time stipulated in the guidance published on good reason for non-compliance.

Many councils feel they have little control over the process, with limited opportunity to effectively monitor the RSLs responses to referrals in terms of what properties are actually available at the time referrals are made. There are administrative issues as well, particularly around whether the council makes multiple referrals of the same individual households to all the RSLs at the same time or one by one.

In general terms there seems to be a reluctance to use Section 5 as the sole mechanism for referring homeless applicants to Associations. This is partly explained by it being seen as a bit heavy handed, carrying as it does an element of compulsion backed up by formal arbitration. For their part, RSLs are commonly perceived by councils to regard it as something which threatens their autonomy to decide who they house in their own accommodation.

As the pressure increases to house greater proportions of homeless applicants, more RSLs are expressing their unease at the numbers that are coming their way in terms of the impact on maintaining balanced communities and the likelihood of evoking a negative response from existing tenants. Boards of management can exhibit the same degree of misunderstanding of homelessness and negative attitudes towards homeless people as can be found in the wider community.

Private Rented Sector: In many areas of the country councils are looking to establish closer ties with the private rented sector. In general there is greater knowledge of the sector as a result of registration or through efforts to find temporary accommodation for homeless families. Many councils have rent deposit guarantee schemes which have facilitated greater contact and awareness and in many areas the private sector is demonstrating an increasing willingness to work with councils in meeting the needs of homeless people.

A few councils have established Private Landlord Forums and voluntary landlord accreditation schemes or even have dedicated teams to provide assistance and advice to landlords in tenancy matters and legislation.

Following on from Edinburgh's apparent success and despite uncertainties about how these should be funded, there is a growing interest in investigating Private Leasing Schemes mainly in regard to temporary accommodation. Households can stay in such schemes for considerable periods of time begging the question of what constitutes "permanent" accommodation. The restraints imposed by current Housing Benefit Regulations, along with higher rents, and expensive management fees, create employability and affordability issues which lock tenants into "poverty trap" situations for the duration of their stay.

Councils would like to see more flexibility generally to use the sector to discharge duty for certain groups of homeless people, those with less support needs or who are not necessarily looking for the security of social renting. Private renting has certain advantages over other sectors in terms of its location as well as the flexibility and choice it can offer.

What are councils are looking for?

- **Maintaining “Balanced Communities”.** There appears to be a degree of confusion around the term ‘balanced communities’ in terms of what it means. It comes up most in discussions about homeless people in relation to everyone else as if homeless people were a homogenous group whose needs are greatly different from anyone else’s or that certain characteristics apply to homeless people that don’t apply to anyone else. Homeless people have their share of other “issues”, but so do the wider non-homeless groups and there is no substantial evidence to indicate that homeless people are more likely to be problematic tenants than anyone else. If this is a term which is to be used as an expression of policy and practice there is a need for a more rigorous definition and application.
- **Reasonable Preference.** The allocation of social housing is predominantly about meeting housing “need”. It can be argued that people who are homeless are by definition those most in need so, should have highest priority in the allocations policy. In practice however the needs of other households cannot be ignored for fear of creating negative community reactions or more applicants feeling compelled to pursue the homelessness route for themselves. The pressure, because of the legislation or the need to free up temporary accommodation, is to increase lets to homeless people giving rise to the very consequences which councils are seeking to avoid. Councils are therefore seeking greater clarification on the term and how best to implement it.
- **Code of Guidance compliance.** Several councils expressed the view that more often than not it is difficult to find housing which meets all the needs of homeless people as contained within the Code of Guidance and some saw this as a requirement to meet the aspirations of homeless people rather than their needs. In this view homeless applicants were enjoying greater advantages, or being accorded more “rights”, than others on the waiting list. This is not to say they didn’t agree with the principles involved and the obvious advantages of being able to provide housing within people’s areas of choice, close to social networks, schools etc but that it was difficult to achieve in practice for all applicants. In the case of homelessness applicants, under what circumstances is it reasonable to argue discharge of duty when not all the criteria had been met but the council was doing the best it can in the given situation of supply and turnover? Inspectors were often seen to be inflexible in this area, appearing not to make allowances for the specifically local difficulties faced. The same was said of lobbying and advocacy agencies such as Shelter, who might encourage households to appeal and “hold out” for a better offer. The question was what degree of flexibility could be allowed for in achieving a balance between these competing pressures on the service?

Councils are seeking a review of the Code of Guidance as it relates to allocations to homeless households.

- **Role of other providers.** There is a very strong feeling that councils will not meet the 2012 target on their own, that more needs to be done by other housing providers to assist councils in their aims.
- **RSLs.** As the only other providers of social housing RSL's have a particularly important role but don't have the same legislative pressure as councils to meet the needs of homeless people. It was suggested that in some areas RSLs are able to resist housing increasing numbers of homeless people as a result of the perceived lack of accountability in the way they allocate their stock. In order to encourage more RSLs to take their responsibility for homelessness more seriously, inspection should concentrate more on how RSLs address homelessness, not only in terms of lettings and the provision of temporary accommodation, but in their endorsement of wider policy objectives such as prevention, resettlement and longer term solutions.

Section 5 needs to be reviewed in terms of how it is used and its effectiveness. In particular councils are looking for greater transparency from RSLs in relation to stock availability and turnover in order to make appropriate referrals rather than the current practice of referring without having any knowledge of whether a property will be available within a reasonable period. The stock transfer context also requires further scrutiny, the feeling being that in most cases the homelessness function was not given the consideration it needed prior to transfer and that it is difficult to remedy this after the event.

- **Private Rented Sector.** Councils are looking for more flexibility and guidance on establishing closer working relationships. Existing legislation needs to be reviewed to make the sector more accessible while finding ways to protect the interests of more vulnerable groups/people as private sector tenants. The affordability of private rented accommodation is of concern with rents charged in this sector increasing year on year. In order to make best use of this type of accommodation it needs to be affordable to those on low incomes and those on benefits. Councils want to ensure that housing benefit caps and thresholds are sufficient to keep pace with the increasing rents in the private sector to allow this sector to remain affordable for all. There are various models of working with the private sector, as in England and Ireland, which are worth more detailed consideration. There is a need to explore alternative approaches and for information to be disseminated more widely which can be coordinated by the Scottish Government or other appropriate agencies, e.g. CiH in Scotland, COSLA.
- **Negative attitudes towards homeless people.** Negative attitudes towards homeless people are widespread and exist at all levels within the community, including housing staff (RSLs and councils), councillors and RSL Boards. These views need to be challenged and demonstrated to be unjustified. It is likely to be the case that a higher proportion of people with problematic issues might be found within the homeless population but this does not translate into them being any more anti-social or troublesome than any other section of

society. This distorted picture stems from a stereotypical image of who the homeless are along with a general misunderstanding of what causes people to become homeless in the first place. It is further fuelled by the public's perception that homeless people get unfair, "undeserved" access to social housing. There is also the view in many areas that homelessness is an imported problem – particularly the case in many smaller or rural councils where local homelessness tends to be less visible.

There is a need to spread awareness about the real nature and causes of homelessness within communities as a whole but particularly community leaders and people in a position to better lead public opinion – Councillors, RSL Boards; tenants groups; community councils; local press and media. There is perhaps a case for specific research into the links between ex-homeless people and subsequent tenancy problems or for housing agencies to monitor this situation for themselves.

- **Bureaucratic barriers to allocations.** While it is understood Benefits Legislation and Regulations are reserved matters there is a serious need to examine the extent to which some of these contribute to homelessness or prevent effective steps to tackle homelessness in some cases. The Single Room Rent applied to young people up to 25 is a case in point. There also needs to be consistency in the way regulations are interpreted and applied – the use of Discretionary Housing Benefit; applications and criteria for Community Care Grants – across the country.

3. Allocations to Homeless Households

Actions currently underway

Firm Foundations sets out the Scottish Government's future housing policy including the role of RSLs and the Private Rented Sector in addressing housing need. The Scottish Government, together with COSLA and SFHA, should take the opportunity provided by Firm Foundations to review past and current practice of these sectors in meeting the needs of all households seeking safe and secure accommodation.

The Scottish Government will take councils' concerns around the operation of section 5 of the Housing (Scotland) Act 2001 into consideration in the review of section 5 recently initiated by the Scottish Government Homelessness Division, particularly regarding accountability and transparency of the process.

Suggested Actions in recommended order of priority

13. In the interests of clarity it is very important that the Scottish Government, SFHA and CiH (Scotland) lead a national debate or discussion on how the terms reasonable preference and balanced communities are interpreted and implemented strategically. This debate requires to consider the findings of recent Scottish Government commissioned research on allocations with particular regard to those terms. They cause particular confusion in that they lack precision and are difficult to implement in practice. Issues include how to balance the needs of different reasonable preference groups – A legal requirement which dates from 1966 and has

only been subject to limited amendment since; and the criteria by which balance in balanced communities can be defined.

It would be helpful to have a much clearer understanding of the objectives of public policy on allocations, including what particular terms mean – and whether they apply to all communities.

14. If 2012 is to be achieved SFHA must encourage RSLs to take a greater role in addressing the needs of homeless households in terms of their contribution to the prevention of homelessness; allocations of housing; provision of temporary accommodation; tenancy sustainment (e.g. Glasgow Housing Association's model); and the provision of housing advice and information. The regulator should continue to focus on these issues when inspecting RSLs.

15. Councils welcome the emphasis placed by the regulator on outcomes for homeless people & consultations should take place with key stakeholders on the nature, aims and objectives of the new regulatory service and the criteria which will apply when inspecting housing and homelessness services for both councils and RSLs.

16. In the longer term interest of successfully re settling homeless people into the community the Scottish Government and Local Government must be more pro-active and positive in promoting the homelessness agenda and lead in challenging negative attitudes and prejudice towards homeless people.

See Actions 9 & 10: points which apply to Temporary Accommodation are also relevant to allocations.

CHAPTER THREE: PREVENTION OF HOMELESSNESS

General

The importance of preventing homelessness is broadly acknowledged but opinion varies regarding the impact it will have in reducing the numbers of households seeking assistance. A substantial number of councils believe it will only have a marginal effect yet requires a considerable shift in focus and a re-alignment of resources. Others see it as central to tackling homelessness but it is a principle which must be adopted across all services and agencies dealing with homeless people not just homelessness teams.

All councils have preventative measures of some sort in place comprising mainly Housing Information and Advice or Housing Options Guidance; Rent Deposit Guarantee Schemes; Mediation Services and Housing Education Projects. A number have individual officers or small teams dedicated to preventing homelessness and actively working with strategic partners and stakeholders in spreading the message.

