

White Paper on Ending Homelessness in Wales

Welsh Government consultation

A response from Cymorth Cymru

16th January 2024

About Cymorth Cymru:

Cymorth Cymru is the representative body for providers of homelessness, housing and support services in Wales. We act as the voice of the sector, influencing the development and implementation of policy, legislation and practice that affects our members and the people they support.

Our members provide a wide range of services that support people to overcome tough times, rebuild their confidence and live independently in their own homes. This includes people experiencing or at risk of homelessness, young people and care leavers, older people, people fleeing violence against women, domestic abuse or sexual violence, people living with a learning disability, people experiencing mental health problems, people with substance misuse issues and many more.

We want to be part of a social movement that ends homelessness and creates a Wales where everyone can live safely and independently in their own homes and thrive in their communities. We are committed to working with people who use services, our members and partners to effect change. We believe that together, we can have a greater impact on people's lives.

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Introduction

- 0.1. We would like to begin our response by stating our strong support for the aims and ambitions of the White Paper, as well as the majority of the proposals contained within it. As a member of the Expert Review Panel, we are pleased to see so many of the panel's recommendations reflected in the White Paper. It is particularly heartening to see the influence that experts by experience have had on the proposals.
- 0.2. The Housing (Wales) Act 2014 was widely praised for introducing a duty on local authorities to prevent homelessness, which has helped tens of thousands of people since its implementation. However, too many people are still experiencing or at risk of homelessness, and it has become clear that the current legal system does not go far enough to enable us to achieve our ambition of ending homelessness. With growing evidence about the trauma experienced by people within the homelessness system, it is time to build on the inclusive approach taken during the pandemic and remove the remaining barriers that prevent people from accessing the housing and support they need.
- 0.3. While some stakeholders may object to particular elements within the White Paper, we want to reiterate the message from the Expert Review Panel (ERP) that these proposals should be viewed as a carefully considered and complimentary package of reforms. During the twelve months that the ERP undertook its work, consensus was found across multiple areas of law, with great consideration to how the proposed changes would work together legally and practically. The ERP was diverse in its membership and had differing views on some areas of law, so compromises were made by all members to agree the package of recommendations. Failure to implement all of the proposals will undermine the careful consensus that was developed across the membership of the ERP, and the message that everyone needs to play their part. Legislative reform is needed to ensure that change is systemic and long-term, not down to the goodwill, passion or commitment of individuals, which inevitably leads to inconsistency for people who need help.
- 0.4. One of our main priorities during the ERP and in our response to this White Paper is ensuring that experts by experience have their voices heard and acted upon. During the last eighteen months it has been a privilege to engage with over 300 people who have experienced or been at risk of homelessness, listening to their views on how the law needs to change. We were also very pleased to engage with frontline workers through the Frontline Network Wales. The views of experts by experience and frontline workers were similar in many ways, with both groups agreeing that there needs to be a whole system approach to ending homelessness, and this system needs to be more trauma-informed.
- 0.5. Despite the fantastic work being delivered by lots of individuals and organisations in Wales, too many people told us they have not been listened to and have been unable to access the housing and support they need. They shared stories of trauma and frustration with the current system, but spoke with passion about their desire to influence and improve it for other people. They were clear that things need to change. We are incredibly grateful for their time and expertise, and heartened that their views were taken so seriously by the ERP and had such a significant impact on their recommendations and subsequently on this White Paper.
- 0.6. Their calls for change have driven our support for this package of reforms and we hope to see legislation passed, properly resourced and implemented so that we can achieve the ambition of making homelessness rare, brief and non-repeated.
- 0.7. Please note, throughout this response, direct quotes from experts by experience and frontline workers appear as follows:

| *“Experts by Experience quotes”*

| *“Frontline worker quotes”*

Chapter 1: Reform of existing core homelessness legislation

1. Do you agree these proposals will lead to increased prevention and relief of homelessness?

1.1. Yes.

2. What are your reasons for this?

2.1. We believe that the proposals for reforming existing core homelessness legislation will improve the prevention of homelessness, by enabling people to seek help earlier and receive a more person-centred approach from their local authority. Preventing a person's homelessness from happening or escalating is less traumatic for the person being supported, and less resource intensive on public services. However, it is important that these proposals are accompanied by increased investment in both local authority capacity and the Housing Support Grant, in order to support successful implementation.

2.2. **Increasing the 56-day prevention duty period to 6 months.** We strongly support the extension of the prevention time period, and found widespread support for this proposal among third sector support providers, frontline workers and experts by experience.

2.3. Many people feel that the current 56-day period is not sufficient to prevent someone's homelessness, particularly at a time when there are so few affordable properties available. The extension of this time period will give individuals and local authorities more time to do meaningful preventative work, and should therefore avoid the need for more costly and traumatic interventions at a later date. The suggested time scale will also align with the Renting Homes (Wales) Act 2016 no-fault eviction period, enabling people to access help immediately.

“Support from homeless prevention team is vital.”

“I think people should have support and housing straight away, no waiting.”

2.4. It will be important to ensure that local authorities are adequately resourced and this change is effectively communicated to members of the public, to encourage people to seek help as early as possible. Currently many people wait until they are in a crisis situation before accessing or receiving support. In one of the experts by experience surveys conducted during the ERP's work, 31% of respondents indicated they did not approach their local councils for help when faced with homelessness. When asked why, the reasons included a lack of knowledge about how to approach their council for help, difficulty navigating the system, and people believing that the council would not or could not help them.

2.5. One survey respondent left a more detailed response about how they had not known that support was available until they hit crisis point and were informed of their options when entering hospital. While this highlights an example of the health service operating in a joined-up way that resulted in a positive outcome, it would have been preferable if the person had understood what help was available from their local council before reaching crisis point.

