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An t-Ionad Fiosrachaidh

Social Justice and Social Security Committee

3rd Meeting, 2024 (Session 6), Thursday, 1 February

Homelessness and Temporary Accommodation

Introduction

This paper provides background and suggested questions for the Committee's evidence session on homelessness and temporary accommodation. The Committee will take evidence from:

- Nicky Brown, Head of Homelessness and Household Support, City of Edinburgh Council
- Michael Cameron, Chief Executive, Scottish Housing Regulator
- Gordon MacRae, Assistant Director (Communications & Advocacy), Shelter
- Jim McBride, Head of Homelessness and Complex Needs, Glasgow City Council
- Gavin Smith, Service Manager for Housing Access at Fife Council, and member of the Association of Local Authority Chief Housing Officers (ALACHO).

Background

Policy context

Ending homelessness is a shared Scottish Government and local government policy aim. In 2018, the Scottish Government and CoSLA published the Ending Homelessness Together Action Plan which was subsequently [updated in 2020](#). The plan set out a range of actions grouped under the following themes:

- Embed a person-centred approach
- Prevent homelessness happening in the first place

- Join up planning and resources to tackle homelessness
- Respond quickly and effectively whenever homelessness happens
- Prioritise settled homes for all.

One of the main ways the plan is being delivered is through the development and implementation of local authority Rapid Rehousing Transition Plans with the aim of securing settled housing for all homeless households as quickly as possible and a “housing first” approach to providing housing with support where needed.

In the [Ending Homelessness Together Action Plan Monitoring Report](#) published in October 2023, a new action under the last theme above is to “Reduce use of temporary accommodation by 2026.”

There have also been recent legal changes. The [‘local connection’ rules](#) have been suspended. This means that a council cannot refer back a homeless applicant to the authority to which they have a ‘local connection’ giving homeless applicants more choice about where they apply as homeless.

The [“Unsuitable Accommodation Order”](#) has been extended to all households, rather than just those households with children. The Order limits the length of stay in some types of temporary accommodation (unless in exceptional circumstances).

Council’s legal obligations on temporary accommodation

Councils in Scotland have [legal duties towards homeless people and those at risk of homelessness under the Housing \(Scotland\) Act 1987 \(as amended\)](#). Councils should provide temporary accommodation to people when:

- someone is awaiting a decision on their homelessness assessment, if the council has reason to believe that they are homeless and they have nowhere else to stay
- [someone is found to be ‘intentionally’ homeless](#), while they seek advice and assistance to help source and find other accommodation (councils don’t have to consider whether someone is intentionally homeless)
- the council has a duty to find the homeless person settled housing, but they need to wait until a suitable home is found.

Scale of homelessness and use of temporary accommodation in Scotland

Despite national policy aimed at ending homelessness there have been increasing numbers of homeless applications to councils and increasing numbers assessed as homeless. [Scottish Government annual statistics](#) show that:

- [In 2022-23 there were 39,006 applications for homelessness assistance](#) – an increase of 3,247 (9%) compared with 2021-22, and higher than pre-pandemic in 2019-20 (37,053).

- There were 32,242 households assessed as homeless or threatened with homelessness – an increase of 2,903 (10%) compared to 2021-22, also higher than pre-pandemic (31,618 in 2019-20).

There have also been [increasing numbers of households in temporary accommodation and the length of stay has increased](#):

- There were 15,039 households in temporary accommodation at 31 March 2023 – a 6% increase compared with 14,214 at 31 March 2022 and 27% higher at the start of the pandemic at 31 March 2020 (11,807).
- The number of children in temporary accommodation has increased to 9,595 in March 2023 from 8,805 in March 2022 (9%). This compares to 7,355, or 29% higher than at the start of the pandemic at 31 March 2020.
- The average number of days spent living in temporary accommodation in 2022-23 was 223 days, an increase of just under 20% from 188 days in 2019-20. Households with children tend to spend longer in temporary accommodation. The [Scottish Housing Regulator \(SHR\) has noted](#), “This could suggest that the types of permanent housing that become available for people who are homeless are more suitable for smaller households and that supply shortages are more acute for family sized accommodation.”