There is some cynicism that prevention is being promoted as a substitute for increasing housing supply but this is a minority view. Opinion in favour of a greater emphasis on prevention tended to be stronger in those councils where fundamental services responding to homelessness were better established and working reasonably well – the firefighting phase of the strategy was under control. At this stage there was perhaps more time to consider the bigger picture and adopt a wider strategic approach. This may also reflect the level of resources which the team had at its disposal and the amount having to be channelled towards responding to immediate crisis compared to broader strategic objectives. One council still concentrating on “crisis management” referred to prevention as a “worthy sideshow to the main event”, inferring that prevention is something they would get round to once the pressure on basic services had eased off.

Issues:

- How to define prevention.
- Limited impact on homeless presentations.
- Identifying what works.
- Monitoring & evaluation (and recording).
- Establishing a systematic approach.
- Corporate/partnership issues.
- Expertise.
- Changing the culture of service delivery.
- Negative responses.
- Capacity issues.
- Benefits & Grants.
- Section 11.
- Role of other sectors.

Defining Prevention

Prevention can be viewed from a number of different perspectives.

- Prevention of homelessness occurring in the first place for those who have never previously left home, or places of care.
- Prevention of people becoming homeless from secure tenancies who have never been homeless before.
- Prevention of repeat homelessness.

The first is to do with not having to leave home at that particular time because causes might be resolvable, or leaving in a planned way which allows for a smooth transition to independent living. Two and three are about ensuring the management and support systems are in place to respond to people's need for them and that people know where to go in the event of crisis.

Councils need to be clear what aspects of prevention they are tackling if they are to target resources effectively and accurately monitor the impact and outcomes of the measures they take. A number of councils are finding the concept difficult to "tie down" in operational terms.

Limited Impact

All councils acknowledged the principle that 'prevention is better than cure' but many thought its application in regard to homelessness would only have a limited impact on the numbers of cases presenting for assistance. This view was attributed to a number of factors. The lack of supply of rented housing combined with long waiting lists encouraged more people to apply as homeless giving rise to a generalised increase in applications likely to be greater than any reductions brought about by prevention.

Increases in homelessness applications are mainly from single people wishing to leave the parental home; as a result of friends or family no longer willing to accommodate them or the consequence of relationship breakdown between married or cohabiting couples. While mediation projects might have some influence in stemming the flow or slowing it down a little their main effect was to buy a bit more time or make the transition through homelessness a better managed process by preserving links with family or building alternative support mechanisms.

In this context homelessness is a factor relating to wider trends in society around people leaving home and higher levels of family/relationship breakdown. Homelessness as a result of domestic violence and abuse is also significant but presents limited options as far as prevention is concerned as either perpetrator or victim(s) will have to move out.

What Works?

It is interesting that as the visits to councils proceeded over time, views about prevention became more positive and its potential contribution acknowledged more widely.

Homelessness teams were keen to find out what other councils were doing and to identify what works. They were aware of recent research commissioned by the then Scottish Executive and were looking for guidance to be issued around its findings.

All councils were providing preventative services either directly or through partnership arrangements with the voluntary sector, the most common being Rent Deposit Schemes, Mediation Services and Housing Education Projects through local schools. Most had either developed or were in the process of developing housing advice or housing options guidance as a means of steering potentially homeless people around the homelessness system rather than through it.

Throughout the country as a whole there is a wide range of services, many very innovative in their structures, objectives and approach, targeted at prevention. Those councils which have already developed or are considering “second stage” strategies give a central focus on prevention, sometimes combining that with long-term or sustainable solutions, looking beyond a sole concern with simply responding to homelessness.

Monitoring Prevention.

Most of the councils expressed concerns around monitoring prevention services and how positive outcomes could be evidenced and recorded – how do you demonstrate that something didn’t happen as a result of a specific, or set of specific, interventions? There were also fears that certain prevention activities might be interpreted as “gatekeeping”, not only on the part of inspectors but also service users themselves.

Establishing a Systematic Approach.

Thinking preventatively calls for a very different approach than simply responding to a situation or set of circumstances and requires the development of a range of different skills on the part of assessment officers. More time needs to be spent with the client and to identify and investigate alternative options which mean cases take longer to close. There is likely to be a greater emphasis on case management, negotiations with other service/support providers, a higher dependence on other agencies to engage and play their part in arriving at solutions which meet the needs of the applicant.

Joint Working.

This gave rise to another widely expressed point that if prevention is to work other services and agencies need to buy-in to this approach and be available and accessible at the point of need. This is an aspect of the wider issues of effective corporate and partnership working. Many Homelessness teams felt that other services within their own councils were not taking enough of a strategic approach in addressing their own management issues.

These included:

- Housing Management services adhering to rigid or traditionally hard-line policies towards rent arrears or anti-social behaviour; lack of enhanced housing management support to potentially vulnerable households; lack of early intervention activity to prevent crisis.
- Social work services providing assistance only at the point of crisis rather than earlier when it might have been averted or in regard to young people leaving care or being looked after being directed down the homelessness route. The case of Looked after Children being routed through homelessness services has already been commented on earlier in this report.
- Criminal justice departments' lack of planning for the accommodation needs of prisoners on liberation.
- The tendency on the part of some services not to deliver on commitments made to provide support to clients once they have been accommodated. This task then falls to homelessness staff who may not have the particular skills or expertise in working with the client groups involved. This could ultimately result in subsequent failure to sustain the tenancy.
- NHS services where access is granted only at the point of crisis.
- RSLs in relation to their own housing management practices and wider landlord functions.

If prevention is to work then all the necessary services need to play their part. It is incumbent on senior officers and councillors to do all they can to encourage this approach.

Expertise.

Prevention calls for different skills from staff and requires specific training. Some councils have established dedicated officers or small teams which incur extra costs or resources, much of which can be recouped through savings if service users can be directed around temporary accommodation or B&B and costs associated with abandoned tenancies etc. can be avoided.

Changing the Culture of Service Delivery.

Prevention represents a substantial change in the culture of service delivery and makes extra demands on staff and the service itself which can take time to settle down and become customary practice. If occurring in isolation in some services it can cause tensions and misunderstandings with others if traditional expectations and assumptions no longer match up across departments etc. Working with users in a preventative approach is very different from working with them in a merely responsive manner and the relationship will be different – implying a more representative, even advocacy, role when trying to get other services to get involved.

Negative Responses.

In certain situations the preventative approach might be misinterpreted, or unwelcome, to the service user who may see it as an attempt to stop them getting what they want and to which they feel they have a “right” – their own council tenancy. This can result in a refusal to engage with other services.

Inspectors too, along with some advocacy groups, can interpret prevention methods as a means deployed by councils to avoid their legal obligations to applicants. In other words prevention can make life more complicated and challenging for staff, requiring extra support and back – up from management.

Prevention can also be more challenging in stock transfer situations where homelessness teams are completely dependent on another agency for access to accommodation, particularly in this case temporary or supported accommodation.

In terms of influencing housing management practices based on earlier intervention or greater tenancy support it is likely to be the case that leverage is greater within a single organisation than between different organisations. This was a view expressed by some homelessness teams in councils whose stock had been transferred. In others it was feared that as homelessness applications increase and the pressure is on to give more houses to homeless people, relationships with the transfer RSL which are presently cordial will be stretched, making negotiations more difficult in the future.

Capacity Issues.

In smaller or rural areas implementing prevention can be more challenging where the numbers of voluntary organisations can be limited or, as in some cases, barely existent. Voluntary agencies play a big role in providing the type of services which can assist in homelessness prevention, such as tenancy or specialist support; mediation and mentoring; independent housing advice or advocacy; rent deposit guarantee schemes; social networking; employability; legal advice/representation etc.

Homelessness teams themselves are likely to be smaller with less scope or resources to engage fully in prevention work while also providing the essential services of assessment and movement out of crisis.

Benefits & Grants.

There is also the need to address existing institutional and bureaucratic obstacles to prevention presented by the Housing Benefits system or regulations. Delays in payments could result in loss of tenancies particularly in the private rented sector. In cases where Housing Benefit overlap payments are not made, people will be moving into new tenancies where rent arrears will have already accrued.

The serious difficulties encountered by many applicants for community care grants coupled with the short periods in which people have to move into their new tenancies has already been referred to. These delays can give rise to considerable distress and have resulted in people abandoning their tenancies.

The “single room rent” for young people up to the age of 25 can also be a serious barrier to providing settled accommodation for this age group. Like other benefits it has its anomalies in that a single person under 25 with a new born baby is not subject to this rule but a single person who is pregnant is.

Section 11.

Section 11 of the Homelessness Etc. (Scotland) Act 2003 is generally seen as a useful prevention tool but there are issues around its interpretation, implementation and administration. It is regretted that there are no effective sanctions against landlords who do not comply with it and that the courts are not obliged to take it into consideration when deciding eviction proceedings.

Other Sectors.

It is increasingly felt that the role of the private sector in preventing homelessness can be further extended. It is already involved in many areas through rent deposit guarantees or private sector leasing schemes.

As already noted, contact between councils and private landlords is now much greater than it was and there are examples of very positive working relationships. This is not the case everywhere and occurs less in rural or island areas where the sector can be very small or virtually non-existent or in circumstances where private landlords have no particular need to look to councils to secure a market for their accommodation.

However it is felt that existing homelessness legislation places too many restrictions on the use of the sector, particularly in regard to discharge of duty and as a viable alternative option for people threatened with homelessness.

It is appreciated that there are issues around security of tenure, particularly the widespread use of short assured tenancies, as well as affordability, but even in the current legislative context there is no reason why the sector cannot be used for certain groups of homeless people who may not themselves be looking exclusively for secure tenancies in the social sector.

The biggest group of homeless applicants are single people aged 25 – 60, not all of whom are particularly vulnerable or require high levels of care. Younger single people are debarred the sector through the single room rent restriction but many amongst this group are highly mobile and not always vulnerable to the extent of not being capable of managing their lives for themselves.

Where required support can be provided to people in the private sector and the fact that it can be may provide some assurance to landlords who would not otherwise consider letting to certain groups of homeless or potentially homeless people.

Many councils are requesting more flexibility in this area or a review of the legislation regarding different rental regimes. Housing benefit regulations, particularly around Housing Benefit caps and local housing allowances should also be reviewed to provide councils with more scope to negotiate with private landlords at the local level.