“I didn't know this help was available until I was in a suicidal state. It is difficult to seek help when suffering mental issues. It was only when I went to hospital I was given a form with numbers of people who could help. Once I did this with help of my co-ordinator my life was completely changed for the better and I was able to get more help from support workers. I never knew the council could help until then. I'm so very grateful for the lovely people whom helped me rebuild my life amazing people whom I am now very close with such wonderful help I finally have a normal life again and able to see my grandchildren in my new safe home thanks to their help.”

- 2.6. **Strengthening and clarifying reasonable steps.** It was clear from our engagement with experts by experience that people had varied experiences when they approached their local authority for help. We support the proposals to strengthen and clarify reasonable steps with the aim of improving consistency and widening the options available to people seeking help.
- 2.7. Experts by experience had additional views on how to improve access to local authority support when experiencing or at risk of homelessness. Some participants commented on the need for support to be available immediately and for more services to be available outside of traditional office hours, as people could experience a crisis at any time. Others talked about the importance of council staff having greater empathy, understanding and patience when people are not responding to one form of communication or not engaging with the council. They commented that the person may be experiencing mental health problems or another type of challenge, and that staff should not give up on them or close the case, but should consider what else they could do to help. Another person highlighted the importance of local authority outreach services, calling for a more consistent approach across Wales. They wanted outreach services to be more visible and easily accessible for people experiencing homelessness. One respondent called for their local council to develop a better understanding of a range of issues, including equality, disability and mental health.
- 2.8. **Introducing a statutory duty to provide support.** We are extremely supportive of this proposal. Housing support services play a critical role in preventing and alleviating homelessness in Wales, and should be on a statutory footing.
- 2.9. Many people find it difficult to retain their accommodation without additional support, increasing the risk of homelessness, poor health, the need for social care interventions, and/or interactions with the criminal justice system. The proposal to introduce a duty on local authorities to provide support will prevent homelessness and deliver benefits for the person, the local authority and other public services. [Research](#) by Cardiff Metropolitan University has shown that for every £1 invested in housing support services, there is a net saving of £1.40 to public services, including health, social care and criminal justice.
- 2.10. Further to this, ensuring accessible, flexible and person-centred support was cited by multiple experts by experience as playing a crucial part in preventing homelessness.
- | *“Someone to help you navigate the system early on.”*
- | *“Would still want to access support after moving into settled accommodation.”*
- | *“Support in community is crucial.”*
- | *“Long term support needed.”*
- 2.11. However, we believe the duty to provide support should not end after twelve months, but should instead be continued until the person no longer has a need for this support. While most people will either not require support, or only require it for a short period of time, for people who have experienced multiple traumas or challenges, the support should be available for as long as it is needed to prevent them from becoming homeless. This will help to prevent repeat homelessness, in line with the Welsh Government’s Ending Homelessness Action Plan and strategic outcomes framework. It will also align with the Housing Support Grant guidance and Housing First principles, which deliberately do not set a time limit for support, in recognition of the multiple disadvantage facing some people who experience homelessness.
- 2.12. Finally, the duty to support must be accompanied by an increase in the Housing Support Grant, to ensure that local authorities can commission the services they need to deliver it.
- 2.13. **Personal Housing Plans tailored to the needs of the individual.** Personal Housing Plans (PHPs) provide an opportunity to ensure that people’s housing and support needs are fully understood and they get the right help to prevent or alleviate their homelessness. This can

be particularly important for people who have experienced trauma or face challenges that may not be immediately apparent when someone first presents. Placing a requirement on local authorities to draw up a PHP and to include the applicant's views make it much more likely that people will get the right support, tailored to their needs. However, it will be important to ensure that these plans are proportionate to the person's need and that local authority teams are appropriately resourced to implement these plans.

- 2.14. The requirement to review the PHP within 8 weeks will also enable the plan to consider any changes that have occurred within this period. People experiencing or at risk of homelessness can experience huge changes in their circumstances within very short periods of time, and therefore the solutions and support they require are also likely to change. The requirement for a review should enable any changes in circumstance to be considered and ensure the person gets the right response.
- 2.15. **Right to request a review.** We support the proposals for applicants to be able to request a review of the reasonable steps and suitability of accommodation. Many of the experts by experience we engaged with during the ERP's work told us that they had not received the help they had needed and/or were placed in unsuitable accommodation. Several talked about the power imbalance they felt when accessing help from the local authority and felt they had no opportunity or right to challenge decisions. Applicants need to be empowered to challenge decisions, without fear of this negatively impacting on the service they receive. A legal right to request a review should help to empower people, but this must be communicated effectively to applicants.
- 2.16. **Unreasonable failure to co-operate test.** Our understanding of the impact of trauma is much greater than it was ten years ago, when the Housing (Wales) Act 2014 was developed. We believe that the proposals to change 'unreasonable failure to co-operate' to 'deliberate and unreasonable refusal to cooperate' and to narrowly define the circumstances in which this can be used, is much more in line with a trauma informed approach. However, even in the circumstances outlined in the White Paper proposals, we would hope that local authorities and other public services would consider the impact of trauma and whether unmet support needs are contributing to the person's behaviour or consistent non-engagement.
- 2.17. **Communication between the local authority and applicant.** One of the most common issues raised by experts by experience was poor communication from the local authority when people were engaged with the homelessness system. This was most acutely felt by people who were in temporary accommodation and waiting for offers of settled housing. We therefore strongly welcome the proposals to improve communication with applicants.

| *"They told me to not ring: 'we'll ring you', but they never do."*

| *"I'm told 'stop ringing us' – imagine being told that!"*

| *"They tell us to be patient, but don't keep us updated."*

| *"They fob you off to get you off the phone. I don't believe them or trust them."*

| *"It doesn't matter if you're here 6 months, a year, ten years."*

| *"It's like a prison sentence without knowing the length of the sentence. If you knew the timescales you could be more prepared and see the light at the end of the tunnel."*

3. Are there additional legislative proposals you think we should consider to improve the prevention and relief of homelessness?

