

HOMELESSNESS AND ROUGH SLEEPING ACTION GROUP – 22 FEBRUARY 2018

Minute of meeting

Present:

Chair: Jon Sparkes (CEO, Crisis)

Members: Suzanne Fitzpatrick (Heriot-Watt University), David Duke (Street Soccer), Lorraine McGrath (Simon Community/Streetwork), John Mills (Fife Council & ALACHO), Alison Watson (Shelter Scotland), Susanne Millar (GCHSCP), Maggie Brunjes (GHN), Shona Stephen (Queens Cross Housing Association), Josh Littlejohn (Social Bite)

In attendance: Catriona MacKean (Head of Housing Support and Homelessness, SG Better Homes Division), Marion Gibbs (SG Homelessness Team), Hazel Bartels (SG Homelessness Team), Stephen O'Connor (SG Homelessness Team), Tamsin Stirling (Freelance Housing Researcher), Beth Reid (Crisis)

Apologies: Mike Dailly (Govan Law Centre), Russell Barr (Church of Scotland)

1. Welcome

Jon Sparkes welcomed members to the seventh meeting of the Action Group. He also welcomed Tamsin Stirling, Freelance Housing Researcher and Consultant to Welsh Government, who would present to the Group on learning from the development of homelessness prevention legislation in Wales. This was followed by roundtable introductions.

Jon highlighted that the immediate and primary focus for this meeting would be to finalise the Q2 recommendations on “how can we end rough sleeping?” in advance of submitting the Action Group’s proposals to the Scottish Government by the end of February.

2. Lessons from the development of prevention legislation in Wales - Tamsin Stirling

Jon Sparkes invited Tamsin to present to the Action Group on experiences from developing legislation for preventing homelessness in Wales, as enshrined in Part 2 of the wider Housing (Wales) Act 2014 (“The Act”). Tamsin had been involved from the outset of developing the new homelessness framework in Wales. Tamsin provided an overview of building the case for the prevention duty in Wales, how the legislation was put together and highlighted some of the pitfalls and opportunities encountered. The Act introduced new duties for local authorities to help prevent homelessness and help secure a home, to intervene early (within 56 days of homelessness), a power rather than a duty to apply the intentionality test, new powers for local authorities to discharge their homelessness duties through finding accommodation in the private rented sector, and to involve people in designing their own solutions through a joint plan, which looked at both the immediate housing

problems and any underlying issues. Key to the success of the new framework had been strong leadership (including political buy-in), a shift in narrative and culture among local authority staff, although it was recognised that the success of implementation varied across local authority areas, working well in most but the pace of culture change had been slower in some, and the number of people rough sleeping had risen. The presentation was followed by an active discussion about lessons from the Welsh experience and how these could inform the future approach to prevention in Scotland, including informing Action Group recommendations in this area.

3. Question 2 – run through recommendation-by-recommendation to agree final purpose and wording of each

Jon invited the Action Group to consider the recommendations the Group would submit to Scottish Government by the end of February on Q2 “how can we end rough sleeping?”. SG Homelessness Team had provided a table listing the recommendations agreed in principle at the previous Action Group meeting and Jon invited the Group to work through the list to finalise the recommendations for sign-off. The Action Group had a detailed discussion and reached a good level of agreement on (20) recommendations related to preventing rough sleeping from happening in the first place, empowering frontline services to respond quickly and effectively when it does happen, improving access to housing, changes to legislation and the development of a measurement framework.

While the principles behind all of the recommendations were agreed by the Action Group, Alison Watson highlighted that Shelter Scotland was unable to endorse the decision of the Group to adopt recommendations relating to rapid re-housing or Housing First at this point in time. Whilst Shelter Scotland fully supports both rapid re-housing and Housing First in principle, Alison was concerned that the Group should fully understand the challenges and barriers to achieving such a significant shift before making a recommendation, and that any recommendation to adopt these approaches should only be made on the basis of the detailed findings and assessment from the research the Group had commissioned into rapid re-housing and temporary accommodation, which would report later. While the rest of the Group understood and noted Alison’s views on the timing and process, it considered that there was enough evidence to support a decision to make a recommendation setting out the vision of a principle of rapid rehousing by default as an effective mechanism to end rough sleeping, in advance of setting out the full mechanics of making this happen. The Action Group agreed, by majority, and with some regrouping and rewording, a set of recommendations covering actions to prevent rough sleeping; support and empower frontline services; improve access to housing; strengthen legislation and develop a measurement framework, as set out in the attached table.