What are councils looking for?

- **Guidance/advice on what works; dissemination/sharing of information.** Despite some expressions of doubt regarding the level of the impact it will have in reducing applications it is generally accepted that prevention has a central role in tackling homelessness. There are a wide range of projects and initiatives already in place and homelessness teams are keen to find out what is being done across the country which might assist them in their own areas. There are certain core activities that are generally widespread across a majority of councils, these being rent deposit guarantee schemes; housing options guidance and HomePoint accredited housing advice and information services; Housing/Homelessness Education Projects based largely on SCSH materials; and mediation services.
- Early intervention teams and tenancy support provision are areas of growth along with supported accommodation targeted at specific categories of homeless people. In many areas the role of the voluntary sector is strong in delivering these services under contract arrangements with the council.
- Discharge protocols are in place for people leaving hospitals but making them work effectively is another matter. Outreach work in prisons is also reasonably common but approaches vary across the country, with equally variable results. Dealing with young people previously looked after or leaving care is a particularly sensitive area, with many councils still channelling their young people through the homelessness route to access permanent housing. This raises serious questions around corporate parenting and whether such practice is in the best interests of this particularly vulnerable group.
- Any preventative activity must be based on the thorough understanding of the causes of homelessness in the specific area and must reflect the local context. Therefore it is not simply importing ideas from elsewhere and standing back to wait for the problem to go away – what works in one location might not work in another, for very good reasons. Initiatives may have to be adapted for local characteristics to be accounted for. There is a need for specific guidance around particular projects which takes into consideration that local circumstances and resources vary – what does it take to make prevention work in circumstances where options are more limited?
- **Guidance on how best to monitor and evaluate the impact of prevention measures.** It can be difficult to establish clear criteria by which to measure the impact of prevention work. In some cases the outcomes may not entirely match the original objectives but produce beneficial results in other ways.

Many councils commissioned mediation services with the aim of cutting the number of applications from young people leaving, or being thrown out of home, following a dispute with parents or guardians. While a degree of reduction in applications has occurred it was just as often the case that the young people left anyway although in a better planned way and maintaining links with their families and the support the latter could offer. By maintaining these links repeat homelessness would better be avoided in the event of a crisis or the young person finding it difficult to cope.

- In regard to Housing/Homelessness Education Projects delivered to school pupils, it is difficult to measure the extent to which this prevents young people leaving home in an unplanned way or enabled them to seek out advice prior to leaving. It is possible that by informing them of their rights under the legislation and the support services available, the programmes may encourage some young people to leave home, albeit better prepared and informed about what they could be getting themselves into.
- However, it tends to be harder to demonstrate the effectiveness of interventions designed to stop things happening rather than make things happen while being able to attribute the result to a specific cause or factor. Each initiative or project needs to find ways by which it can demonstrate it is achieving its objectives and these are written into the contract or Service Level Agreement with the agency or department providing the service. The results can then be passed on to funding bodies to show that strategic progress is being made.
- Getting this right is important for the commissioning process as well, so that the parties involved are clear and in agreement about what it is they are trying to achieve to avoid future disagreement.
- **Corporate and Partnership adoption of the preventative principle and practice.** It cannot just be the responsibility of homelessness services to apply the principles and practice of prevention. The causes of homelessness are multi-faceted and often very complex. A great deal more can be done to prevent many people getting to the point of homelessness in the first place. The role of other services and agencies is crucial. Reference has already been made to the many examples where Looked After Children (LAC) are being inappropriately routed through homelessness services despite the existence of a dedicated Pathways planning framework to address their specific accommodation needs.
- Traditionally public services tend to be narrowly responsive in approach. In too many cases assistance is only made available once a preventable crisis point has been reached. All too often people reach a crisis and are then accused of manipulating the situation selfishly for their own ends!

- Homelessness is rarely a situation which just happens without a chain of other events preceding it. There may be a minority who through their own unthinking or reckless actions contribute largely to their own homelessness – assistance has been offered and rejected; criminal or anti – social behaviour knowingly continued - but for the most part it arises from situations over which the principal has lost control and where opportunities for earlier interventions have been missed. This is particularly the case for people with Multiple & Complex Needs, for whom the principles of corporate and partnership working combined with a preventative approach are particularly important.
- **Clarify inspection processes relating to prevention.** Many councils expressed the concern that what they regard as prevention might be interpreted as “gate-keeping” by inspectors. Examples: mediation in attempts to convince young people to stay in family home; housing options guidance; alerting people to the homelessness process and potentially long stays in temporary accommodation.
- There is a need for clarification from the inspection regime on what constitutes “gate – keeping” and how that can be differentiated from genuine efforts to prevent or avoid homelessness or fully inform people to make them aware of what the homelessness system may imply. In addition it is essential that inspectors appreciate that prevention may take longer to resolve a case and involve more staff resources and the co-ordination of services.
- **How best to organise services to maximise prevention.** Some councils have invested more in prevention than others by recognising that the prevention role should not simply be an add – on to the assessment function of the homelessness officer. Everyone should be aware of the potential for prevention but it calls for a different approach and possibly more time. As a result it may be necessary for more dedicated staff with a different range of skills. This implies extra resources and staff training, some of the costs of which might be met by savings from prevention itself. It also implies a shift in focus away from more customary practices and staff need support in making this transition.

Prevention Of Homelessness

Actions currently underway.

The Scottish Government is in the process of implementing Section 11 with appropriate guidance.

The guidance by CRISIS on how best to establish and promote Rent Deposit Guarantee schemes and Mediation Services has been published. COSLA & ALACHO should work with CRISIS to disseminate the guidance and encourage councils and their partners to use it.

Suggested Actions in recommended order of priority

17. Given the vital role prevention will play in meeting the 2012 target ALACHO, Society of Local Authority Chief Executives (SOLACE), COSLA and CiH must encourage councils to develop a greater corporate approach to prevention through introduction of procedures such as prevention screening of all policies and practice.

18. Given the importance early intervention has in preventing homelessness it is essential that the Scottish Government, NHS Scotland and Community Health Partnerships ensure people are able to access services they need in order to avoid the types of crises which can result in more acute health and homelessness issues.

19. With regard to councils' corporate parenting role the Scottish Government, the Association of Directors of Social Work in Scotland (ADSWs) along with the Throughcare & Aftercare Forum should review practice regarding the current questionable use of homelessness services by Throughcare & Aftercare for resettlement of Looked After Children (LAC). The review should have particular regard to current emphasis on what makes for responsible corporate parenting and the 'We can and must do better' agenda within the Scottish Government.

20. SHBVN and CiH should develop guidance and training on prevention on the basis of the Hal Pawson research and the 'Prevention Tool-Kit' already developed for ODPM.

21. The Scottish Government and SHBVN should have regard to specific guidance on prevention in rural/island settings where options may be more limited than elsewhere.

22. The Scottish Government's Schools Directorate, Council Education Departments, SCSH and Learning Teaching Scotland should promote and co-ordinate schools based housing and homelessness education programmes.

23. The Scottish Government, SSN and SHBVN should actively promote the Scottish Social Networks Tool-Kit launched in November 2007.

CHAPTER FOUR: HOUSING AND WIDER FORMS OF HOUSING SUPPORT

General

Homelessness isn't just a housing problem nor just about housing supply – important as that is! For many people it is just about getting a house and getting on with their lives, perhaps with some transitional support or assistance in moving into a first time tenancy and settling into a new neighbourhood. These will not be households with high (or even medium) support needs but who are homeless only because certain options – such as ownership - are closed to them. They are more likely to be couples or couples with children and older single people, some of whom will be moving on from broken relationships/marriages. Good housing management practices or a degree of enhanced housing management services will be sufficient for their needs.

However a substantial number of homeless people, as already noted, do present with other issues which also have to be addressed and call for further resources and the involvement of a wide range of other services and agencies if these are to be resolved.

A number of authorities have noted an increase in applications from households who will require additional support. All councils are faced with a minority of applicants with multiple and complex needs who present particular challenges in terms of their behaviour and erratic lifestyles and for whom an independent secure tenancy may not be the most appropriate option at this stage in their lives. In these more severe cases, homelessness is just one of a range of symptoms of deeper rooted factors which will need to be addressed first if stability in their lives is to be re-established.

Rooflessness would obviously have to be addressed but following from that some type of emergency or supported accommodation, linked into whatever type of support or services required, might be the medium to longer term solution to the more immediate issues.

In between those with no, or low, support needs and those with high dependency are households with a range of housing support needs which may have to be provided with care delivered by more specialist services at home – elderly people; ex-institutionalised; younger/vulnerable age groups; disabled people; learning disabled; minor mental health needs.

Meeting both the housing/accommodation and support needs of homeless people, plus access to essential, specific services such as mental health or drug/alcohol rehabilitation programmes, requires high level corporate and partnership working across agencies and different sectors as well as a variety of strategic approaches including early intervention and prevention.

These can be difficult to co-ordinate and when working with the voluntary sector require commissioning procedures and the development of monitoring systems which allow progress to be measured and demonstrated.

Services and projects need to be planned for and, often, piloted in advance with funding from a variety of sources or streams applied for, often in competitive bids.

Staff need to be recruited and time spent getting the service promoted and established within the community.

Issues:

- Funding.
- Effective corporate and partnership working.
- Multiple and complex needs.
- Community hostility.
- Interim Accommodation guidance.
- Monitoring Outputs.

Funding.

There are widespread concerns concerning the level and security of funding, particularly Supporting People, for projects or services providing medium to long term housing support. Many councils have already experienced reductions in their Supporting People allocations from the Scottish Government and were having to consider cutting back their services.

It can be difficult for some homelessness services to secure what they regard as their proportionate share of Supporting People, which is often managed through social work and tends to be directed towards elderly or disabled tenants requiring this type of support rather than homeless people. As more people come through homelessness to be housed there is a concern that there will not be enough funding and other resources to go round to provide the level and range of housing support which ex-homeless people will need to sustain their tenancies.

There is also frustration with the current short-term nature of most funding streams. Many projects involve seeking funding from a number of sources which amount to quite complex packages, each bit of which has to be separately applied for and negotiated. More often than not councils will not know how successful they have been until very late into the process and then have to meet tight deadlines to get the project or service organised and up and running.

Staffing can be difficult as jobs cannot be guaranteed beyond three years, while continuation of funding will not be known until well into the third year by which time key staff, trained and developed by the project, may well have moved on.