- 3.1. No further comments.

4. Do you agree with our proposal to abolish the priority need test?

- 4.1. Yes

4.2. In our view, everyone deserves to have access to temporary accommodation and no one should be forced to sleep on the streets or in unsuitable, unsafe accommodation. As one expert by experience said:

“Everyone deserves a decent roof over their heads.”

4.3. The current priority need system fails too many people, including those who should qualify as priority need but slip through the net. We heard from countless experts by experience and frontline workers about how priority need prevents people being able to access the accommodation and support they need. One frontline worker said:

“Not every case fits into the existing priority need categories. For example, if a person has MH problems that cannot necessarily be diagnosed /evidenced, especially in a crisis. Cases of, for example, threat, coercion, exploitation, debt management, and other sometimes common crisis situations, these are difficult to prove without evidence or a police incident reference, but no less of a priority when it comes to providing shelter or safety. The priority need system allows many to become more vulnerable and to slip through the net when left without support at a time of great need or potential danger.”

4.4. In addition, we know that people having to re-tell their stories in order to ‘prove’ that they qualify for priority need can be extremely re-traumatising. People with lived experience and frontline workers have told us that it feels as though people have to share the very worst of their experiences in order to qualify for priority need, which can be emotionally harmful during an already challenging time.

4.5. Experts by experience also commented on how priority need had affected them and their peers, talking about the impact of assumptions and stigma affecting whether they qualified for help. This has been echoed by support providers, who feel that judgements about a person’s background or experiences can hinder their qualification for priority need.

“Two people can have the same issue but [are given] different priorities.”

“[Priority need means] You’re a young fit, healthy, male – you’re suitable for the streets.”

“People slip through the net.”

“There is stigma around people in different situations.”

“I feel priority groups should be removed as it’s unfair – everyone who is homeless or at risk of homelessness is a priority.”

4.6. During the pandemic, the Welsh Government’s ‘Everyone In’ policy effectively abolished priority need, albeit on a temporary basis. While this was extremely challenging for local authorities, it made a huge difference to many people who had previously had no entitlement to temporary accommodation. Since then, interim legislation has been passed to add a new priority need category for people who are ‘street homeless’. As a result, there are very few people who do not qualify for priority need. Therefore, abolishing priority need should only see marginal increases to the number of people entitled to temporary accommodation.

5. Do you agree with our proposal to abolish the Intentionality test?

5.1. Yes

5.2. The idea that someone is intentionally homeless is archaic and one of the least trauma-informed parts of current housing legislation. People become homeless for a wide variety of reasons, including poverty, abuse or exploitation, mental health crises and unmet support needs. Finding people intentionally homeless fails to understand the complexity and trauma that often causes people to become homeless, and ultimately does nothing to help resolve this issue. The focus should be on identifying solutions, not allocating blame.

- 5.3. Many of the experts by experience we engaged with during the ERP work had strong views on intentionality and shared experiences of how it had caused them further trauma:

"I think this should be removed because there is always a reason why someone doesn't pay rent, when someone get evicted it not always their fault, some people need extra support when they get a tenancy but they don't get it."

"I was judged to have been intentionally homeless because I had left my home (due to the abuse) and refused refuge (due to my son's health issues). How can you say I'm intentionally homeless, when I got two buses to get here and I've waited for two hours? There was no empathy. I was so frustrated."

"I went through 13 years of hell because of intentionality. I was beat up, stamped on [on the streets]."

"Some people don't have the choice to become intentionally homeless, especially if physically or mentally abused by another person."

"I'm being punished for leaving an area that wasn't suitable for me where I'm not safe."

"These are used as excuses rather than mechanisms to help."

- 5.4. These views were reinforced by frontline workers:

"Intentionality can often completely disregard a person's mental health need, certain responses to trauma, a learning difficulty, or their lack of ability to do the right thing. The law can fail to realise that it exists to protect and support vulnerable people in vulnerable situations."

"Just housed a couple who were in a 3-bed property, they couldn't afford the rent, so they handed their notice in because they did not want to get into arrears, moved in with relative in Powys but it's not suitable longer term for them all, but the council have said they have made themselves intentionally homeless. They thought they were doing the right thing; they didn't want to get bad references."

- 5.5. We also received examples from organisations which have supported women who have been sexually exploited and found intentionally homeless.

"Woman had tenancy of flat, multiple perpetrators staying with her over the years resulting in very high levels of trauma, couldn't stay in flat due to PTSD and triggering of trauma, never feeling safe etc. Evicted for non-occupancy and now street homeless."

"Woman with long history of very poor mental health unable to regularly stay at her flat due to multiple perpetrators and victimisation by other residents in block, front door not locking and refusal to change lock again thus compounding her fear of serious harm and complete lack of any privacy. Refused any opportunity to move so frequent bouts of sofa surfing/street homelessness – seen as intentionally homeless due to non-occupation. Woman attempted suicide causing serious injuries and was rehoused."

- 5.6. Intentionality is rarely used by local authorities and its removal should therefore have little overall impact on the number of people they support. However, it will have a hugely positive impact on people who face multiple traumas and are currently refused help. We are extremely supportive of the proposal to abolish intentionality and instead put the focus on identifying solutions rather than allocating blame.

