

Homeless Network Scotland Webinar Series: From Precarious to Permanent

Webinar 4

14th May 2020

Marion Gibbs, Team Leader at the Scottish Government, joined Claire Frew, Policy & Impact Manager at Homeless Network Scotland, to discuss the collective efforts to prevent and respond to homelessness across Scotland during the coronavirus pandemic. The discussion picked up on some new developments since the first webinar in the series, as well as revisiting some [of](#) the same issues to find out about progress.

1. Now that a lot of emergency responses have been put in place, the Scottish Government is currently prioritising recovery planning, focusing on the important existing priority of Rapid Rehousing and Housing First. Can you tell us more about your plans?

The first few weeks of lockdown required a crisis response from the Scottish Government [and partners](#), focusing on how to best protect people. With much of this in place, the focus has shifted to looking at the opportunities that have arisen and planning for recovery in 2 areas in particular: [Housing First](#); and Rapid Rehousing.

The current crisis has created a new level of consistent engagement with people affected by homelessness and this has given people the opportunity to look at their options. For those who have been rough sleeping, more accommodation options have been put in place alongside the necessary support, which will help to prevent a return to the streets. The Housing First programme can play a role in guaranteeing people [can](#) move forward to suitable housing.

It was fortuitous to have the Rapid Rehousing and Housing First already in motion at the time of lockdown - to make use of what had been learnt so far. Although the situation has changed, not starting from the beginning has meant we are in a much better place [to respond](#).

It is important to now begin to plan what happens when crisis eases, and a range of different groups have been meeting to do this:

- The Rapid Rehousing Transition Plan subgroup of the Homelessness Prevention and Strategy Group continues to meet remotely, prioritising the work to move high numbers of people out of temporary accommodation and into settled housing.
- The 5 Housing Options Hubs across the country – made up of all 32 Local Authorities – also continue to meet [virtually](#) every fortnight, [virtually](#), to identify priorities and share experiences and learning on a local level.
- Local Authority, Social Housing and Private Rented Sector Resilience Groups have been established, looking at different ways to move forward in the recovery period.

2. And since our first webinar, one of the big changes has been the legal extension of the Unsuitable Accommodation Order. Can you tell us about the terms of the extended order and what it means?

This stems back to the consultations with people with lived experience of homelessness, where over 400 people gave valuable insight into the realities of living in unsuitable accommodation: they need

to be in temporary accommodation for as little time as possible and when they are there it needs to be of decent standard. The agreed recommendation to deliver this was to extend the Unsuitable Accommodation Order, which previously only limited stays in unsuitable accommodation to 7 days for households containing children and/or pregnant women, to all homeless households by May 2021.

In response to Covid-19 the extension has come into force a year earlier than planned. Some temporary exemptions are in place until 30th September 2020 where the accommodation is identified as the best place for someone to self-isolate and adhere to physical distancing guidelines. From October 2020, any use of Unsuitable Accommodation for more than 7 days will be a breach of the Order.

Listening to the advice of people with lived experience and Local Authorities, the definition of Unsuitable Accommodation has been extended and refined to:

- Refer to minimum safety standards, the need to be in the locality of employment, and is suitable for children to visit where household has access to non-resident children.
- Correct an anomaly where only local authority owned supported accommodation is exempt by extending the exemption to accommodation owned and operated by third sector organisations.
- Broaden the protection of the Order to single person households and families without children.

It is understood that there have been some questions around the 30th September date and there may need to be some flexibility around this. A Local Authority working group has been set up to learn more about the realities of providing temporary accommodation and the impact of the extended Unsuitable Accommodation Order.

3. And the Scottish Government has just published the second Coronavirus Bill which has some implications for the planned changes to local connection provisions. Can you tell us more about this?

The second Coronavirus Bill moves the delivery of the Ministerial Statement on changes to Local Connection provisions – moving it from November 2020 to May 2021. This extension creates the space to undertake a full consultation without putting additional pressures on respondents under the current circumstances. All being well the overall timetable will not be affected, with the legal changes coming into force by May 2021.

4. In the first session we talked about the immediate focus on rough sleepers, including those with No Recourse to Public Funds (NRPF), and the Scottish Government funding to cover hotel rooms etc. Can you tell us more about the impact of this locally, how many rough sleepers have been accommodated and where, how many people are still thought to be rough sleeping?

Funding from Scottish Government has mainly gone to Glasgow and Edinburgh to make use of empty hotel rooms as temporary accommodation. The focus has been on the two biggest cities as this is where rough sleeping and NRPF cases are highest. As well as rough sleeping, the use of night shelters raised concern from a public health angle as self-isolation and social distancing would be difficult in these shared spaces, increasing the risk of spreading the virus.