A number of schemes had been set up as pilots which provided an important service and established a strong local client base but had to be abandoned when the money ran out, often leaving service-users high and dry.

Three years is not sufficient time to set up a service, get it established, known and running effectively. The first year alone is likely to be taken up by recruitment of staff, establishing procedures and promoting its service amongst potential users and referral agencies. Mediation services; rent deposit schemes; outreach projects take a while to “bed-in” and build the links they need with other service providers. It can be that the benefits which the service provides will not be clear or at their most obvious until well into its second or even third year of operations.

Corporate & Partnership Working

Addressing the broader needs of homeless people requires a well co-ordinated and effective framework of corporate and partnership working. Corporate refers to systems which promote efficient joint working across services within the council, while partnership refers to parallel arrangements between the council and external stakeholder and partnership agencies such as the Health and Voluntary sectors.

The effectiveness of corporate working is patchy and varies considerably across the country.

The term implies a structure which reflects shared priorities, objectives and outcomes with clarity about what resources each party will bring to the process to achieve these. Formal protocols and referral systems; agreed procedures; communication strategies; casework models and access to services all play a part in making joint working across services and agencies a success – and where these are in place the results tend to be better than where arrangements are more ad-hoc or informal.

Many homelessness teams expressed frustration about other services which attend strategy meetings and endorsed decisions etc but when actual demands were made they may not deliver all or part of what was required.

Particular examples arose relating to social work and health mainly around the issue of what was agreed at the strategic level didn't always translate into fact operationally. A couple of the main points of contention here are being able to access services at the point they are needed – particularly important for people with erratic lifestyles for whom it can be difficult to sustain contact with services or support – and failing to keep commitments to provide more specialist support once a client has been accommodated. As already mentioned there is also an issue around the extent to which corporate partners buy-in to the principle of prevention.

Housing management sections could also be problematic in terms of their operational management practices. These in some cases lack a strategic approach to rent arrears or anti-social behaviour or for not being more pro-active in identifying and supporting potentially vulnerable tenancies. Very often different policies were at odds with each other expressed by contradictory targets in dealing with rent arrears or taking a “robust” stand against “problem” tenants. Attitudes towards homeless people could be more negative than they should be as expressed through allocations officers unwilling to let houses to homeless people. This tended to be stronger in decentralised area offices than where the allocations function was centralised. In allocations too, insufficient time is allowed for people who have nothing in the way of furniture or adequate resources to gather all they need to move into a house and take on the responsibility of a tenancy.

Partnership working with the voluntary sector is not without its tensions and frustrations, but in many cases seemed easier than working with corporate partners. In most cases there were contracts or Service Level Agreements which formally stated mutual obligations and expectations between the parties concerned. The extent to which these were monitored did vary however.

The degree to which voluntary sector agencies were consulted on the strategy or were involved in the strategic process and able to influence it also varied. A contractual arrangement is not a partnership. There were instances where it might be claimed a particular voluntary agency, because it enjoyed a near monopoly of provision – allied with some political clout – could wield a disproportionate influence. The voluntary sector “tail” wagging the council “dog”. In other areas there was a general shortage of voluntary agencies to take on the kind of role they played elsewhere, leaving the council to find the resources from within their own staff who might not have the specialist experience or knowledge best suited to the needs they were looking to address.

A strong feature of the voluntary sector is the diversity of approach or ethos it can offer. The very fact of not being seen to be the council makes the sector more attractive to certain sections of service users. It can offer greater flexibility and choice, a difference in perspective and general approach to issues. This was something which most councils working with the sector appreciated and there are many very good examples of joint working which are making a positive impact on the outcomes for homeless people.

MULTIPLE & COMPLEX NEEDS (MCN)

This is an increasing area of activity for homelessness teams. People with complex needs present with a mix of associated problems any one of which on its own would be difficult enough to cope with let alone all together. They include: poverty, mental illness; drug and/or alcohol dependency or abuse; personality disorder; history of criminal behaviour; low skills; low educational achievement; broken relationships; traumatic events; loss of a loved one or carer.

At this level of homelessness, virtually all will have had previous contact with one or more of social and/or health services; criminal justice system; institutional care etc, which at some stage has broken down or been interrupted.

The point was made that people with multiple and complex needs can be the most challenging to work with and take up a disproportionate time on the part of homelessness staff who will not have the most appropriate skills to deal with them. It can be very difficult however to get the other services to engage and it is suggested that the all encompassing nature of homelessness and its “never ending” duty is taken advantage of by some services.

Many cases fall between different services, never quite matching all the designated criteria so that they are continually passed around. People diagnosed with ‘personality disorder’ –not considered a mental illness – are particularly prone to this kind of treatment, yet can be a particularly vulnerable group with no one accepting a responsibility for them.

Professions and associated services still largely operate within highly demarcated bunkers designed around their own administrative or bureaucratic convenience rather than coming together in a way that meets the needs of the people they are meant to be helping. For too many people, homelessness can be the direct result of the breakdown or weak joint working arrangements on the part of other services.

Without adopting an approach based on prevention, or early intervention and the commitment from other required services, people will continue to plunge through the “safety nets” designed to catch them. Prevention is important here as it implies planned and coordinated transitions through and across services.

The more persistent cases will be people who are often excluded from services and frequently evicted from accommodation because of their behaviour. They will test to the limits any new service or management regime they come across. They are generally people damaged in their past and see the prospect for things to get any better as highly unlikely. As a result many will be difficult to engage with or find it difficult to sustain contact with essential services. In many cases the way services are organised or fail to link up, or the range of criteria which have to be met to provide access, makes them difficult to reach by the very people who need them most.

Accommodation will be required but it is important that it meets the immediate to mid-term needs of the user. Getting the assessment right at each stage is crucial. It should be established which service takes the lead in case management on the understanding that this role might be taken by another as progress is made. It is also a question of resources and access to the appropriate services at the point of need. These are all matters which cannot just be determined by homelessness teams. If the solution at a particular stage is supported accommodation, including hostels, when is duty discharged?

The circumstances MCN cases find themselves in may be a consequence of homelessness but it is just as likely that homelessness arose as a result of one or more of the other factors. What are the issues which need to be addressed first? There is no point in giving someone a tenancy if they are in no position to take on that responsibility or it is not what they are looking for at that time. The other principal agencies which need to be involved are Health; Social Work and Criminal Justice while much of the support will be provided by voluntary organisations, including outreach services.

The role of other housing providers is also very important. Many RSLs have progressive policies relating to tenancy support, the management of arrears and responses to neighbour disputes, but these can be at odds with Housing Management targets on rent arrears levels and other service standards which conflict with more strategic approaches.

Housing Departments too need to regularly review their own practice in these areas and to include lettings procedures which identify potentially vulnerable tenants and build in procedures to assist settling in, ensure access to benefits and advice where to seek assistance when required.

In many areas, particularly rural areas and islands, there will be no specialist services available locally, requiring people to be sent elsewhere for the treatments they need. Accessing these services can be very difficult, with long waiting lists etc, with clients themselves failing to keep appointments or maintain contact as a result of inadequate supervision.

The provision of services for this group can be expensive and in many areas the numbers do not make a local project viable. There is a need for neighbouring authorities to consider how they might work together to address their joint needs. This will be particularly useful where NHS Board boundaries cover more than one council area.

Community hostility towards homeless projects.

There is generally a great shortage of specialist supported accommodation and hostel provision. This is particularly the case in smaller, rural and island councils and is often accompanied by a shortage of agencies or people with the skills to manage them and provide staff.

Where such accommodation is best located is another issue. Ideally location should, as far as possible reflect the needs of the particular client group in terms of proximity to social networks, vital services, sources of support and transport links. Life is made more difficult if accommodation for drug abusers is remote from the acute health or detox services they need or young people are situated far from the kind of social activities they look for.

In most cases councils have to work with what is there in terms of buildings which can be upgraded or adapted for new use. Alternatively there is new build. In doing so planning regulations have to be accommodated and local opinion taken into consideration.

As already noted projects of this sort are likely to run into community opposition, sometimes supported by the local councillor, MP or MSP. In overcoming these, myths and misconceptions about the proposed client group need to be challenged and genuine concerns addressed.

In the main these attitudes derive from negative and stereotypical views towards homeless people and a lack of knowledge or understanding about the causes and nature of homelessness – most of all its local character.

Interim Accommodation.

There is some confusion around the terminology “interim accommodation” and “Section 7 Accommodation” and regulations pertaining to the latter. The Code of Guidance states that interim accommodation is provided on the basis that the applicant or someone in household is in need of support which cannot otherwise be “reasonably” provided in permanent accommodation. There are a number of other conditions, including a regular review of whether it is still appropriate to the needs of the occupier. Legally interim accommodation does constitute a discharge of duty but there is confusion around this and different interpretations of the law.

There is also clarity required regarding Section 7, which some interpret as a form of yet undefined accommodation for households deemed intentionally homeless, where in fact it relates to regulations governing people staying in hostel accommodation.

There is a lot of speculation on what form of accommodation will be devised for intentionally homeless people, how it will be managed and terms and condition of occupancy.

Monitoring Progress.

Working across a range of services and agencies requires the development of commissioning procedures and monitoring arrangements that are “fit for purpose”. In the context of Best Value, councils need to ensure that the right agencies, with the appropriate skills are selected for the job and from there demonstrate that strategic objectives are being achieved.

As progress is made the focus of the strategy will shift and services will have to be re-aligned in accordance with the new aims with new agencies brought in to do the work. Those agencies will be expected to either have systems of their own by which they can evidence they are achieving what is expected of them or, increasingly, buy into such systems run by councils themselves. Time and effort must be spent in pulling statistics together, compiling quantitative and qualitative information against set targets or outcomes. Increasingly agencies will be expected to demonstrate their ability and capacity to produce such information as part of the commissioning process prior to winning the contract.

This is fundamentally changing the nature of the relationship between councils and the voluntary sector, requiring much more structured and formalised arrangements and systems than previously existed, subjected to much higher levels of scrutiny. Adjusting to this ‘new contract culture’ is a painful process for both sides. For councils in terms of staff learning new skills, the development of new systems for tendering and commissioning contracts and much more detailed and stringent monitoring frameworks. For agencies within the voluntary sector, many small scale and local, who may not have the resources or staff to put into this type of work and will have to account for it when applying for funding, there is a real fear that they will lose out to larger, national organisations with greater capacity to meet these new contractual terms.

What are councils looking for?