- 6. Do you agree with our proposal to keep the local connection test but add additional groups of people to the list of exemptions to allow for non-familial connections with communities and to better take account of the reasons why someone is unable to return to their home authority.**

6.1. Partially.

- 6.2. We would prefer for local connection to be abolished, as it poses a significant barrier for some people from getting the accommodation and help they need. We heard from a number of experts by experience who had been affected by this issue, including domestic abuse survivors, LGBTQ+ young people, disabled people and people recovering from substance use issues.

“Many people want to move out of area as they have connections to drug use or violence in their local area. The current law does not take this into consideration and people are trapped in a cycle of homelessness due to being unable to move away from their past if they don't have local connection outside their area. It's a ridiculous rule that prevents people from getting the help they need.”

“How can cycles be broken if you can't move somewhere else?”

“Sometimes you need to leave an area to be safe.”

“You have to go back to where you're running away from”

- 6.3. We also encountered strong views from frontline workers about the impact of local connection on people they support:

“We work with young people coming out of care, some don't want to go back to their old local area, because it's where the bad things happened to them, but it's hard for them to get help with housing outside of their old area.”

“I have worked with a number of vulnerable clients who have wanted to move out of the borough due to risks from others, concerns about drug/alcohol relapse etc, but due to no local connections outside of their current borough, they have not been able to move to a more desirable area.”

- 6.4. However, as a member of the Expert Review Panel, we recognise the very strong opposition that local authorities had to this, and acknowledge their fears that particular local authorities could become overwhelmed if this test was removed. We also heard from frontline workers in local authorities who were concerned about their capacity to cope with its removal.
- 6.5. With the local connection test likely to remain in Welsh law, we strongly advocate for a more trauma-informed approach to its application. We believe the White Paper proposals to exempt particular groups will go some way to making the system more trauma-informed.
- 6.6. We do however have concerns that the groups listed under paragraph 166 of the White Paper may continue to be negatively affected by the local connection test. While we welcome the suggestion to consider further how 'special circumstances' criteria may be applied, we are concerned that this may not have a meaningful impact on these groups. We encourage the Welsh Government to consider whether these groups can instead be added to the list of exempted groups. If not, the guidance regarding application of 'special circumstances' must be robust and encourage a person-centred, trauma-informed approach.
- 6.7. Implementation will also be critical, as we heard from some experts by experience that local connection has not been applied correctly, despite them falling into groups that should have been exempt, such as domestic abuse survivors.
- 6.8. We have also received representations from organisations working with women who have been sexually exploited about the need for the local connection test to consider the undisclosed trafficking of women and coercion, where people are forced to work in particular areas. Specialist support organisations say these women are too scared to return to the area where they have been trafficked from and instead feel it is a safer option to stay street homeless for six months until the local authority will accept a duty. While abuse and exploitation is referenced in one of the groups who would be exempt from local connection,

there is a strong feeling that local authorities need to be better informed about the needs of sexually exploited women when taking decisions on local connection.

- 6.9. We also urge the Welsh Government to consider the ERP recommendation that the Welsh Government and local authorities seek to make available services that support people:
- a) who may fall into an exempt group or be regarded as in special circumstances to navigate the local connection decision making process
 - b) to access alternative housing solutions if they are referred under local connection but do not want to move
 - c) to relocate to their local authority of origin where this is within their best interests and the applicant has consented.
- 6.10. We visited such a service run by a third sector provider in partnership with the local authority. The third sector organisation was seen as a trusted body by people experiencing homelessness, which was able to advocate on behalf of people who qualified for exemptions, as well as helping people to find alternative housing solutions if they had no local connection but needed to remain in the area for a variety of reasons. This was beneficial to the individuals, but also helped the local authority to manage homelessness within the city. As far as we know, this is the only service of its kind, but we believe it would be beneficial to people and local authorities across Wales if a similar service existed in all parts of Wales.

7. The accompanying Regulatory Impact Assessment sets out our early consideration of the costs and benefits of these proposals. Are there any costs and benefits we have not accounted for?

- 7.1. With regards to the duty to support, we would reference the [research](#) by Cardiff Metropolitan University which shows that for every £1 invested in housing support services, there is a net saving of £1.40 to public services, including health, social care and criminal justice.

Chapter 2: The role of the Welsh public service in preventing homelessness

8. Do you agree with the proposals to apply a duty to identify, refer and co-operate on a set of relevant bodies in order to prevent homelessness?

8.1. Yes.

- 8.2. It has long been recognised that homelessness is not just a housing issue. Multiple and intersecting factors, including mental health issues, physical health issues, interaction with the criminal justice system, abuse and exploitation can affect the likelihood of someone experiencing homelessness and how they experience homelessness if it's not prevented. For homelessness to be ended in Wales there must be legislation that encourages and facilitates wider public services to play their part.
- 8.3. Experts by Experience have been extremely vocal on the need for greater involvement from public services. Participants wanted health, social care, education and the criminal justice system to be more responsive, to act more quickly and to anticipate the risk of homelessness when people experience challenges in their life. They wanted other public services to help to prevent homelessness before they reached crisis point, and for public services to work more collaboratively to meet their needs.

“One of the biggest things that could happen is for all services to play their part.”

- 8.4. We strongly support new duties on public services to:
- Identify if someone is experiencing or at risk of homelessness

- Act within their own capacity to prevent or mitigate the impact of homelessness
- Refer to the local housing authority or another public service, where appropriate, to prevent, mitigate the impact of, or alleviate homelessness.

