Housing (Scotland) Bill Call for Views

Response from the Housing Support Enabling Unit

May 2024

Information about your organisation

Housing Support services enable people to exercise their rights to obtain and keep a home, to live independently and to participate in the life of their community. The Housing Support Enabling Unit exists to support and promote providers in the voluntary sector, private sector and housing associations in Scotland who do this crucial work with people every single day. The Housing Support Enabling Unit is jointly hosted by the Coalition of Care & Support Providers in Scotland (CCPS) and the Scottish Federation of Housing Associations (SFHA). Core funding is provided by the Scottish Government. This response reflects feedback from housing support and supported housing providers working across Scotland.

Housing support is used by people to achieve their own goals, and work towards reduced social isolation, better mental health, and improved self-esteem. Housing support can assist people facing homelessness, but also people experiencing addictions, older people, people with mental health problems, disabled people, women facing domestic abuse, and people with learning disabilities.[1]

Q1. To what extent do you agree that the measures in the Bill meet the Scottish Government's stated policy objectives?

Housing support providers agree that the policy objective of the Housing Bill should be to move from crisis intervention towards prevention activity in order to prevent homelessness. Housing support will be a key tool to achieve this objective. Housing support focuses on identifying solutions for people that support independence while helping people exercise choice and control.[2] Housing to 2040, included the goal to take action so that 'everyone who can and wants to is enabled to live independently in a home of their own.'[3] This vision includes people experiencing homelessness in Scotland, some of whom may need support to successfully live independently.

Housing support providers are supportive of shared responsibility for preventing homelessness, with providers already working in partnership with housing and social care partners to provide high quality, relationship-based support. In research by the UK Collaborative Centre for Housing Evidence (CaCHE), it was found that housing support is often the 'glue' that helps wider models of support together by bringing together different partners.[4]

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[1] https://www.ccpscotland.org/wp-content/uploads/2022/12/what-is-housing-support-JUNE-2023-update.pdf
[2] https://www.ccpscotland.org/wp-content/uploads/2022/12/what-is-housing-support-JUNE-2023-update.pdf
[3] https://www.gov.scot/binaries/content/documents/govscot/publications/strategy-plan/2021/03/housing-2040-2/documents/housing-2040/housing-2040/govscot%3Adocument/housing-2040.pdf
[4] https://housingevidence.ac.uk/wp-content/uploads/2024/02/Economic-benefits-of-housing-v6.pdf

Rent

Q4. Do you have any further comments to make on Part 1 of the Bill dealing with rent for private tenants?

There may need to be an exemption to account for voluntary sector organisations that provide supported accommodation and use Private Residential Tenancies. These organisations may use PRTs to provide a greater level of security for tenants, but the cost of supported accommodation is likely to be greater than general needs housing.

Homelessness prevention and domestic abuse

Q9: Overall, do you support the Bill's proposals in Part 5 of the Bill that deal with homelessness prevention?

Overall, the Unit is supportive of an improved focus on the prevention of homelessness across public bodies. It is important that the proposed ask and act duties take account of the housing support needs of people facing homelessness.

With housing support as a key preventative tool to enable people to maintain independent living and their own tenancy, providers are supportive of proposals to improve early intervention. By providing support that is responsive to people's individual needs, housing support can help avoid escalation and reduce demands on statutory services. The prevention of homelessness is not only a housing issue, and to effectively prevent homelessness, there must be effective partnership working between housing, health, and social care.

The Scottish Government's response to the Homelessness Prevention Task and Finish Group report stated that the provision of housing support should become an integral part of responses to preventing homelessness.[5] Housing support providers underline that if support is provided to someone before they become homeless, they are less likely to become homeless again. This aligns with the Scottish Government's stated policy objective to prevent homelessness before it occurs.

The Homelessness Prevention Review Group (HPRG), which was tasked with developing homelessness prevention duties before the writing of the Bill, made specific recommendations to improve the links between homelessness services and health and social care.[6] These recommendations included a duty for the health and social care partnership (HSCP) to co-operate with the local authority to meet housing support needs. The Homelessness Prevention Task and Finish Group also stated that a home should be included as part of someone's broader health and wellbeing needs. To underpin partnership working, joint strategic planning should be put in place between housing, health and social care.