- **Level and Security on Funding:** Councils and partners need to know the funding will be there to continue or develop vital services, particularly around supporting and sustaining tenancies in the long term. There was a general concern that removing ring-fencing around specific areas of funding would result in that money being allocated to other competing council priorities. In some areas it is already difficult for Homeless teams to secure a “fair” share of Supporting People funding.
- **Longer term funding:** There is a plea that funding be granted over a more realistic time-span to allow projects to be properly established and up and running as well as provide adequate security of employment to staff. The current 3 year period does not do this, with key staff often moving on by the third year as they don’t know whether they will have a job or not the year after.

- **Corporate & partnership working:** Given the broad based nature of homelessness joint working across a range of services, agencies and sectors is vital. In the corporate sphere, other key services beyond homelessness must be genuine in terms of their commitments to agreed priorities and the allocation of resources. There is also the need for a corporate commitment to prevention. One approach is to 'prevention proof' all appropriate policy and procedures in considering the needs of excluded and vulnerable groups.
- **Multiple & complex needs:** No other issue demonstrates the importance of prevention and effective joint and collaborative working than attempting to meet the needs of people whose problems are both multiple and complex. Homeless teams are expecting that other relevant services acknowledge their responsibilities to this group and commit the necessary resources.
- There is also the need for wider services to adopt a more preventative approach to avoid people falling into crisis before their requests for assistance are listened to.
- More consideration should be given to what are the best accommodation options for people with long term support needs. For many the immediate solution to their situation might not be an independent, secure tenancy. For some that may never be a realistic option. A range of accommodation and tenancy models, including hostels and other shared forms of housing, needs to be in place with the support services geared to the needs of the occupants.
- There is a need to share information and current good practice in tackling the needs of this group. Examples include Glasgow in terms of hostel re-provisioning, Edinburgh in terms of joint working across social and medical needs and models of accommodation e.g. The Access Point; Cowgate Medical Centre; Thorntree Street (Secure tenancies for ex hostel dwellers and rough sleepers).
- People in this category require access to services at the point of need otherwise contact can be lost and support plans interrupted. Erratic or chaotic lifestyles can make continuity of engagement with services difficult. There is a need for specific local strategies to address MCN involving all appropriate agencies.
- Currently there are no clear demarcation points to indicate where the responsibilities of various services begin or end or indicate who takes the lead in co-ordinating continuing joint working through case-management – or at least that is the perception.
- Virtually all those at the sharp end of homelessness – regular rough sleepers; most likely to be excluded from services or most regularly evicted from accommodation – are people with multiple and complex needs. They will always be the most challenging to work with and the most difficult for whom to find sustainable solutions. There is a need for guidance and direction to all agencies in how best to work together to achieve that objective.

- **Supported Accommodation/Specialist Support:** In the context of an overall shortage of supply where permanent housing has to be accounted for plus the provision of temporary accommodation for “mainstream” homeless applicants, there is little left over to provide more dedicated or specialist supported accommodation for more vulnerable groups and those with higher level support needs.
- Homelessness teams are looking for guidance in how best to address these issues but also need their political leadership to provide support. If there are valid and relevant reasons against a development these obviously have to be considered, but in many cases the views of the political representatives appear to be based on short term electoral considerations or the same level of misconceptions or lack of awareness within the community at large. More needs to be done to better inform people at all levels about the realities of homelessness and its local causes and consequences.
- There is a strong view that the Scottish Government should do more to talk up the progressive aspect of its legislation and policies on homelessness which is widely acclaimed elsewhere. It was felt local councils could do more to promote positive attitudes to homelessness and challenge the misconceptions about homeless people.
- The provision of specific supported accommodation and specialist support is particularly difficult for island authorities where capacity to build can be more limited and costs considerably higher. The small numbers involved may make projects of this nature unviable. In many cases people have to be sent to the mainland to get the kind of service they need. Such councils will require greater resources if they are expected to provide for these cases locally.
- **Interim Accommodation and Section 7 regulations:** Clarity and guidance on what these are. Councils are aware of the regulations regarding standards and residents rights from previous consultation of three years ago but have heard nothing since. They are also looking for more information on what form and type of accommodation needs to be planned for against the needs of households deemed intentionally homeless when new legislation is implemented.

Housing and Wider forms of Housing support

Actions currently underway

The Scottish Government are considering amending the Interim Accommodation regulations to give councils greater flexibility and are also in the process of following up on previous consultations on Section 7 regulations and implementation.

Suggested Actions in recommended order of priority

24. ALACHO, COSLA and SOLACE should ensure that councillors and senior officers promote effective corporate working across services more rigorously.

25. ALACHO, SOLACE and COSLA should ensure that there are clear criteria by which corporate working can be evaluated in terms of actual services and resources provided by separate agencies and services within the agreed strategic framework.

26. COSLA, the Scottish Government and NHS Scotland should ensure that councils have clear guidance on how councils co-ordinate effective responses to people with multiple and complex needs. A Single Outcome Agreement (SOA) (see page 6) sets out the outcomes which each council is seeking to achieve with its Community Planning Partnership (CPP) e.g. NHS. An SOA should reflect local needs, circumstances and priorities, and will be related to the relevant national outcomes agreed in the Concordat. SOAs should assist in harnessing corporate leadership and multi-agency working.

27. COSLA and its member councils along with SCSH and Shelter should take positive measures to address negative attitudes throughout communities towards the provision of specialist or supported accommodation for homeless people. To assist with this the Scottish Government, with support from ALACHO and COSLA, should be more pro-active in promoting and publicising the internationally acclaimed legislation and national policy on homelessness.

28. COSLA, the Scottish Government and Shelter should issue guidance/advice to councils on how to address local antagonism and opposition to homelessness projects and facilities.

29. Councils need to adequately reflect the resource needs of the homelessness service when apportioning Supporting People and other funding across councils services to meet 2012. The Concordat between the Scottish Government and COSLA (see page 6) underpins the funding arrangements to be provided to local government over the period 2008-09 to 2010-2011. The removal of ring fencing provides a new framework for councils to determine the allocation of their resources to best meet the needs of homeless people while also addressing the issues previously relating to short-term funding and pilot schemes.

Action 17 [relating to corporate prevention work] under Prevention of Homelessness addresses Support issues also.

CHAPTER FIVE: LEGISLATIVE CHANGE & GUIDANCE

Issues.

Many of these have been discussed in depth in previous sections and as such are referred to here in basic terms strictly in relation to their guidance or legislative aspects.

General Guidance.

Councils express very ambiguous and contradictory views on centralised guidance demonstrating a confusion about its assumed authority, purpose and role. The basic questions would seem to be to what extent has guidance to be followed and what is its connection to regulation and inspection? What are the consequences if councils choose to ignore guidance and take matters forward their own way? When is guidance not guidance but instruction?

General comments were made that at times guidance can be too prescriptive, preventing councils from adapting the guidance to fit with local circumstances. At other times guidance is not prescriptive enough, an example of this given by a number of councils was the 2009 target which will result in councils adopting differing strategies which will lead to inequalities of assessment and may lead to some councils being more attractive to present to for certain clients.

2009 Target.

A number of councils expressed the view that they will not be able to achieve their 2009 target to halve the numbers on non-priority applications since the 2003/04 baseline. For a few of those the proportions of such applications has actually increased since the target was set. At the time of the visits, the majority of councils had still not made final decisions what steps they would take in redefining vulnerability – the procedure most commonly being adopted. Many of those which had introduced new criteria felt these had been quite arbitrary and had only added to the pressures on temporary accommodation and subsequent lets to permanent housing. Others have decided to concentrate more on how to expand their provision of temporary accommodation to better cope with the increasing numbers of people already applying.

Opinion was divided between those councils which thought the Government should have been more prescriptive in its guidance as to how councils should go about meeting their targets and those who thought it was appropriate councils retain flexibility on how it should be done on the basis of local considerations and circumstances.

Advocates of the “centralist” argument were concerned that councils being left to themselves would result in wide inconsistencies across the country and lead to homeless people seeking out these areas which appeared more open or liberal in their approach about who they would class as ‘priority’. A harder line in one council could have an impact on its neighbours, particularly in the event of local connection being suspended at some future date.

There are very few examples of neighbouring councils getting together to consider a common approach. One attempt to do so failed to reach an agreement.

Councils were also uncertain as to what sanctions would apply should they fail to meet the 2009 target. Is there any flexibility or what allowances would be made for councils not meeting the reductions in non-priority decisions? Would failures be interpreted as indications that councils were not on course to meet 2012 in line with the 2005 ministerial statement in terms of Government's monitoring of the national target? If so what are the implications?

Possible amendments to the Unsuitable Accommodation Order.

Most councils are in agreement for the removal of the exception for Women's Aid accommodation; however additional time and capital funding is required to make alterations or re-provision current accommodation. Flexibility is required in the use of out of area placements with the best interests of the client being more important than "artificial" council boundaries. However recognition was given on the issue of ensuring the council to which the client was being placed was made aware of the placement to allow sufficient risk assessments and discussion on the suitability of the accommodation used.

In relation to shared accommodation for those who have previously been looked after, points have been made that some models of accommodation for this client group have proved to be very successful and that a range of provision should be allowed for this group.

Guidance on Section 7 Accommodation and guidance following from the Intentionality research.

Councils are concerned with the implications of the continuing duty to accommodate intentionally homeless households. There are also concerns as to what level and how support should be given. Guidance is also required advising if and at what stage accommodation and support could be withdrawn or any duty to continue to accommodate ends.

There are also concerns that homeless teams could be the only teams left with a seemingly unending statutory duty to work with those at the extreme end of society, many of whom have medical, social and addiction issues without that team having the specific skills to deal with these issues. It is also pointed out that though this group may be small in number they can take up an inordinate amount of staff time and resources.

Further clear guidance is required on the definition of homelessness when making an assessment decision.

As the homeless test will be the only test remaining it is imperative that all councils are making assessments on a consistent basis. Particular concern relates to the definition of whether it is "reasonable" to continue to occupy a property.

The Code of Guidance states that what is reasonable is a matter of judgement and will depend on the personal circumstances of the applicant. It then gives examples of when it is unreasonable to continue to occupy but states these are not exhaustive and sympathetic judgement must always be exercised. Concerns have been raised particularly by councils who had been inspected with regard to how “reasonable to occupy” is interpreted by Regulation and Inspection, which on occasion appeared to be more prescriptive than the Code of Guidance.

Guidance on defining, recording and monitoring the effectiveness of prevention work.