- 8.5. In England, selected public services have a duty to refer people to the local authority if they are at risk of homelessness. Whilst this has resulted in more people being referred for housing support, local authorities can be left with the sole responsibility for supporting someone and have the potential to become overwhelmed. As a result, we believe the duties to identify and act are just as important. The proposed duty to identify whether someone is experiencing or at risk of homelessness will help embed a culture where services are pro-actively assessing and identifying risk. The duty to act should encourage other public services to take steps to prevent homelessness and will hopefully prevent some people from needing to enter the homeless system in the first place.
- 8.6. We also strongly support the proposed duty to cooperate. People who are experiencing or at risk of homelessness often need support from other public services to prevent them from becoming homeless or experiencing further harms. However, our members and frontline workers have told us that it can be extremely difficult to get an appropriate response from other public services. Housing support workers often feel that they are left to pick up the pieces on behalf of multiple public services. Not only is the proposed duty to cooperate in the interest of the person at risk of homelessness, but it should also deliver benefits to those public services by preventing further crises and the need for more costly interventions further down the line.
- 8.7. In summary, we believe that duties to identify, act, refer and co-operate will have a significant impact on preventing homelessness and reducing the harm and trauma experienced by people. If the Welsh Government is serious about a cross-government approach to ending homelessness, the implementation of these duties is vital.

9. Do you agree with the proposed relevant bodies, to which the duties to identify, refer and co-operate would apply? Would you add or remove any services from the list?

- 9.1. We largely agree with the list of proposed relevant bodies and would not remove any of them. As outlined above, all public services have a part to play.
- 9.2. We do however want to highlight the fact that schools, pupil referral units, further education and higher education institutions do not appear on the list of bodies that would be subject to these duties. The ERP and experts by experience were very clear that education can play a critical role in early intervention and prevention, and should therefore be included.
- 9.3. We also support the Welsh Government's plans to hold discussions with the UK Government about how non-devolved public bodies could be included in these proposals. The justice system in particular, has an important role to play in ensuring that people leaving the secure estate are not homeless. The Home Office is also a critical stakeholder with regards to preventing homelessness for refugees and asylum seekers, including people with no recourse to public funds.

10. In your view have we struck the right balance between legislative requirements and operational practice, particularly in relation to health?

- 10.1. We are in no doubt that across Wales there are pockets of good practice where health and homelessness services work together well to support people experiencing or at risk of homelessness. We facilitate quarterly provider forums across six regions which bring together homelessness and housing support providers. In these meetings we hear positive examples of collaborative work with health, but we also hear how inconsistent this is across Wales. We have heard too many examples of housing support providers being unable to get

mental health services to engage with their tenants or clients, leading to that person's mental health deteriorating further and them becoming at greater risk of homelessness. We recognise that health services, like many public services, are facing huge demand. However, too many people are currently left without the treatment and support they need.

10.2. This is also reflected by experts by experience, who have shared stories which both illustrate the successes when there is good engagement with health, as well as the missed opportunities where people have not been able to access the healthcare they need. This has been particularly challenging with regards to mental health services.

10.3. We also know that the health needs of people experiencing homelessness are extremely poor compared to the general population, with a higher prevalence of chronic health conditions and a life expectancy of approximately 30 years less than the average person. This is a clear argument for greater collaboration between homelessness and health services.

10.4. We imagine there will be opposition from some public service to these proposed legal duties, primarily due to current pressure on their services. However, we believe that this cross-public service legislation is necessary to ensure that we achieve the ambition of making homelessness rare, brief and unrepeatable.

11. What practical measures will need to be in place for the proposed duties to identify, refer and co-operate to work effectively? Please consider learning and development needs, resources, staffing, location and culture.

11.1. As outlined by the ERP there will need to be investment in the relevant public services to ensure proper implementation. In terms of practical measures, we suggest that the following:

- Leadership. The Welsh Government should consider the ERP recommendation to require a designated lead for homelessness, at a senior level, within each health board.
- Learning from existing good practice. Some of our member organisations already have a presence on hospital wards to facilitate positive housing solutions on discharge.
- Appropriate engagement and consultation. It is unlikely a 'one size fits all' approach will work across different public bodies so there will need to be consultation on the best ways of partnership working with different sectors.
- A recognition that different sectors use different language.
- Training on homelessness prevention.
- Mechanisms for referral and data collection.
- A shared understanding and management of risk.
- Data sharing agreements between public bodies, and the third sector.

12. In addition to the broad duties to identify, refer and co-operate, this chapter contains proposals to provide enhanced case co-ordination for those with multiple and complex needs. To what extent will the proposals assist in preventing homelessness amongst this group?

12.1. We strongly support the proposal for enhanced case co-ordination. Our members routinely support people experiencing multiple disadvantage, who often require access to more than one public service. There are some great examples of different public services working collaboratively to provide the best outcome for people experiencing homelessness, but these approaches are often driven by passionate individuals and are not systemic. Unfortunately, not everyone who enters the homelessness system is guaranteed this coordinated response. The White Paper proposal for an enhanced case coordination approach and a designated lead should ensure that people facing multiple disadvantage can expect a good level of communication and cooperation, regardless of the area in which they access services.

13. The accompanying Regulatory Impact Assessment sets out our early consideration of the costs and benefits of these proposals. Are there any costs and benefits we have not accounted for?

13.1. No additional comments.

Chapter 3: Targeted proposals to prevent homelessness for those disproportionately affected

14. Are there other groups of people, not captured within this section, which you believe to be disproportionately impacted by homelessness and in need of additional targeted activity to prevent and relieve this homelessness (please provide evidence to support your views)?

14.1. No additional comments. We are very supportive of the proposals for targeted action to prevent and alleviate homelessness for the groups listed in this section.

15. What additional legislative or policy actions could be taken to prevent or relieve homelessness for the groups captured by this White Paper?