In the course of the discussions, the Action Group was clear that while some of these recommendations related specifically to rough sleeping, others would also impact on wider homelessness issues and that the Action Group would revisit these interim recommendations in the course of their further work on temporary accommodation and ending homelessness.

ACTION: SG Homelessness Team to update and re-circulate a reworked table of draft Q2 recommendations to the Action Group for a final check before the Chair signs-off for presenting to the Scottish Government by the end of February

4. Question 3 – brainstorm; what are the work streams for Q3 over and above the elements on Temporary Accommodation in the Question 2 proposals

Jon Sparkes invited the Action Group to consider Q3 “How can we transform the use of temporary accommodation?” Jon noted that research on Temporary Accommodation was running at this time but suggested that the Group should not wait on that to report and could, in the meantime, have a discussion around what the Group would want to achieve. The Action Group agreed to invite the researchers commissioned to review Temporary Accommodation to attend the next meeting on 15 March to participate in the discussions. They also agreed to approach the session at the next meeting as a workshop to facilitate an in-depth discussion on temporary accommodation based around the interim findings from the research.

ACTION: Suzanne to arrange for Temporary Accommodation research team to attend the Action Group’s next meeting and SG homelessness team propose an approach for facilitation of an in-depth discussion

Next meeting – 15 March 2018.

Ref	Recommendation
1	<p>Ensure local authorities and public bodies work together to prevent rough sleeping at every opportunity</p> <p>There must be progress across the public sector to maximise opportunities to prevent all homelessness and rough sleeping. They should ensure adoption of a “no wrong door” approach to people who need homelessness assistance from any public or 3rd sector agency. Adopting the purpose, skills and culture of multi-agency housing options, we need to invest in empowered frontline-services, where staff are trained in trauma and psychologically informed environments (PIE) to ensure that people are assisted positively to access emergency and settled accommodation and support services rapidly. Local Authorities should transform the delivery of homelessness assessments to be more flexible, accessible and integrated with frontline services where homeless people are engaged and we should support LAs to discharge their statutory function on assessment through partnership with the wider public sector and third sector.</p>
2	<p>Support staff with high quality training and support to respond as effectively as possible to prevent rough sleeping</p> <p>Ensure an easily understood and clear national training programme and ongoing accreditation to ensure needs of specific groups are addressed, and psychologically informed approaches adopted including more informed approaches on so called ‘non engagement’ – to be delivered to front line staff and made mandatory to staff in key roles, going beyond those working directly in housing and homelessness to incorporate all staff likely to come into contact with people who are rough sleeping or at risk of rough sleeping.</p>
3	<p>Ensure plans are always agreed – or agreed as quickly as possible – to prevent homelessness for the groups who are predictably at highest risk of rough sleeping</p> <p>Scottish Government and all public bodies should respond to evidence of which groups constitute the highest proportion of people resorting to rough sleeping to clearly articulate the pathways and interventions needed to prevent this outcome for particular groups. Evidence suggests this would include:</p> <ul style="list-style-type: none"> • People leaving public institutions such as prison, mental health services, armed forces; • People with previous experience of public institutions such as prison, mental health services, armed forces; • Groups with particular needs such as women who have experienced domestic violence, migrants, asylum seekers, refugees, people experiencing relationship breakdown, LGBT groups and people with experience of the care system or on leaving the care system; • People who have experienced or are experiencing poverty and/or adverse childhood experiences; and • Those facing potential eviction from the private rented sector, or the social rented sector including particular approaches on rent arrears. <p>Where this exists (e.g. SHORE standards for prisoners) SG should ensure that the pathways are implemented; and where this does not yet exist for key groups as above, SG and others should ensure pathways are developed and implemented.</p>
4	<p>Learn from what worked well this Winter and ensure the benefits are harnessed for more effective interventions all year round</p>