A number of authorities expressed difficulties in doing this and were concerned that they weren’t accurately recording the effectiveness of their prevention activities. Councils are looking for guidance on this either from the Government or from other councils who may have good monitoring mechanisms in place. Other concerns related to Regulation & Inspection and the possibility that prevention work would be judged to be gate keeping. Others were looking for good practice guidance and examples of prevention work which had been particularly effective.

Guidance on suspension of Local Connection including multiple applications and grounds for application for revoking suspension.

Most of the councils visited made comments on the suspension of local connection. They expressed the view that the suspension in conjunction with the policy changes they will make to meet the 2009 interim target risked making their council more attractive and accessible to higher numbers of people who might take advantage of the homelessness legislation to apply to live there. Some rural and island councils feel particularly vulnerable in this regard on the basis that even a small increase in numbers successfully presenting has a significant effect on all services not just housing.

A number of councils are also requesting that the Government provide guidance on the handling of multiple homeless applications to different councils when local connection is suspended. In addition they are also seeking information on what the procedure will be if a council wished to apply for the reinstatement of local connection in its area.

Good practice guidance on most effective ways to engage with those clients notified under Section 11.

A number of issues have been raised in relation to implementation of Section 11. Some councils view that notification at Notice of Proceedings stage is too early and it should be carried out at court stage, others that this is too late. Others have concerns that they do not have the staff resources to implement it effectively or how to ensure that landlords and lenders notify the council as there are no sanctions for non-compliance. There are also concerns that landlords/lenders will take a reduced role in working with their own tenants/borrowers to prevent homelessness as the notification may imply this is the council’s role. Guidance on all of the above issues is looked for.

Good practice guide on operation of RDGS schemes.

Many councils have introduced schemes but with varying levels of success. In some areas RDGS schemes have proved very effective in assisting certain clients obtain and retain good quality accommodation in the private sector and have assisted private landlords and councils to work more closely together. In others the impact has been less, either because the sector is small or the accommodation is already in high demand from other customers such as migrant workers, professional or commercial sectors or tourism. In these circumstances landlords with their own secure markets may have little interest in working with deposit guarantee schemes. In these situations councils are looking for innovative ways to engage with private landlords.

Dissemination of research into allocations and good practice guidance on allocations policies and “reasonable preference”.

As already noted concerns are being raised, particularly by elected members, about the possible impact of increasing allocations to homeless households at the potential expense of others on the waiting list. Councillors have concerns that social housing will become further residualised as only the most disadvantaged in society are able to access social housing. The 1987 Act sets out categories of applicant who should be given reasonable preference in allocations policies, only one of which is homeless applicants. Councils are seeking clarity on how the genuine needs of homeless people can be balanced with the legitimate claims of others in need of affordable and secure accommodation.

Research into operation and effectiveness of Section 5 referrals.

During the visits the disparity in the effectiveness of the Section 5 process has become apparent. This issue is particularly concerning for those councils who have transferred stock to Registered Social Landlords. There is a perceived lack of transparency on availability of stock in some cases. There are also varied protocols and processes in place regarding Section 5 and as a result nationally differing levels of assistance being given to housing homeless applicants by RSLs.

Good practice guide for private landlords in relation to housing and tenancy law.

Councils are now working more closely with private landlords as a result of landlord registration, PRS leasing schemes and RDGS schemes. A number of councils have also set up voluntary landlord accreditation schemes and landlord’s forums to work with landlords to assist them provide a fair and responsible service to their tenants. As a result of this process of engagement it has become clear that a good practice guide in housing and tenancy law for private landlords and including a local strategy of how public and private sectors could work together to better address housing need would be beneficial. This is something which can be linked into the private landlord registration process.

Guidance on how councils should act in the “best interests of children” experiencing homelessness.

As a result of the visits it has become clear that best practice for assisting young people who are leaving care in finding the most appropriate accommodation varies between councils. The need to seriously and critically review the corporate parenting role of councils in regard to Throughcare and Aftercare has already been argued in this paper. The best interests of children in other vulnerable situations must also be borne in mind.

Research to be published into the health needs of homeless families.

Again during the visits it has been recognised that homelessness and the lack of housing is not the only defining characteristic of those who present. A number have health needs which may have contributed to their current circumstances. Councils have recognised the need to ensure that all homeless clients can access appropriate health or addiction services. Health and homelessness standards have gone some way to achieving this but further research would be of assistance in ensuring that as councils begin to look to longer term sustainable solutions that health needs are properly taken into account.

Research and guidance on preventing and addressing homelessness amongst Black and Ethnic Minorities (BME) households.

Councils recognise the need to understand the specific cultural circumstances which may affect those from ethnic minority households. Unfortunately little information is available within the Code of Guidance in dealing with homeless applications from this group and it is recognised that research and guidance in assisting to prevent and address homelessness amongst this group would be of benefit.

Guidance/good practice examples on what works well in relation to addressing employability issues for homeless people.

It was clear from the visits that most councils are very focussed on the process of alleviating crisis and providing housing for those who present as homeless. Only a few councils made particular mention of work being undertaken to address the longer term resettlement and support issues which will have to be addressed in order to prevent the cycle of repeat homelessness. One of these longer term issues relates to the employability/training needs of many homeless applicants. Most councils are aware that this is an area which they need to take forward but the issue requires specialist knowledge and understanding of local labour markets and economic development as well as establishing dialogue with local employers. Other disciplines and interests need to be involved.

As a result only a few have started to put together the necessary partnership frameworks to assist homeless clients back into employment or training. Further guidance and good practice examples of ways of achieving this will be welcomed, but the resource implications need to be appreciated and other appropriate services and departments will be required to take the leading roles.

Consider the social and legal implications of extending the role of the private renting sector in discharging duty to homeless applicants.

Virtually all councils raised the requirement to make better use of the private sector in the prevention and alleviation of homelessness. There are widespread calls for this type of accommodation to be used for the many clients for whom it would be most suitable or even more suitable than a secure tenancy in the social sector. It is recognised there are concerns around affordability and security which have to be addressed, but the prevailing blanket exclusion of the private sector is no longer feasible if 2012 is to be achieved.

Code of Guidance to be updated to reflect amendments and additions to all legislation and guidance.

As legislation is rolled out up to 2012 it is expected that the Code of Guidance will be updated as and when necessary in consultation with councils to ensure they have all the available assistance in carrying out their new duties.

What are Councils looking for?

- **General Guidance.** Councils are looking for an appropriate balance in the range and status of guidance provided. In cases where it is clear that guidance could either be prescriptive or flexible councils would request that they are fully consulted and a national decision reached on whether in the whole it would be better for that guidance to be national or flexible for individual councils. Councils also need to be clear on what sanctions apply if guidance is not considered appropriate to local factors and is not followed.
- **2009 Target.** Councils are seeking clarity around the issues they raised in relation to the 2009 target. The need to phase the process towards 2012 is generally acknowledged but the operational implications need further consideration.
- **Unsuitable Accommodation Order.** Councils would not generally wish for the order to be extended to the categories proposed with the exception of the proposals for Women's Aid accommodation. In respect of Women's Aid, councils would appreciate reasonable time to alter current accommodation or to re-provision where necessary.
- **Section 7 Accommodation/Intentionality.** Councils require clear guidance on what type of accommodation provision can be used as Section 7 accommodation. What level and intensity of support is required for intentionally homeless households? What sanctions will there be if any for those who decide not to engage with support or act in an anti-social or aggressive manner whilst staying in Section 7 accommodation? Councils have serious concerns that homeless teams could be left dealing with a group of clients which they do not really have the expertise to help.

- **Definition of Homelessness.** Councils would seek that the definition of the term “reasonable to occupy” is given greater clarity in the Code of Guidance, without which it is open to varying interpretations.
- **Prevention.** Councils are keen that any examples of prevention work which are being undertaken and have been proved to be successful are disseminated to all. It would also be useful if mechanisms to monitor and evaluate the effectiveness of prevention work were shared between councils.
- As prevention will be a major factor in the ability to achieve the 2012 target, councils would want the Government to assist homeless teams push for greater prevention and intervention work from partner agencies and organisations. This corporate/partnership approach will be vital in assisting councils to meet the 2012 target.
- Councils and Government need to agree on what may be seen as prevention and what may be interpreted by others as gate keeping.
- **Local Connection.** Councils wish clear guidance on the handling of multiple homeless applications to a number of councils. Information is also sought on the process of application for re-instatement of the tenancy. This process should be tailored to the particular nature and circumstance of the council applying for reinstatement. This information and guidance should be published prior to any suspension.
- **Section 11.** Councils are seeking guidance on the best way to handle notifications received. How to identify those who may be in greater risk of losing accommodation than others, as not all Notices of Repossession automatically lead to court action. How do councils ensure that all landlords and lenders comply with the notification procedure? Councils would wish the Government publicise the requirement to notify on a national basis prior to implementation. Councils would want to ensure that landlords/lenders do not abdicate their duties to their own tenants/borrowers in relation to prevention because they have passed this role to the council by notifying.
- **RDGS Schemes.** Those councils with particular pressure on their private rented sector who have found it difficult to get landlords to sign up to a RDGS scheme are particularly keen to have guidance on schemes and ways to encourage landlords to join schemes. Others would welcome good practice guidance on the running and expansion of schemes. Of particular interest would be information on effective ways to assist those who are single and under 25 to access the private rented market.
- **Allocations & Reasonable preference.** Councils are trying to increase allocations to homeless applicants to reduce lengths of stay in temporary accommodation and bed and breakfast but have difficulties in getting allocations reviews through committee because of the requirement to give reasonable preference to a number of categories of applicant.

If 2012 is to be achieved elected members have to be made aware that this may only be achieved by increasing the proportion of lets to homeless applicants at the expense of others. Councils need the reasonable preference definition in relation to homeless applicants to be clarified.