15.1. We welcome the proposals for targeted support for survivors of VAWDASV, particularly the involvement of specialist services in the decision-making process when survivors are accessing homelessness support. In our engagement with experts by experience, a number of survivors highlighted the need for specialist services to be involved in their support:

“Support worker was lovely, but didn’t have specialist knowledge of domestic abuse, and didn’t understand what it was like to be a survivor.”

“I had a generic support worker. They looked traumatised themselves from what I told them. Having someone who had the skills to be able to hold that information and put practical solutions on the table is really important.”

15.2. As an example of good practice, we understand that the Caerphilly and Newport local authority homelessness teams already have staff from a specialist VAWDASV support provider working with them. This enables specialist knowledge to be shared, and for survivors to be referred directly to these specialist staff.

16. Our proposals related to children, young people and care experience seek to improve and clarify links between homelessness legislation and the Social Services and Wellbeing Act. Significant policy development is required to assess the practicality of this. What, in your views are the benefits and challenges of our approach and what unintended consequences should we prepare to mitigate?

17. Do our proposals go far enough to ensure that 16- and 17-year olds who are homeless or at risk of homelessness receive joint support from social services and local housing authorities? What more could be done to strengthen practice and deliver the broader corporate parenting responsibilities?

17.1. While we recognise that addressing this issue will be complex, we believe that preventing homelessness and improving support for children, young people and care experienced young people should be a priority. [Research](#) for Crisis involving a survey of 480 single homeless adults across the UK found that nearly 50% of single homeless people first became homeless before the age of 21. Further analysis of the data found that the group of

single homeless adults with the most adverse life experiences (e.g. substance misuse, mental ill-health, imprisonment) were particularly likely to have first experienced homelessness as a young person, nearly all had been excluded from school, and three quarters had been in local authority care. If we want to end homelessness then we must prevent youth homelessness, and we must do all we can to ensure that young people with adverse childhood experiences do not fall into a cycle of homelessness.

- 17.2. Through our engagement with experts by experience, some young people shared their experiences of Social Services and Family support.

“In my situation, I feel like social services could have done more to prevent me from being homeless. They knew what problems I had going on at home and how much it all was affecting me I had to live between friends because I didn't want to go home due to what I was going through but social services forced me to go back home. If social services had done something sooner rather than later, I think I would be in a different position now.”

- 17.3. Some frontline workers talked about young people being ‘bounced’ between social services and housing, something that we have also heard from people with lived experience. This highlights the importance of providing clarity about lead agencies when young people and care experienced young people are experiencing or at risk of homelessness.

“Young people are being bounced between social services and housing.”

- 17.4. Another point raised by some of our members is the need to consider young people who are not formally recognised by the care system, but have experienced some form of family relationship breakdown and become homeless. They often experience similar trauma and lack of traditional support networks as other young people in the care system, but may not ‘qualify’ as care experienced when considering prioritisation for housing or support.

- 17.5. In terms of what more can be done we would encourage the Welsh Government to engage with and listen to young people with lived experience as the legislation and guidance is developed further.

18. Do you agree or disagree that the Renting Homes (Wales) Act 2016 should be amended to allow 16- and 17-year olds to be able to hold occupation contracts?

- 18.1. We do not have a firm view on this. However, member organisations and young people have told us about the challenges of being unable to hold an occupation contract, and how this can prevent a young person from being able to find accommodation. This can also have a knock-on impact on the availability of space within young people’s supported accommodation, as young people are unable to move-on. It is, however, important to recognise that there are other barriers to young people being able to access accommodation, such as Local Housing Allowance rates, a lower minimum wage, and requirements for a guarantor, bond and rent up-front. Enabling 16/17 years olds to hold an occupation contract will not necessarily solve the problem, and other interventions may also be necessary.

- 18.2. We recommend that the Welsh Government continue to engage with stakeholders, including young people and organisations that support them, as well as learning from other countries, such as Scotland, where 16 and 17 year olds are able to hold occupation contracts. The focus should be on young people having safe and secure accommodation available to them which meets their needs and supports their aspirations and independence.

19. The accompanying Regulatory Impact Assessment sets out our early consideration of the costs and benefits of these proposals. Are there any costs and benefits we have not accounted for?

- 18.3. No additional comments.

Chapter 4: Access to accommodation

20. To what extent do you agree or disagree with the short-term proposals to increase the suitability of accommodation? Are there additional immediate actions you believe should be taken for this purpose?

20.1. Fully agree. Experts by Experience shared countless instances where the accommodation they were placed in was not suitable to meet their or their family's needs. Our conversations with people highlighted a range of concerns with temporary accommodation, including:

- Not having a room of your own
- Parents being required to share a room with several children
- Not having your own living space
- Being accommodated with people who were actively using drugs
- Having cameras in your 'home'
- Inexperienced agency staff at evenings or weekends
- The length of time some people had spent in that temporary accommodation
- The uncertainty of never knowing when you might be able to move on
- The negative impact on their children and the feeling that they could not be the best parent in temporary accommodation
- The poor quality of some of the accommodation
- Being located far away from support networks, schools or workplaces
- Being placed in inappropriate or unsafe accommodation Some of the people we spoke to complained about the poor quality of their temporary accommodation.

20.2. One person said that their room was damp, that the heating wasn't effective and the bathroom was mouldy. Another said there was a broken window which made it cold for a number of residents. One young mother said that she had come out of hospital following childbirth and found that the shower was broken, but was told there would be a lengthy wait before it was fixed. Another teenager said that she had been given an emergency room in temporary accommodation which had no pillow or duvet and no bathroom. She had a sleeping bag and had to use the staff shower during her stay.