	<p>Scottish Government and the relevant local authorities should review the success of the actions implemented to minimise rough sleeping this Winter to identify innovations which have shown promise and which should continue in order to allow continued support to people sleeping rough, and learning to be gathered with a view to mainstreaming those interventions which can be shown to be cost effective in the long term.</p>
5	<p>Ensure an effective evidence based approach to front line support which secures a successful, sustainable transition off the street as quickly as possible</p> <p>Scottish Government, together with partners, should develop a consistent national delivery model for front line outreach services to support more immediate, multi-disciplinary front line interventions for people sleeping rough - or at risk of doing so - to facilitate successful and sustained transition off the street.</p> <p>The approach should be adopted nationally, but tailored to the local situation and drawing on learning from this year's winter actions and other evidence e.g. use of personalised budgets to support access to emergency accommodation and allow outreach workers to build relationships and trust with people rough sleeping who have complex needs. Once approaches have been tested and demonstrated improved outcomes, they should be 'hardwired' into systems and processes.</p> <p>This should:</p> <ul style="list-style-type: none"> - Include a multi-agency approach which empowers front line staff to be able to act to find emergency solutions for people sleeping rough, including a 'by name list' approach; - Include flexibility in statutory services to enable rapid transition in certain circumstances, recognising that this might include changes to current allocation policies; and - Ensure access to training and information (including that generated by the new data system covered by recommendation 18) to maximise effective support for individuals <p>Local areas should be invited to model and carry out test of change initiatives to deliver immediate/direct access via non-statutory street/assertive outreach</p>
6	<p>Recognise that, while not necessarily rough sleeping, people who are engaged in street begging are also likely to need support with housing and will be, almost without exception, extremely vulnerable</p> <p>Scottish Government should review support to those who are at risk of rough sleeping, or who are in and out of emergency accommodation, and who are also involved in other street based activity, including street begging, with a view to developing a national approach, while recognising that not everyone who experiences rough sleeping is engaged in street begging and vice versa, and taking into consideration, where appropriate, work currently being undertaken by Street Begging strategy groups in Glasgow and Edinburgh, who have both commissioned research on Street Begging and what is effective in tackling the issue.</p>
7	<p>Set a clear national direction of travel to transition to a model of 'rapid rehousing' by default across Scotland, ensuring that the plans are developed and led locally to achieve this vision – this will impact on all groups of homeless people, not just people sleeping rough or at risk of doing so</p> <p>Each local authority area to develop and cost a 5-year 'Rapid Rehousing Transition Plan' by December 2018, within the framework consulted on and published by the Action Group in June 2018.</p>

	<p>By 'rapid re-housing by default' we mean:</p> <ul style="list-style-type: none"> - Someone who is rough sleeping or at risk of rough sleeping should be housed in settled mainstream accommodation as quickly as possible; - Someone who has complex needs and is rough sleeping or at risk of rough sleeping should be housed in settled mainstream accommodation with the necessary wraparound support (in line with Housing First principles) as quickly as possible; and - Someone who is rough sleeping or at risk of rough sleeping for whom rapid rehousing or Housing First would not yet be suitable (either because they do not want to move into mainstream housing, or because they have such a severe set of needs that they cannot safely be rehoused in mainstream accommodation) should be provided with accommodation that deals with their particular needs with the specialist support that is required.
8	<p>Ensure that people sleeping rough and experiencing multiple forms of exclusion are supported to secure permanent accommodation as quickly as possible, according to the best evidence available</p> <p>Scottish Ministers should announce a default to Housing First as part of a rapid rehousing model for people sleeping rough and experiencing multiple forms of exclusion. This expectation should be included in a revised Scottish Government Code of Guidance on Homelessness.</p>
9	<p>Provide resource and oversight to ensure a successful transition to the rapid rehousing approach</p> <p>Scottish Government should create and resource additional capacity to drive Scotland's transition to rapid rehousing approaches and appoint a national delivery group, as a sub-structure of the Homelessness Prevention and Strategy Group, to:</p> <ol style="list-style-type: none"> 1) monitor the rapid rehousing transition plans being developed in local areas; and 2) steer and support the scaling up of Housing First in Scotland.
10	<p>Ensure people have a range of different options at point of crisis to support them to avoid resorting to rough sleeping</p> <p>Scottish Government should support testing and, where appropriate, scaling of Community Hosting models to diversify the housing offer available to those experiencing or at risk of homelessness (including for those without access to public funds).</p>
11	<p>Continue to ensure an adequate and affordable social housing supply</p> <p>Scottish Government, local authorities and registered Social Landlords should continue to ensure an adequate affordable and social housing supply to tackle immediate needs and then maintain supply. This would be assisted by an agreed definition of affordable housing in the Scottish economic context and a long term view over the next 20 years, with cross party support for the commitment.</p>
12	<p>Remove barriers to exercising choice in settled accommodation to break the cycle of recurrent rough sleeping</p> <p>Additional support, independent advice and advocacy should be factored as standard into online and choice based letting/bidding systems to eliminate the practical, language or literacy barriers to self-selecting settled accommodation.</p>