- **Section 5.** Many councils are looking to RSLs to take a far greater role than they currently do to assist housing homeless clients. The Section 5 process needs to be overhauled with clearer guidance on what information should be provided by both RSLs and councils to allow the process to run more smoothly and assist increased numbers to secure accommodation.
- **Guidance for Private Landlords.** Councils as a result of a number of different developments now work more closely with the private sector than ever before. From this closer relationship it has become clear that there is still a great need for good practice guidance to be given to private landlords. This guidance should include examples of all the appropriate legal documents required in setting up and terminating a tenancy. It should contain advice on tackling anti-social behaviour with references to all options not just legal recourse e.g. mediation or support services which may be available to those who rent privately.
- **Best Interests of Children Experiencing Homelessness.** There are two aspects to this guidance which should be looked at. The first is the council's own corporate parenting role for those who had been looked after by the council. Councils need to look at and challenge their own practices in assisting this group. Guidance should include good practice examples of the type of accommodation and support which can be provided for this client group and thus assist in preventing the cycle of repeat homelessness. The guidance should also cover the best interest and needs of those children who have been made homeless possibly as a result of a traumatic family experience.
- **Health Needs.** Health issues are one of the factors which can cause homelessness and repeat homelessness. Guidance will be welcome on health needs and ways to access and maintain access to health and addiction services for homeless clients.
- **Preventing and addressing homelessness amongst BME Households.** Although this group can be small councils would welcome any guidance on the specific cultural issues which can affect this client group and can lead to homelessness. Councils would welcome this specific piece of guidance as there are circumstances specific to this client group which council staff has limited knowledge of.
- **Employability.** Councils have recognised themselves that the majority are still currently dealing with the crisis situations within homelessness and realise that the longer term prospects of homeless clients need to be addressed.

In that respect any guidance and good practice examples which can be given in relation to employability and training issues will be welcomed and will hopefully act as the driver for councils to look more closely at the longer term solutions for homeless clients.

- **Discharge of duty to PRS and tenancy regime.** The majority of councils agree that to discharge duty to the private sector would be of assistance, but accept that the current prevalent tenancy offered, the Short Assured Tenancy does not in most cases provide enough security for the client. Given the importance of utilising the private sector as we move to 2012 councils would hope that options to use the private sector are examined as a matter of urgency.

Legislative change and Guidance

Actions currently underway

As part of the Firm Foundations agenda the Scottish Government is reviewing the role the private rented sector plays in meeting local housing needs.

Suggested actions in response

31. The Scottish Government should: collate and publish examples of effective prevention approaches or schemes; provide guidance on the recording and monitoring of prevention activities; and ensure that there is clear guidance on what prevention is and what will be viewed as gate keeping. This guidance should be agreed by the Scottish Government, ALACHO, COSLA and Regulation & Inspection.

32. The Scottish Government should consult with all interested parties and consider adjusting The Code of Guidance to give a more comprehensive definition of “reasonable to occupy” when determining whether an applicant is homeless.

33. The new administration should advise councils which guidance it intends to publish and set out a timetable for doing so.

Actions 8 & 13 [relating to priority need categories, and reasonable preference] address legislative and guidance issues also.

CHAPTER SIX: MONITORING AND SUPPORT ARRANGEMENTS

Councils request that further legislative moves towards 2012 target will only be put in place when all councils have capacity to meet the target.

During this consultation councils have clearly stated the issues which they feel will have to be addressed if they are to meet the 2012 target. The range of issues themselves are broadly similar but their impact locally is subject to a variety of variables relating to the type of council concerned, its size and a host of other local factors and circumstances. The key factors in regard to 2012 as far as most councils are concerned are:

- Increasing allocations of social lets to homeless people.
- Increase in the supply and access to affordable housing for rent across all sectors – council; RSL; private rented.
- The impact of prevention in reducing numbers of homelessness applications, including the role of other important services and agencies working with homeless people.
- Level and security of funding to maintain and extend housing support services.
- Maintaining sufficient supply of temporary and supported accommodation.

With reference to legislative requirement that the 2012 target will be monitored in terms of individual council's capacity to achieve it, councils are generally unclear what this means in practice. The number of social lets required to keep up with the numbers of people applying as homeless is increasing and likely to have a serious impact on councils abilities to address other housing need. The numbers of people requiring access to temporary accommodation is also increasing significantly as is the average length of time they will spend there prior to a permanent let. The sustainability of solutions is dependant on a great many non-housing factors relating to social and health related services, social networks and opportunities towards training and jobs. These require strong commitments from corporate and external partnerships with agencies and services whose priorities are different. In the short term councils and RSLs working towards meeting the Scottish Housing Quality Standard may be reducing the amount of stock available through upgrading or regeneration activity involving decanting of existing tenants or rehousing them if demolition is involved.

As this report has tried to demonstrate stock transfer councils and those in rural or island locations face particular challenges in that all the elements which have to be combined to move the target forward may not be there – direct control of stock and how it might be utilised; direct housing management policies/procedures; range/choice of vital or specialist services etc. In themselves these factors might not make the task impossible but they do add considerably to the difficulties, timescales and costs.

What are Councils looking for?

- Councils request that the individual circumstances of each council are taken into account when the Government look to further implement legislation. This view is particularly strong from those councils outwith the central belt.
- Acknowledgement that for the target to be achieved all the various elements must be in place to make it possible and that all parties that need to be involved acknowledge their role and contribution.
- Councils would like all homelessness related funding to be committed for longer than the current annual allocations. This would allow councils to plan tackling homelessness in the longer term. Ideally councils would like to see allocations over the 3 year period of the spending review.

Monitoring And Support Arrangements

Suggested Actions in recommended order of priority

34. The Scottish Government should clarify the basis and processes on which it will assess each council's ability to achieve its 2012 target, bearing in mind the multiplicity of factors which need to be considered and the variety of circumstances in which separate councils operate.

35. Elected members and senior council officers should ensure that funding for homelessness and related support services continues to be provided at an appropriate level necessary to achieve 2012.

CHAPTER SEVEN: CONCLUSION

On the basis of further consultation with the Scottish Government, ALACHO and COSLA this report will form the basis for an Action Plan to take forward the range of issues raised by councils throughout the project visits. This will involve agreeing the range of agencies to be involved in addressing the issues which have been raised and identifying lead and key players to be involved under specific tasks. The development of a timetable for the plan to be implemented will also be established.

As noted a great many changes have occurred since the project was launched in August 2006, not least the election of a new SNP led administration. Since May a number of new policy initiatives have been introduced, many of which have a direct relevance to the housing and planning concerns which councils expressed in relation to the 2012 target. The Government has confirmed its commitment to the target and reaffirmed that progress will be monitored in terms of each council's capacity to put the necessary frameworks and procedures in place. A Housing Supply Task Force comprising representatives from a cross-section of interested agencies is established with a remit to address aspects of the current planning system which impact on the provision of new housing. One meeting of the Task Force has specifically considered the issues in the context of rural and island councils. 'Firm Foundations' considers the future roles of both the housing association and private rented sectors in meeting the need for more social housing and how local councils can contribute more directly to provision of new build developments. Both the national planning framework and aspects of planning relating directly to housing have been revised and are currently out to consultation. The outcomes from these discussions and consultations will set the context and decide the detail of how many of the issues raised in this document will be taken forward.

The officers concerned with the production of this report would like to thank all those officers and elected members who gave up their valuable time in attending the meetings and giving their frank and professional opinions on the circumstances in relation to homelessness issues within their council areas.

ANNEX

WORK CURRENTLY UNDERWAY & SUGGESTED ACTIONS

The suggested actions reflect the views expressed during the visits over the last year. With the passage of time, some of the actions which would otherwise have been suggested are already in train. Such 'actions' are listed as 'actions currently underway'.

1. Supply of New Social and Affordable Housing

Actions currently underway

Since the Homelessness Support Project began, the Housing Supply Task Force has been established to examine all the barriers to the provision of housing in Scotland. The remit of the Task Force covers many of the issues which have been raised by councils relating to the lack of supply including planning and infrastructure issues. The Task Force is also considering the specific housing supply difficulties faced by rural and island councils. Accordingly, this report does not include suggested actions on supply as the relevant issues are already being taken forward by the Task Force. The Task Force, which includes representatives from COSLA, will continue to engage with councils, and RSLs, developers and other housing interests to ensure that their concerns relating to supply are taken account of in the task force process.

The Scottish Government continues to fund shared equity packages and the mortgage to rent scheme, but should ensure that these reflect increasing house prices. Rural and island councils are particularly keen that rural home ownership grants continue to be available as a shared equity option.

The Scottish Government should ensure (a) that their funding for new housing and RSL new build schemes continues to take account of supply issues affecting costs; and (b) that this funding is maintained at a level which will provide new housing and represent value for money.

Suggested Actions in recommended order of priority

1. The Scottish Government, along with COSLA, ALACHO, SFHA and RSLs should enter into discussions with other national bodies who may have surplus land or property with a view to negotiating preferential rates for its disposal. These organisations could be NHS, MOD and the Forestry Commission. In addition councils should ensure that when disposing of any of their own land first priority is given to the consideration of new housing. This is a vital action if the general shortage of land for affordable housing in certain council areas is to be effectively addressed.

2. It is equally important in areas of acute shortage of housing that councils retain current stock levels. In this respect ALACHO, COSLA and the Scottish Government should enter into discussions with a view to further restrictions in the right to buy than that proposed in Firm Foundations. In addition although revised in 2006, the application of the pressured area status should be further assessed in terms of its impact.

3. The Scottish Government should ensure that Scottish Water's investment programme is sufficiently funded and prioritised to take account of all anticipated strategic infrastructure development to ensure the provision of new housing is not delayed.

2. Temporary Accommodation Issues

Actions currently underway

The Scottish Government should come to a decision on the extensions to the unsuitable accommodation order and inform councils accordingly. In coming to its decision, the Government should take account of (a) the views expressed that the flexibility to place out of area should be retained on the basis of agreed arrangements being in place between the councils concerned to do so and (b) councils support for the removal of the exception for Women's Aid refuges. The Government's decision should include a realistic timescale to implement (b).

The Scottish Government will publish the good practice guidance on temporary accommodation which is currently being prepared. The guidance should include practice examples of working with private landlords and information on how to effectively engage with the private sector.

The Scottish Government has initiated discussions with the UK Government regarding the current impact of reserved benefit issues on Scotland's social reform agenda, including bureaucratic barriers to affordable rented housing. ALACHO, COSLA and the Scottish Government should seek clarification from the Department of Work and Pensions on the housing benefit regulations in relation to private leasing schemes for the provision of temporary accommodation and the circumstances (if any) in which benefit thresholds and caps don't apply. Homelessness Monitoring Group (HMG) and COSLA should continue to feed into the on going DWP consultation on housing benefit for the private sector to ensure that future caps and thresholds and the local housing allowance allow this sector to be affordable to those on low incomes. In addition adequate safeguards are needed to ensure that those who are vulnerable are still able to have housing benefit paid directly to their landlord.

Suggested Actions in recommended order of priority

For the majority of councils the main issues concern increasing the range and variety of temporary accommodation, accessing all options to provide temporary accommodation and how to efficiently manage the accommodation in the best interest of the client and community.