20.3. People's safety and dignity must be prioritised, so we are supportive of the reforms laid out in the White Paper, including prohibiting accommodation with Category 1 Hazards, including accommodation unfit for human habitation, and prohibiting shared sleeping space. However, the Welsh Government should also consider how other improvements in standards can be delivered when pressures on temporary accommodation ease.

20.4. As well as improving temporary accommodation, we are also supportive of the Welsh Government's journey towards rapid rehousing and people being moved into good quality settled accommodation as soon as possible. We recognise the balancing of resourcing needed to achieve both of these aims but believe that minimum standards should ensure that people are safe, and able to live with dignity while they await an offer of a settled home.

20.5. **Right home in the right place:** We want to specifically highlight the concept of the 'right home in the right place' and the importance of this in preventing repeat homelessness. When asked what local councils could do to help prevent homelessness this was something that was consistently brought up by Experts by Experience. In particular, people referenced:

- Age appropriate housing
- Accessible housing for disabled people
- Close to support networks and services
- Dispersed housing vs congregate models
- Considerate of their recovery from addiction

- 20.6. Some participants also felt very strongly about the need for people exiting homelessness to be allocated dispersed accommodation across their communities, not restricted to congregate models where large numbers of people who have experienced homelessness are living in the same block of flats. Some highlighted the risks of housing people with experiences of trauma, mental health problems and/or substance use issues in the same space.
- 20.7. We therefore support the proposals to provide greater choice and consider a person's particular needs and circumstances when allocating temporary and settled housing.
- 20.8. **Temporary accommodation for young people.** We are extremely supportive of proposals to ensure that young people are not to be placed in unsuitable, unsupported temporary accommodation. Throughout our experts by experience engagement, young people described very mixed experiences of temporary accommodation.
- 20.9. Some young people had been placed in extremely unsuitable temporary accommodation, such as in hostels with people using substances and/or people becoming violent, or having to sleep in staff rooms due to lack of appropriate temporary accommodation. This has been reinforced by research published by End Youth Homelessness Cymru, which features direct quotes from young people.

*"There have been times when ambulances and police vans have been here, at my home."
"Doesn't feel safe. I don't feel stable (like I can relax). Can be noisy or chaotic with other tenants."*

"I was actually 16 (when) they moved me into the night shelter and that's too young to be in somewhere like the night shelter. I was in a pod. That is not a room that is floor space... I've been at the night shelter about six times now and I have been there twice between the time I was 16 and 18 and that's the worst place I have been, to be honest. I have been to jail and the night shelter is worse than that. I would like to put in a complaint that people can't stay in the night shelter when they are 16 years old." - End Youth Homelessness Cymru, Don't Let Me Fall Through the Cracks (2020)

- 20.10. Conversely, those who had been placed in specialist young people's supported housing tended to speak highly of their experiences there, with a particular focus on help to develop independent living skills, the quality of support and activities provided.

"My experience has been quite good to be honest, I've received help from the key workers and they have pushed me to my full potential."

"This hostel is the best. There's 24-hour care and they're trying to give us things to do – activities, volunteering, art."

21. To what extent do you agree or disagree with the proposals around the allocation of social housing and management of housing waiting lists? What do you believe will be the consequences of these proposals?

- 21.1. **Strengthening social housing allocations.** We largely agree with the proposals for improving the allocation of social housing to people experiencing homelessness. We are in an unprecedented situation where more than 11,000 people are living in temporary accommodation in Wales, experiencing daily uncertainty that affects their health and wellbeing. Social housing has a critical role to play if we are to end homelessness in Wales, and increasing allocations from homelessness is central to this.
- 21.2. We know that we do not have reliable, Wales-wide data on social housing allocations and therefore welcomed additional research co-commissioned by the Welsh Government, Community Housing Cymru and the Welsh Local Government Association as part of the

Expert Review Panel's work. This research shows that social housing allocations in Wales is a complex issue but highlighted significant variation in the proportion of allocations given to homeless households in different parts of Wales. We know from our work with housing associations that many of them have made significant commitments to housing people from homelessness, particularly during and after the pandemic. However, this varies across social landlords. The commissioned research showed that although more work is needed to present accurate and granular data, the research indicated that the lowest rate of allocation rates to homeless households was 23%, with the highest being 60%.

- 21.3. We would like all social landlords to play their part in ending homelessness in Wales, through allocating properties to people experiencing homelessness and taking a range of other actions. We believe that the proposals in the White Paper will enable and encourage this. We do however, urge the Welsh Government to carefully consider the guidance to ensure that the relationships between local authorities and social landlords are constructive and supportive, recognising when there are genuine reasons for the RSL to refuse a referral.
- 21.4. While we want to see an increase in allocations from homelessness, we also want to see mixed communities, rather than placing all people with experience of trauma and homelessness together in one building or community, which could impact on their recovery. This means that local authorities and social landlords will need to develop a shared understanding of how allocations will impact on people, and how different approaches may need to be taken with new developments vs. individual properties becoming vacant.
- 21.5. In order to give social landlords confidence to increase their allocations from homelessness, there will need to be greater investment in housing support services to help people to maintain their tenancies. This requires an increase in the Housing Support Grant.
- 21.6. Finally, we welcome the commitment in the White Paper to undertake impact assessments to ensure that these legislative proposals do not result in the reclassification of RSLs.
- 21.7. **Assigning additional preference.** We support the proposals to assign additional preference within allocation schemes to people experiencing homelessness, care experienced people and people fleeing abuse. We heard from too many people with these experiences who had waited far too long for social housing.
- 21.8. **Common Housing Registers and Common Allocation Policies:** We strongly support the proposal to require CHRs and CAPs. People with lived experience and frontline workers in areas which do not currently operate CHRs have told us how difficult it is to navigate the social housing system. People experiencing homelessness are already traumatised and should not be faced with unnecessary complexity.
- 21.9. **Deliberate manipulation test.** Some of our member organisations and frontline workers have expressed serious reservations about the proposals for a 'deliberate manipulation' test. It does not appear to be in line with the other proposals in the White Paper to make the system more trauma-informed. If this test is to be put into practice, it needs to be rooted in a trauma-informed approach, have appropriate oversight, and a right for the applicant to request a review of the decision. We also suggest that Ministers have the ability to disapply this element of legislation if it is being used inappropriately or deemed no longer necessary.