While housing support providers are generally supportive of the principles of the proposed prevention duties, providers have voiced concern about the current pressures faced, and the

[5] https://www.gov.scot/publications/homelessness-prevention-task-and-finish-group-scottish-government-response/pages/our-response/

[6] https://www.crisis.org.uk/media/244558/preventing-homelessness-in-scotland.pdf

need for additional resources to ensure that identified housing support need is able to be met.

Duty on local authorities to assess housing support need and availability of services

The Unit is supportive of the proposed new duty on local authorities to undertake a local assessment of housing support needs and availability of services. Housing support providers have expressed concern around current access to support, and would like to see a local authority assessment of availability of services to improve access to housing support.

However, in the current proposals, it is unclear how this local authority assessment would be linked with the ask and act duty, or provision of services. This local authority assessment should be used to improve access to and quality of housing support services that support independent living. Housing support providers have reported that a lack of consistent approaches in service provision brings challenges for providing effective support. Many providers have received funding on a year-on-year basis, which doesn't allow strategic planning, and results in uncertainty of service provision and employment.[7] High-quality support relies on relationship-building and trust, which is facilitated through adequate and sustainable funding. A local authority assessment of housing support need and availability of services could be used to provide multi-year funding for necessary services to meet local need.

The Unit is supportive of the local authority assessment to assess the need and availability of housing support services, beyond services that specifically support people experiencing homelessness. These proposed local authority assessments should also be linked with other relevant strategies. For example, the recent Learning Disability, Autism, and Neurodivergence Consultation suggested that local authorities could undertake an assessment of the housing needs of neurodivergent people and people with learning disabilities to inform their local learning disability strategy. The Unit responded to the Consultation highlighting the need to align any new strategy with the Strategic Housing Investment Plans.[8] Housing support providers are in favour of a more holistic approach to assessing people's support needs and providing the right support.

- **The Unit is supportive of an increased focus on prevention in the Housing Bill and shared responsibility for homelessness.**
- **The Ask and Act Duty should account for people's housing support needs and provision, with adequate resourcing to meet these needs.**
- **Housing support providers support a duty on local authorities to assess housing support need and the availability of services, but this should be linked with the Ask and Act Duty and used to enable strategic planning to improve provision.**

[7] https://www.ccpscotland.org/hseu-news/what-is-the-impact-of-the-current-system-of-funding-housing-support/

[8] https://www.ccpscotland.org/wp-content/uploads/2024/04/Housing-Support-Enabling-Unit-LDAN-Consultation-Response.pdf

Q10: What are your views on the 'ask and act duty' for relevant bodies in relation to preventing homelessness in Part 5 of the Bill?

Housing support providers are supportive of a shared responsibility for preventing homelessness. Early intervention is beneficial, not only for the people who are supported to maintain independent living or their own tenancy, but also from a cost-savings perspective. However, it is crucial that **the 'ask and act duty' includes asking people facing homelessness about their housing support needs**. Research from the UK Collaborative Centre for Housing Evidence found that while housing support is not always visible, there is significant evidence for the economic benefits of housing support, and for its vital role in securing accommodation, care and other services for some of the most vulnerable in society.[9]

By including housing support needs and provision in the ask and act duty, people who need support to maintain a tenancy will be supported to avoid re-entering the homelessness system. Housing support providers have reported concerns that currently, sometimes homelessness referrals are made because the right questions are not asked to allow support to be put in place before someone becomes homeless. The Unit supports the recommendation from the Homelessness Prevention Task and Finish Group that work is undertaken to make access to both short-term and long-term housing support easier, and this should be made explicit in the Housing Bill.[10] The housing support needs of people facing or threatened with homelessness will vary.

One model of housing support for people facing homelessness is Housing First, where settled housing is combined with person-led and flexible support for as long as someone wants it. The latest Housing First check-up has found that while more Housing First tenancies are being offered with good results of tenancy sustainment rates at over 90% over 12 months since entry, more people could benefit from it and there is currently not enough capacity to deliver it to more people.[11]

Housing First will not be the best model for all people facing homelessness with housing support needs for various reasons including complexity of need and choice. For this group of people, it will be important to offer alternative settled supported housing options. Other people facing homelessness may benefit from other models of housing support, including visiting support, on a more temporary basis. The new ask and act duty would be beneficial to assess whether people facing homelessness would benefit from this type of support to maintain independent living. These different models of housing support should also be considered in the proposed local authority duty to assess housing support need, to improve provision and reduce existing issues of capacity.