4. Given the pressure on councils own stock it is extremely important that ALACHO, COSLA and the Scottish Government should discuss with RSLs and the SFHA the varying provision of temporary accommodation throughout Scotland.

5. Problems of supply and access to temporary accommodation are particularly acute in rural and island communities. Therefore ALACHO, COSLA and the Scottish Government should look at ways to assist such councils to compete with the likes of the tourist industry in securing the provision of temporary accommodation from the private sector and bed and breakfast where necessary. This should include consideration of (a) the need for private landlord incentive schemes to attract landlords; and (b) whether a forum should be set up to allow discussion between the councils concerned. The purpose of the forum would be to share innovative approaches in sourcing both temporary and bed and breakfast accommodation and to produce a good practice guide in engaging with private landlords. CRISIS could assist with the good practice guide as they have experience in attracting landlords to rent deposit schemes.

6. Community resistance is another factor which many councils have to deal with. ALACHO and COSLA should continue to work with elected members to ensure that they see the homelessness agenda as a priority for their council. They should consider organising local or national events to get the message across, possibly involving SCSH as they have previously provided induction training for councillors. Some councils themselves may already have developed induction/awareness raising packs for elected members. The Scottish Government should disseminate the results of the Scottish Social Attitudes survey and ALACHO, COSLA and the Scottish Government should discuss how to take forward the awareness raising agenda with the general public.

7. The Scottish Government should adjust the Code of Guidance on Homelessness to make it clearer that in some cases longer stays in temporary accommodation can be in the best interests of some clients. Regulation & Inspection would then be able to take these factors into account during inspections.

8. With regard to the 2009 target and the increase in pressure on temporary accommodation as a result, ALACHO and COSLA should encourage and ALACHO should facilitate regional meetings for councils who may wish to explore common methods of extending priority need categories. As all councils have different distances to travel to meet their 2009 target those facing the greatest challenges need to know what their options are.

9. In order for councils to access and use temporary accommodation effectively ALACHO, SCSH and Shelter should separately lobby DWP for an ease in the Single Room Rate regulations particularly where it applies to single pregnant women under the age of 25.

10. It is for councils themselves to determine how best to use discretionary housing payments. ALACHO, Directors of Finance and COSLA should raise the awareness of the availability of discretionary housing payments as an additional resource to prevent homelessness and assist homeless clients when moving from temporary to permanent accommodation.

11. ALACHO should consider providing guidance and assistance if required to homeless teams to assist them in the bidding process to secure long term homelessness funding, from their councils allocation of funding from the spending review.

12. The Scottish Government should issue clear guidance on the handling of multiple applications to councils if local connection is suspended. The guidance should clarify which council will have the duty to make the assessment. The Scottish Government should also issue guidance to councils on the grounds for applying for reinstatement of local connection.

3. Allocations to Homeless Households

Actions currently underway

Firm Foundations sets out the Scottish Government's future housing policy including the role of RSLs and the Private Rented Sector in addressing housing need. The Scottish Government, together with COSLA and SFHA, should take the opportunity provided by Firm Foundations to review past and current practice of these sectors in meeting the needs of all households seeking safe and secure accommodation.

The Scottish Government will take councils concerns around the operation of Section 5 of the Housing (Scotland) Act 2001 into consideration in the review of Section 5 recently initiated by the Scottish Government Homelessness Division, particularly regarding accountability and transparency of the process.

Suggested Actions in recommended order of priority

13. In the interests of clarity it is very important that the Scottish Government, SFHA and CiH (Scotland) lead a national debate or discussion on how the terms reasonable preference and balanced communities are interpreted and implemented strategically. The debate requires to consider the findings of recent Scottish Government commissioned research on allocations with particular regard to those terms. They cause particular confusion in that they lack precision and are difficult to implement in practice. Issues include how to balance the needs of different reasonable preference groups – a legal requirement which dates from 1966 and has only been subject to limited amendment since; and the criteria by which balance in balanced communities can be defined. It would be helpful to have a much clearer understanding of the objectives of public policy on allocations, including what particular terms mean – and whether they apply to all communities.

14. If 2012 is to be achieved SFHA must encourage RSLs to take a greater role in addressing the needs of homeless households in terms of their contribution to the prevention of homelessness; allocations of housing; provision of temporary accommodation; tenancy sustainment (e.g. Glasgow Housing Association's model); and the provision of housing advice and information. The regulator should continue to focus on these issues when inspecting RSLs.

15. Councils welcome the emphasis placed by the regulator on outcomes for homeless people and consultations should take place with key stakeholders on the nature, aims and objectives of the new regulatory service and the criteria which will apply when inspecting housing and Homelessness services for both councils and RSLs.

16. In the longer term interest of successfully re-settling homeless people into the community the Scottish Government and Local Government must be more pro-active and positive in promoting the homelessness agenda and lead in challenging negative attitudes and prejudice towards homeless people.

See Actions 9 & 10 [relating to the Department of Work and Pensions] under Temporary Accommodation Issues address allocations issues also.

Prevention Of Homelessness

Actions currently underway

The Scottish Government is in the process of implementing Section 11 with appropriate guidance.

The guidance by CRISIS on how best to establish and promote Rent Deposit Guarantee schemes and Mediation services has been published. COSLA & ALACHO should work with CRISIS to disseminate the guidance and encourage councils and their partners to use it.

Suggested Actions in recommended order of priority

17. Given the vital role prevention will play in meeting the 2012 target ALACHO, Society of Local Authority Chief Executives (SOLACE), COSLA and CiH must encourage councils to develop a greater corporate approach to prevention through introduction of procedures such as prevention screening of all policies and practice.

18. Given the importance early intervention has in preventing homelessness it is essential that the Scottish Government, NHS Scotland and Community Health Partnerships must ensure people are able to access services they need in order to avoid the types of crises which can result in more acute health and homelessness issues.

19. With regard to councils corporate parenting role the Scottish Government, the Association of Directors of Social Work in Scotland (ADSWs) along with the Throughcare & Aftercare Forum should review practice regarding the current questionable use of homelessness services by Throughcare & Aftercare for resettlement of Looked After Children (LAC). The review should have particular regard to current emphasis on what makes for responsible corporate parenting and the 'We can and must do better' agenda within the Scottish Government.

20 SHBVN and CiH should develop guidance and training on prevention on the basis of the Hal Pawson research and the “Prevention Tool-Kit” already developed for ODPM.

21. The Scottish Government and SHBVN should have regard to specific guidance on prevention in rural/island settings where options may be more limited than elsewhere.

22. The Scottish Government’s Schools Directorate, Council Education Departments, SCSH and Learning Teaching Scotland should promote and co-ordinate schools based housing and homelessness education programmes.

23. The Scottish Government, SSN and SHBVN should actively promote the Scottish Social Networks Tool-Kit launched in November 2007.

Housing and Wider Forms of Housing support

Actions currently underway

The Scottish Government are considering amending the Interim Accommodation regulations to give councils greater flexibility and are also in the process of following up on previous consultations on Section 7 regulations and implementation.

Suggested Actions in recommended order of priority

24. ALACHO, COSLA and SOLACE should ensure that councillors and senior officers promote effective corporate working across services more rigorously.

25. ALACHO, SOLACE and COSLA should ensure that there are clear criteria by which corporate working can be evaluated in terms of actual services and resources provided by separate agencies and services within the agreed strategic framework.

26. COSLA, the Scottish Government and NHS Scotland should ensure that councils have clear guidance on how councils co-ordinate effective responses to people with multiple and complex needs. A Single Outcome Agreement (SOA) (see page 6) sets out the outcomes which each council is seeking to achieve with its Community Planning Partnership (CPP) e.g. NHS. An SOA should reflect local needs, circumstances and priorities, and will be related to the relevant national outcomes agreed in the Concordat. SOAs should assist in harnessing corporate leadership in multi-agency working.

27. COSLA and its member councils along with SCSH and Shelter should take positive measures to address negative attitudes throughout communities towards the provision of specialist or supported accommodation for homeless people. To assist with this the Scottish Government, with support from ALACHO and COSLA, should be more pro-active in promoting and publicising the internationally acclaimed legislation and national policy on homelessness.

28. COSLA, the Scottish Government and Shelter should issue guidance/advice to councils on how to address local antagonism and opposition to homelessness projects and facilities.

29. Councils need to adequately reflect the resource needs of the homelessness service when apportioning Supporting People funding and other funding across councils services to meet 2012. The Concordat between the Scottish Government and COSLA (see page 6) underpins the funding arrangements to be provided to local government over the period 2008-09 to 2010-2011. The removal of ring fencing provides a new framework for councils to determine the allocation of their resources to best meet the needs of homeless people while also addressing the issues previously relating to short-term funding and pilot schemes.

30. COSLA and the Scottish Government should reconsider current funding arrangements and timescales to provide greater security, particularly for onward funding of projects and initiatives.

See Action 17 [relating to corporate prevention work] under Prevention of Homelessness addresses Support issues also.

Legislative Change and Guidance

Actions currently underway

As part of the Firm Foundations agenda the Scottish Government is reviewing the role the private rented sector plays in meeting local housing needs.

Suggested actions in response

31. The Scottish Government should: collate and publish examples of effective prevention approaches or schemes; provide guidance on the recording and monitoring of prevention activities; and ensure that there is clear guidance on what prevention is and what will be viewed as gate keeping. This guidance should be agreed by the Scottish Government, ALACHO, COSLA and Regulation & Inspection.

32. The Scottish Government should consult with all interested parties and consider adjusting The Code of Guidance to give a more comprehensive definition of “reasonable to occupy” when determining whether an applicant is homeless.

33. The new administration should advise councils which guidance it intends to publish and set out a timetable for doing so.

Actions 8 & 13 [relating to priority need categories, and reasonable preference] address legislative and guidance issues also.

Monitoring and Support arrangements

Suggested Actions.

34. The Scottish Government should clarify the basis and processes on which it will assess each council's ability to achieve its 2012 target, bearing in mind the multiplicity of factors which need to be considered and the variety of circumstances in which separate councils operate.

35. Elected members and senior council officers should ensure that funding for homelessness and related support services continues to be provided at an appropriate level necessary to achieve 2012.

This document is available on the Scottish Government website:

www.scotland.gov.uk/Publications/Recent

or by contacting

Housing Access and Support Division

The Scottish Government

Area 1-H (South)

Victoria Quay

Edinburgh EH6 6QQ

Tel 0131 244 0356

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