22. To what extent do you agree or disagree with the proposal for additional housing options for discharge of the main homelessness duty? What do you foresee as the possible consequences (intended or unintended) of this proposal?

- 22.1. We welcome the additional flexibility with this proposal which increases the opportunity to meet people's individual needs in a person-centred way. However, there will have to be very clear guidance on how this is applied.

- 22.2. We agree with the panel that the 'standard options' of social housing or a private rented tenancy are the most secure options and should be the default, but recognise there are circumstances where the 'alternative / additional' forms of accommodation will be the most appropriate. Regardless of the type of housing which is chosen, the priority should be how best to meet the persons needs.
- 22.3. While this approach could deliver positive impacts for the individual, it could also benefit local authorities by reducing the pressure on temporary accommodation. However, it is critical that people are not deliberately or inadvertently put under pressure to accept less traditional or standard accommodation arrangements where this doesn't meet with their wishes or needs. Any offer of accommodation that falls within the 'alternative / additional' option must follow the ERP's recommended list of safeguards. As well as preventing people from being pressured into accepting an alternative option, steps should be taken to ensure that where someone does accept a non-traditional form of housing and this later becomes unsuitable, the local housing authority should assist the applicant to make a new application for homelessness assistance. There should also be regular collection of data relating to maximal housing options so its use can be regularly reviewed and monitored.

23. The accompanying Regulatory Impact Assessment sets out our early consideration of the costs and benefits of these proposals in relation to access to housing. Are there any costs and benefits we have not accounted for?

- 23.1. No additional comments

Chapter 5: Implementation

24. To what extent do you think the proposals outlined above will support the implementation and enforcement of the proposed reforms?

- 24.1. Throughout our engagement with experts by experience, it is clear that there continues to be challenges with implementation of the current legislation, with people having different experiences in different parts of Wales, and sometimes within the same authority. It is therefore important that the Welsh Government has the power to encourage and enforce implementation of any new legislation, and has access to good quality data to evaluate delivery.
- 24.2. We support the proposals to consider how local government scrutiny and social housing regulation can be utilised to monitor implementation of the legislation. As outlined above, social landlords have a critical role to play in helping to end homelessness, and many make huge contributions to this agenda through social housing allocations, the provision of tenancy support, supported accommodation and Housing First, as well as championing no evictions into homelessness policies. Reflecting this in the regulatory framework would enable these organisations to be recognised for their contribution, while encouraging others to consider whether they can do more to support this aim. We also support the proposal to identify how Care Inspectorate Wales and Health Inspectorate Wales could support delivery of the legislation.
- 24.3. Data collection will be critical to monitoring delivery of the new legislation, and holding stakeholders to account for their contributions. There needs to be a clear focus on improving data collection on homelessness and housing in Wales as soon as possible.
- 24.4. Finally, we warmly welcome the proposal to consider how the views of experts by experience can continue to inform the Welsh Government's understanding and future developments. Experts by experience have been at the heart of the work to develop these legislative

reforms and their expertise has been invaluable. We should continue to listen to, and value, their views as we embark on the next stage of this legislative journey.

25. What other levers/functions/mechanisms could be used to hold local housing authorities and other public bodies accountable for their role in achieving homelessness prevention?

25.1. The Expert Review Panel recommended a statutory duty on the local housing authority to establish and lead a multi-agency approach to homelessness functions through a Joint Homelessness Board. We understand the Welsh Government's rationale for waiting for the current review of regional arrangements, but we want to highlight the importance of homelessness being firmly on the agenda of regional bodies, whether this be new or existing bodies. At the moment, it does not feel as though homelessness is a priority for Regional Partnership Boards, which are understandably overwhelmed with health and social care priorities. We are also concerned about the functioning of the Regional Housing Support Collaborative Groups, some of which have not met since the pandemic, and many of which do not have regular attendance from other public services. Consideration must be given to how we can ensure that homelessness is viewed as strategic priority by a range of public services, and what is the best mechanism to enable and sustain this.

26. The accompanying Regulatory Impact Assessment sets out our early consideration of the costs and benefits of these proposals. Are there any costs and benefits we have not accounted for?

25.2. No additional comments

27. What, in your opinion, would be the likely effects of the proposed reforms in this White Paper on the Welsh language? We are particularly interested in any likely effects on opportunities to use the Welsh language and on not treating the Welsh language less favourably than English.

27.1. The proposals to make the homelessness process more person-centred should have a positive impact on people's ability to use the Welsh language. The development of Personal Housing Plans should enable the person to specify whether they want to access support through the medium of Welsh, or would like to access accommodation in particular areas with a greater proportion of Welsh speakers and services available through the medium of Welsh. Similarly, the proposals to improve choice and take a more person-centred approach to allocating temporary or settled accommodation should take this into account. However, this will need to be reinforced in guidance.

28. If you have any related issues which we have not specifically addressed, please use this space to report them:

28.1. As stated throughout this response, we support the vast majority of proposals within the White Paper. **However, implementation will require increased investment, particularly in social house building, the Housing Support Grant and local government capacity. The Welsh Government must provide the resources to implement these reforms and make clear its support for ending homelessness.**