Why has the use of temporary accommodation increased?

Partly, the increased use of temporary accommodation may be related to the legacy of the restrictions imposed, especially lockdowns, in response to the COVID-19 pandemic. [Councils faced challenges limiting the ability to move households into permanent accommodation](#), including difficulties carrying out necessary repairs, challenges conducting viewings and a lower level of lets.

In its [thematic review on homelessness, the SHR](#) said that demand for temporary and permanent accommodation comes from specific external factors including:

- availability and/or affordability of alternative housing options;
- the performance of the broader economy / the labour market; and
- levels of immigration and refugee arrivals, particularly to Scotland’s biggest cities and most dynamic centres of economic activity, such as Glasgow and Edinburgh.

It’s also related, in some areas, to councils not having a sufficient supply of suitable permanent homes. As the SHR’s [report stated](#):

“This fundamental mismatch between the demand for, and supply of, permanent, affordable housing is one of the reasons we are seeing an increase year on year in the number of people requiring, and the time spent in, temporary accommodation. Councils can make more temporary accommodation available, but this can take considerable resource and time, and can reduce the availability of accommodation to let on a permanent basis.

Moreover, councils have obligations on the quality of temporary accommodation which can take time to get in place, and resource to sustain.”

It noted that for some councils, the funds available within existing budgets to resource temporary accommodation is very limited. Some councils are exploring options for earlier interventions to try and prevent homelessness in the first place.

Scottish Housing Regulator Thematic Report

In [its report](#), published in February 2023, the SHR recognised that councils face challenges in delivering their homelessness services and some councils are making good efforts to deliver effective services.

It reported though that for some councils though, “there is an emerging risk of systemic failure in the provision of homelessness services, particularly in securing temporary and permanent accommodation.”

It found that not all councils always met their statutory duties to provide temporary accommodation and that there was some evidence of breaches of the unsuitable accommodation order increasing. Advice agencies sometimes find examples of ‘gatekeeping’ i.e. people who are homeless are told by councils to try other housing alternatives before applying as homeless. This is not consistent with [statutory requirements](#). The SHR noted a marked reduction in the number of times Glasgow City did not comply with its failure to provide temporary accommodation reducing its non-compliance from over 3,800 in 2019/20 to almost zero in 2021/22.

In its [update to the report](#), published in December 2023, the SHR concluded that:

“...breaches of statutory duties are now a regular occurrence in some councils. In their recently submitted Annual Assurance Statements 14 councils stated that they do not always fully comply with their duties to people who are homeless; indeed, some councils now regularly acknowledge that they are not able to fully meet all of their statutory duties to people who are homeless and are planning service delivery with the assumption that they will not be able to fully meet all of these duties all of the time. “

In addition, with a reduced turnover of social lets available, RSL’s reducing their new build programme and potential significant additional demand for homelessness services resulting from the Home Office’s initiative on streamlining asylum processing the SHR concluded that:

“...it is clear that the demands on some councils now exceed their capacity to respond and in others it soon will; given this, we are of the view that there is systemic failure in the services provided to people who are homeless by some councils and that there is a heightened risk in other councils. “

The SHR has stated that the City of Edinburgh Council and Glasgow City Council are impacted by systemic failure in the delivery of their services to homeless people, particularly in providing temporary accommodation. The SHR has updated its

engagement plan for these councils. Both have recently declared ‘housing emergencies’ in their areas.

The SHR is continuing to monitor and engage with councils. However, it stated that “systemic failure requires a systemic intervention that is beyond our regulatory powers.” It acknowledged the Scottish Government was bringing forward measures to respond to the challenges but believed that “added urgency” is now needed in this work.

Scottish Government and council action to reduce the use of temporary accommodation

[The Scottish Government has acknowledged that the number of households, and particularly those with children, in temporary accommodation in some local authorities is unacceptably high.](#) It set up a “**Temporary Accommodation Task and Finish Group**”, chaired by Shelter Scotland and the Association of Local Authority Chief Housing Officers (ALACHO), to develop an action plan to reduce the numbers of people in temporary accommodation and the length of time that they spent there.

