

Housing, Regeneration and Planning

HOUSING SUPPORT FOR HOMELESS HOUSEHOLDS ANALYSIS OF CONSULTATION FINDINGS

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A consultation on “Housing Support For Homeless Households” was carried out by the Scottish Government between January and April 2012 to explore views on commencing the new Statutory Duty established by the Housing (Scotland) Act 2010 on prescribed housing support assessment and provision for homeless applicants. This consultation explored views on the need and scope of regulations relating to the assessment and provision of prescribed housing support. A total of 66 written responses were received. The most common category of respondent was “local authorities or those representing local authorities” (45%). The other main categories were “voluntary sector” (29%), and “housing associations or associated” (14%). The remainder were from a variety of sectors and one individual.

Main Findings

- Respondents who expressed a preference between Option 1 (establish regulations) and Option 2 (do not establish regulations) were evenly split, with 29 (48%) of those who addressed the question supporting each of Option 1 and Option 2. Around two-thirds of the local authorities supported Option 2 while virtually all of the housing associations supported Option 1.
- The most common reasons for choice were: for Option 1, consistency in housing support assessment and provision; and for Option 2 that guidance or a broad framework would suffice/be preferable, and that current legislation and processes made regulations unnecessary.
- Around half (52%)¹ were against prescribing the types of inquiries local authorities must carry out in determining the housing support required, while 41% were in favour. Suggestions about what inquiries should be carried out included aspects of the assessment process and the nature of the inquiries overall, and some specific issues for inquiry.
- Half (50%) were against specifying matters to which local authorities must have regard in carrying out the assessment, while 44% expressed agreement. Matters suggested for specification were similar to the types of inquiries identified.
- A majority (66%) were against prescription of those housing support services for which an applicant should be assessed. The most common reasons were: that guidance was preferred; the implications for decision making; variation in needs/provision; and a need for flexibility.
- A majority (82%) were against the specification of the period for which housing support services should be provided. The two most common themes were: the nature and basis of provision; and the variation among service users and their needs.
- A majority (63%) were against Scottish Ministers specifying which matters a local authority is to have regard to when ensuring provision of housing support services, with the most common reasons relating to: the implications for the nature of services and decision making; and a preference for guidance rather than prescription.
- A majority (67%) did not support the view that Ministers should make different provision for different purposes and different areas. Reasons related to: the impact on processes or provision; the need for consistent access to support; a preference for guidance; and a need for flexibility.
- Almost all respondents identified a range of other matters relating to the provision of housing support services by local authorities that they believed Scottish Ministers should consider.

¹ References made to these percentages throughout this summary relate to the proportion of those who addressed the question in each case.

Background

The Housing (Scotland) Act 2010 establishes a new Statutory Duty requiring local authorities to carry out an assessment of the housing support needs of homeless applicants who are currently assessed as being unintentionally homeless, or threatened with homelessness, and in priority need and therefore entitled to settled accommodation. The Duty also requires local authorities to make sure that housing support services are provided to those assessed as being in need of them.

Scottish Ministers are able to make regulations about housing support assessment and provision. The Scottish Government undertook a consultation between January and April 2012 on whether such regulations should be established and what they should cover. A total of 66 written responses were received. The most common category of respondent was “local authorities or those representing local authorities” (45%). The other main categories were “voluntary sector” (29%), and “housing associations or associated” (14%). The remainder were from a variety of sectors and one individual.

Overall views of regulation/ content and scope of assessment

Respondents were asked to choose between Option 1 (commence the Duty on local authorities and establish regulations on the assessment and provision of housing support) and Option 2 (commence the Duty on local authorities and do not establish regulations). Overall views were evenly split, with 29 (48%) of those who addressed the question supporting each of Option 1 and Option 2. Around two-thirds of local authorities who addressed this question supported Option 2, while virtually all of the housing associations supported Option 1.