13	<p>Recommendation 13: Put in place measures to provide protection to those without recourse to public funds</p> <p>Scottish Government should continue to work with COSLA and other partners to respond to findings from the Equalities and Human Rights Committee report on destitution to respond to the needs of homeless people and people at risk of homelessness who are deemed to have no recourse to public funds, and in the meantime should act on the following recommendations which follow from that work:</p> <ul style="list-style-type: none"> • Funding for a preventative Independent Advocacy service, covering both people destitute through the asylum process and those EEA nationals who are without recourse; and <p>Ensure robust input to the inspection of asylum accommodation currently ongoing across the UK which will inform the 2019-2029 accommodation contracts, with the aim of achieving better alignment with Scotland’s legislative and policy context. This input should focus on people’s sense of safety and security and explore the potential for Scottish regulatory or best practice standards for asylum dispersal and accommodation.</p>
14	<p>Ensure legislation provides sufficient support for shift to significantly greater levels of prevention</p> <p>Scottish Government should examine the case for introducing a comprehensive homelessness prevention duty on local authorities and other public bodies, learning from and building on recent experience in Wales and England.</p>
15	<p>Revise legislative arrangements that can result in difficulties with people being able to access their rights</p> <p>Scottish Government should revise the legislative arrangements on local connection and intentionality. Specifically, they should commence the current provisions on intentionality in the Homelessness etc (Scotland) Act 2003 and narrow the definition to focus on instances of ‘deliberate manipulation’ of the homelessness system. In addition, they should commence the provisions on local connection in the 2003 Act and Ministers should exercise powers they would then have under S8 to suspend referrals between local authorities to remove barriers to support for people who are homeless or rough sleeping or at risk of homelessness or rough sleeping. Scottish Government should monitor the impact of these changes on local authorities to respond to any LAs coming under undue pressure as a result of disproportionate net inflows.</p>
16	<p>Clarify the protection to be afforded to those without recourse to public funds</p> <p>Scottish Government should clarify in the Code of Guidance the role and responsibility of local authorities to support people who are deemed to have no access to public funds (so-called NRPF). This should be considered alongside the wider recommendations set out above for those with no recourse to public funds.</p>
17	<p>Update the Code of Guidance</p> <p>Amend and update Scottish Code of Guidance on Homelessness to reflect both existing non-statutory guidance on Housing Options and any new legislative requirements, and ensure the Code is updated regularly to reflect such changes. Also consider impact of the recommendations on the Regulatory Framework.</p>
18	<p>Improve the approach to data collection for people rough sleeping to maximise effectiveness of support provided through multi-agency working and to understand and assess progress to reducing rough sleeping</p> <p>Scottish Government should implement a solution similar to the CHAIN system used in London, to support two aims of HARSAG: (i) real-time ‘by name’ data sharing between the</p>

	<p>agencies working with people who are rough sleeping or at risk of rough sleeping; and (ii) enabling frequent and regular reporting of numbers, locations and other data to support monitoring the reduction in rough sleeping across Scotland.</p> <p>This should build on the work being undertaken by the Centre for Homelessness Impact to develop an outcomes framework for homelessness and rough sleeping in Scotland, which should be extended to include an options appraisal to determine the detailed requirement of a national 'CHAIN-like' system.</p> <p>Enabled by such a system, a set of clear metrics should be developed to enable effective monitoring of progress towards ending rough sleeping.</p>
19	<p>Ensure data collections reflect increased priority now being given to homelessness reduction</p> <p>Re-instate the homelessness questions in the SHS, given the high policy priority attached to this topic.</p>
20	<p>Facilitate scrutiny of progress towards ending rough sleeping in Scotland</p> <p>Based on the agreed metrics, the Minister for Local Government and Housing should provide a regular report to the Scottish Parliament to facilitate scrutiny of progress towards ending rough sleeping in Scotland.</p>