[The Task Group’s report](#), published on 31 March 2023, made fifteen recommendations grouped under three priorities:

- Priority 1: New supply of social homes means people experiencing homelessness will be able to move rapidly into a permanent home
- Priority 2: Maximal use of existing housing stock increases the options for people to move to a permanent home.
- Priority 3: Providing the support people need to move on

The group also made other recommendations for other Scottish Government working groups, particularly in relation to preventing homelessness and suggested further work on the cost and financing of temporary accommodation.

[The Scottish Government’s response to the Task Force recommendations](#) was published on 19 July 2023. It stated that it “will prioritise action in response to the recommendations that will have the greatest impact to reduce the number of households in temporary accommodation by 2026”. Plans were set out to:

- invest at least £60 million through the Affordable Housing Supply programme in 2023-24 to support a national acquisition plan. This will enable local authorities and registered social landlords to rapidly acquire private properties of the right types and in the right places for use as high quality, affordable, permanent homes.
- [maintain momentum in delivering the Affordable Housing Supply Programme](#) (see more below),
- [work with social landlords to deliver a new programme of stock management.](#) The Scottish Government will support local authorities and registered social landlords with a range of approaches to local housing stock management, including large scale flipping of tenancies, effective void management and greater allocations of social homes to homeless households.

In terms of allocations, [around 54% of social lets in 2022/23 were made to homeless households](#). The City of Edinburgh [draft Housing Emergency Action](#) plan aims to make a minimum 70% of housing allocations to homeless applicants.

The [Homelessness Monitor: Scotland 2024](#) stated, “Local authorities continue to allocate substantially higher proportions of new lettings to statutory homeless households than Registered Social Landlords, but Registered Social Landlord lets to this group have increased the most rapidly. Two thirds of local authority survey respondents think that allocations to homeless households in their area are not high enough. At the same time, half of respondents are concerned that the level of allocations to homeless households is making it difficult to house others in housing need in their area, and local government leaders have recently warned of a “critical lack of capacity” in the sector.”

- [implement targeted partnership plans with the local authorities facing greatest pressure](#). In addition to the £8m per annum allocated to councils to implement their Rapid Rehousing Transition Plans, it will provide an additional £2m (councils also use funding through the local government settlement for homelessness services).

Scottish Government Affordable Housing Supply Programme

The Scottish Government has a target to deliver 110,000 affordable homes by 2031. [The Scottish Government plans to invest £3.5 billion this parliamentary term](#) on its Affordable Housing Supply Programme (AHSP). This funding is in addition to councils’ and RSLs own capital funding.

In their recent budget, [the Scottish Government set out plans](#) to spend £556 million on the AHSP in 2024-25, a cut of 27% in real terms. There are currently challenges to delivering new affordable homes, for example from increased construction costs. This is reflected in a slow-down in the number of approvals and site starts under the programme which, [in the year to end September 2023, have dropped by 14% and 24% respectively](#).

[Stakeholders have been disappointed that the budget has cut](#), arguing that this will be detrimental to reducing supply and will negatively impact on homelessness.

Proposed homelessness legislation

Longer term, there is continuing focus on the prevention of homelessness. The Scottish Government [plans to introduce legislation to strengthen homelessness prevention](#) based on the work carried out by the [Scotland Homelessness Prevention Review Group](#). Legislation is expected to be introduced in the parliament in 2024 but its not yet clear when any further statutory duties might be implemented.

Submissions to the Committee

The Committee received submissions from the [SHR](#) and [Shelter Scotland](#). The SHR submission was the update to its thematic report which is referred to above. Shelter Scotland’s submission highlights statistics on homelessness and argues that “we are in a housing emergency, and that requires an emergency response from government.” It summarises background to the current situation saying that there has been “over a year of warnings being ignored”. In terms of responding to the emergency, it states that action needs to be taken to “deliver the social homes we need” – highlighting cuts to the housing budget. Also, there is a need to “fully fund homelessness services” to ensure that local authorities have the resources they need to deliver on existing housing rights”.