It was essential to get people off the streets and out of night shelters as soon as possible, continuing to provide as much support as possible.

60 hotel rooms have been made available in Glasgow, and approximately 150 in Edinburgh. And in addition, local authorities across the country have been fulfilling their statutory duty by securing local hotels to use as safe temporary accommodation.

It is estimated that there are 30 people currently sleeping rough across Scotland. And the Scottish Government continues to discuss responses to people with NRPF with the UK Government.

[Frontline](#) ~~W~~weekly partners' meetings are held to keep a track of a moving picture and plan for moving people into their own homes.

- 5. We also talked about the emergency legislation stopping evictions from the social and private rented sectors for six months. Can you tell us more about how the Scottish Government sees this working and how we can ensure that rent arrears and other problems don't grow during the pandemic, creating the risk of a high number of evictions in 6 months.**

The Scottish Government is clear that both Social and Private Rented Sector landlords need to consider their responsibilities to tenants and how they can support them during this time in order to allay concern around the growth of rent arrears and the uncertainty of people's employment.

The important thing is to put our prevention hats back on and focus on what we can do to prevent problems growing, such as signposting people to where they can get extra assistance. And refocusing on the legal provisions of Section 11 – where local authorities are informed when someone's home is being repossessed, allowing time for a preventative response – will be crucial.

If a notice is served, the landlord needs to wait for the relevant notice period to expire, usually 3 or 6 months under the provisions of the Coronavirus (Scotland) Act 2020 before it can raise the action in court or, for Private Rented Sector cases, at the First-tier tribunal for Scotland (Housing and Property Chamber). The court system and First tier Tribunal will also be planning prioritisation of cases and how and when they will be scheduling cases as recovery continues and courts re-open.

Social landlords are now also making monthly returns to the Regulator on the impact the pandemic is having, including levels of rent arrears and this will allow the position to be monitored

- 6. Early prison release regulations have now been laid in Parliament, anticipated to cover 300-450 people. What progress has there been in identifying how many are at risk of homelessness, and what plans are being put in place locally to respond?**

In the early days there was a lot of concern that the numbers of people being released could overload the homelessness system at a time of existing pressure. Early release has now been in place since early May and so far, the numbers have been small and feedback from local authorities and partners is that it has not put any particular strain on the system. There have been minimal instances of people being released with no accommodation and in most instances local authorities have responded quickly if this has been the case.

This is not to say that there aren't any stresses and strains – but with strong working relationships between local authorities and the Scottish Prison Service it has been manageable.

7. Are there any other priorities the Scottish Government working on that we haven't had the chance to discuss yet?

There is a lot of work being done just now and therefore priorities are being revisited all the time. For the Scottish Government the main focus is on Rapid Rehousing and Housing First, moving forward with the Unsuitable Accommodation Order, planning for the consultation on local connection, and refocusing on homelessness prevention.

A prevention pathway for Domestic Abuse is being developed with Scottish Women's Aid and the Chartered Institute of Housing in Scotland. It is critical at the moment as there is concern that people are staying in accommodation, potentially in an abusive relationship and not leaving because of fear of health implications caused by the coronavirus. It is anticipated that there may be a spike in people seeking help once lockdown is over and it is important to start putting plans in place to be able to respond to this.

Other areas of homelessness prevention that will be paid attention to include section 11 (advising local authorities in advance about repossession action) and the Housing Options Training Toolkit (being developed across the 5 Housing Options Hubs).

Starting to think about moving people out of temp and into sustainable accommodation and providing them with the support to sustain that.

The Homelessness Prevention and Strategy Group will continue to oversee and advise on the priorities for the homelessness sector - <https://www.gov.scot/groups/homelessness-prevention-and-strategy-group/>

8. Much of our focus is now on how we maintain the progress we have made when the pandemic is over - what are your thoughts on the benefits we've achieved and how we can go about maintaining them so that there is no return to homelessness?

Firstly, it is important to recognise the achievements of the public and third sectors in response to the current crisis. Staff have been working hard in difficult circumstances to ensure we could deliver a strong emergency response.

And going forward it is important that we take the time to focus on what we have learned from the past 2 months and make sure we don't fall back into our old routines and practices.

The pandemic has shone a light on all the different processes and challenged us to ask whether we really need all the steps in these processes? Can we work quicker to move people through the homelessness system and into accommodation? Are there new contactless ways of signing people up for tenancies? How do we do that?

A lot of these things are person centred. It is important to not go back to looking at systems and processes. We need to continue to think of households, individuals, meeting their needs, fulfilling their choices, looking at their wider options and really try to make a difference. We can use this opportunity as we have built different relationships and different ways of doing things.

Not to underestimate what has been done – but focus now on what needs to be done.

We need a new default instead of slipping back.