Housing support providers would also appreciate clarity on how the pledge by Scottish Government to end charging for social care services links with the support provided as part

[9] https://housingevidence.ac.uk/wp-content/uploads/2024/02/Economic-benefits-of-housing-v6.pdf

[10] https://cyrenians.scot/assets/000/001/304/June_2023_Homelessness_Prevention_Task_and_Finish_Group_Report_-_final_report_original.pdf?1693311162#:~:text=The%20purpose%20of%20the%20sessions,like%20in%20their%20specific%20roles.

[11] https://homelessnetwork.scot/wp-content/uploads/2024/04/Housing_First_2023_Check-up-v2-1.pdf

of the prevention duties. Currently, charging can pose a barrier of access for people in need of longer term housing support.

The success of the proposed prevention duties will be dependent on strong mechanisms for the relevant bodies to cooperate and share information. Shared assessments could be helpful in allowing all services that are involved in the support of someone faced with homelessness to provide effective care. However, this must be balanced with ethical concerns and the need for all data to be person-centred and relevant to the person being supported. Housing support providers and other relevant bodies have significant investment in existing systems, but these systems may not be compatible with each other. Therefore, more discussion will be necessary with relevant bodies concerning sharing of information and data. The relevant bodies involved must also use common definitions. In these proposals, it will be important to include third sector and housing support providers in consulting on the 'appropriate actions' to be completed by relevant bodies as part of their 'ask and act' duties.

While housing support providers are generally supportive of the new duties, it will be important for relevant bodies to have proper resource to allow for training and action to reduce the threat of homelessness. The support work undertaken by housing support providers is specialist and person-centred. While there is some recognition in the proposals and financial memorandum that housing associations already undertake tenancy sustainment work, the proposals do not take into account the current funding pressures facing housing associations and other providers of housing support. Furthermore, the support needs of some people facing homelessness will go beyond the scope of the often short-term tenancy sustainment offered by housing associations, and will include more complex mental health needs. Research from the UK Collaborative Centre for Housing Evidence found that the funding sources of housing support services are often not clear.[12] Housing support funding has been cut, and tenancy sustainment and support activities are not sustainable without a clear funding source. Housing support providers anticipate more approaches for support in relation to the duties. In addition, housing associations that provide housing support and will be subject to the proposed ask and act duties, may be required to expand existing housing support services, in order to minimise the threat of homelessness. Therefore, the ask and act duties for relevant bodies must be properly resourced, with adequate funding to enable housing support provision to support independent living.

- **Housing support is a valuable tool for the prevention of homelessness, and housing support provision will be a crucial aspect of the Ask and Act Duty to prevent homelessness.**
- **The Ask and Act Duty should be linked with the local authority housing support assessment to improve access to different models of support.**
- **The Bill should include mechanisms for cooperation between relevant bodies including information sharing.**
- **The Ask and Act Duty must be accompanied by additional resource to meet housing support need.**

[12] https://housingevidence.ac.uk/publications/economic-benefits-of-housing-support/

Q11. What are your views on the requirement on councils to act sooner to prevent homelessness by taking reasonable steps in Part 5 of the Bill?

It will be helpful to focus earlier on prevention, with research finding that preventative housing support has strong economic and social benefits.[13] However, the current proposals lack clarity about what should happen if someone's circumstances change within the 6-month prevention period. As previously suggested in reference to the ask and act duties, the provision for councils to act sooner to prevent homelessness should also include access to housing support if needed. This is particularly relevant due to the preventative nature of housing support, and its ability to avoid escalation. The provision of housing support meets the Scottish Government's stated policy objective to eliminate the need for a household to go through the trauma of homelessness in the first place.

In linking the 6-month extension of homelessness prevention with assessment of the need for housing support provision, this is likely to increase the overall demand on housing support services. While it is positive for more people to have access to necessary support to maintain independent living, this must be accompanied by adequate resourcing to enable provision.

- **The proposal for councils to act sooner should also include provision of housing support to meet the stated policy objective of preventing homelessness.**
- **The 6-month extension is likely to increase demand on housing support services which must be resourced to effectively meet assessed need.**

[13] https://housingevidence.ac.uk/publications/economic-benefits-of-housing-support/