The Committee also received a late submission from the Association of Local Authority Chief Housing Officers (ALACHO) available here: [Submission from the Association of Local Authority Chief Housing](#)

Suggested Questions

Members may wish to consider the following themes and questions:

Theme 1: General context

1. **Can you provide a brief overview of the reasons for the increasingly high number of households living in temporary accommodation? For individual councils – can describe the specific pressures in your area.**
2. **For the Scottish Housing Regulator: Can you provide an overview of why you think there is a systemic failure in homelessness services in some councils? Why are some homeless people not being offered temporary accommodation when they should be? How can homeless people ensure their rights can be enforced?**
3. **What impact is the rehousing of refugees and the UK Government’s initiative on streamlining asylum processing having on current, and near future, demand for homelessness services?**
4. **The Scottish Housing Regulator December 2023 update to its thematic report stated that there needed to be “added urgency” to the measures the Scottish Government was bringing forward to address the problem. In general terms, do witnesses think that the Scottish Government and councils are taking the actions it can with the “added urgency” that might be required? If not, what else could be done now?**

Theme 2: Stock management, new housing supply and budgets

5. **For the Scottish Housing Regulator: your evidence suggested that there is currently a lower turnover of social lets, what are the reasons for this and is there anyway turnover might be increased?**

6. What scope is there for social landlords to use their void homes better to rehouse homeless people? For example, the City of Edinburgh Council reported in December 2023 that there are currently 1,360 void homes across the Council's stock. Can such properties be let quicker and to what extent are they suitable for homeless households who have been in temporary accommodation the longest?
7. For councils: what % of lets are currently given to homeless households in your area? How are you working to achieve an increase in lets to homeless people while ensuring other housing list applicants' needs are met?
8. Councils, particularly those that don't own their own stock, rely on Registered Social Landlords to help permanently rehouse homeless households. How are Registered Social Landlords responding to the pressures on council homelessness services, is there scope for improved joint working?
9. For councils: the Scottish Government has provided money for a national acquisitions plan through the Affordable Housing Supply Programme to help buy private homes for use to reduce the pressure on temporary accommodation – have you used this funding and has it been an effective short-term measure? Is this something that needs to continue?
10. What impact will the reduction in the affordable housing supply programme budget for 2024-25 have on homelessness and temporary accommodation numbers in the shorter and longer term?
11. For councils: in addition to resources through the local government settlement, this financial year, the Scottish Government has provided £8m to councils to implement their Rapid Rehousing Transition Plans and is providing an additional £2m to implement partnership plans with the councils facing greatest pressure. Can you talk about how this funding is being used and how its impact can be maximised?

Theme 3: Homelessness Prevention and Support

12. How are councils working with voluntary sector and health and social care partners to prevent the number of people applying as homeless, and to support homeless people moving on from temporary accommodation? Is there scope for improvement to relieve current short-term pressures?
13. How useful are Discretionary Housing Payments in reducing pressures on the homelessness system - is there any way to maximise their contribution to help short term pressures in some areas?

Theme 4: Longer term issues

- 14. Shelter Scotland's submission refers to "over a year of warnings being ignored" and homelessness services have been a priority for Scottish Housing Regulator activity for a number of years. Are there any policy lessons that can be learned from the current situation about future planning for homelessness services?**
- 15. For the Homelessness Prevention Task and Finish Group members: the Scottish Government response to the Task Force group recommendations prioritised action that would have the greatest impact to reduce the numbers of household in temporary accommodation. Can you say anything about any other thoughts the group had about longer-term measures or the recommendations you made to other working groups e.g. on the financing of temporary accommodation?**
- 16. In the longer term, the Scottish Government plans to introduce new statutory prevention duties. How do you envisage this impacting on demand for temporary accommodation?**

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25 January 2024