In relation to reasons for the choice of Option 1, or perceived benefits, the most common theme was consistency in housing support assessment and provision. Other themes included: a perceived positive impact on aspects of provision or outcomes; addressing gaps/problems; providing clarity/definition of housing support; improving accountability; resource issues; and a small number of other reasons or benefits.

In relation to reasons for the choice of Option 2, or perceived benefits, the two themes identified most frequently were: that guidance or a broad framework would suffice or be preferable to regulations; and that

current legislation and processes made regulations unnecessary. Other issues raised included: a perceived need for flexibility, and variation in local circumstances/individual needs; a perceived impact on the nature of services/decision making; the implications for costs/use of resources; and the implications for the timescale for implementation.

Around half (52%) were against prescribing the types of inquiries local authorities must carry out in determining the housing support required, while 41% were in favour of such prescription and 7% did not express a clear preference. There were variations between sectors, with 70% of local authority respondents expressing disagreement, while a similar proportion of housing association respondents expressed agreement. Other sectors were mixed in their views.

In terms of reasons in favour of prescribing the types of inquiries that should be carried out, the main theme was consistency, while other themes included: a perceived positive impact on the assessment process, means of working or outcomes; and addressing issues with the current arrangements. In terms of the reasons against the types of inquiries being prescribed, the most common focused on: the view that guidance would suffice or be preferable to regulation; and the view that existing practice was appropriate. Other issues raised included: the importance of flexibility; variation in needs; the potential implications of action for decision making processes or outcomes; and the resource implications.

Where comments were made about what inquiries should be carried out, the most common themes related to the aspects of the assessment process generally and the nature of the inquiries overall. Some specific issues for inquiry were also suggested.

A majority were against specifying matters to which local authorities must have regard in carrying out the assessment, with 50% who expressed disagreement, 44% who expressed agreement and 6% who did not express a clear preference. While a majority of housing associations and most respondents from the voluntary sector supported this, more than 72% of local authorities did not.

Where respondents provided reasons for support for the specification of such matters, the most common themes were the promotion of consistency and a perceived positive impact on aspects of the assessment process or means of working. Where respondents provided reasons against specification, the commonest theme was that guidance would suffice or be preferable to regulation. The other

main issues raised against specification were: the importance of flexibility; and the view that existing practice was appropriate. A few comments were also made about variation in needs or the potential negative impact of regulation on outcomes. Where comments were made about what matters should be prescribed, the commonest themes related to the need to prescribe aspects of the assessment process generally and the nature of the inquiries overall. Some specific issues were also identified.

A majority (66%) were against the prescription of those housing support services for which an applicant should be assessed, while 30% expressed agreement and 4% did not express a clear preference. Again, there was a difference of view across sectors, with two thirds of housing associations supporting this, but more than 83% of local authorities opposed. Among voluntary organisations who expressed a view, a clear majority were against these matters being prescribed.

Where specific reasons were given to support the view that Scottish Ministers should prescribe the housing support services for which an applicant is to be assessed, these related to: consistency; a perceived positive impact on aspects of the process, provision or outcomes; addressing issues in the current situation; and providing clarity/definition of services. Where specific reasons were given for the view that Scottish Ministers should not prescribe the housing support services for which an applicant is to be assessed, the most common themes were: the view that guidance was the preferred approach; the implications for the decision making process; and variation in needs and provision (with a related need for flexibility). Other issues raised were: the general lack of need for prescription; and issues relating to costs/use of resources. Where comments were made about which support services should be covered, a number of respondents identified issues relating to the nature and general approach of support services overall. Others suggested specific types of services.

The content and scope of provision of support services

Question 4 asked whether Scottish Ministers should specify the period for which housing support services should be provided, and a majority (82%) were against this, while 14% expressed agreement and 4% did not express a clear preference.

In the small number of cases where specific reasons were given to support the view that Scottish Ministers should specify the period for which housing support

services should be provided, comments focused on: the needs of the client; outcomes; and the provision of clarity. In terms of reasons for the view that the period should not be specified, the most common themes were: the nature and basis of provision; and the variation among service users and their needs. Other themes included: a preference for guidance; the perceived impact on service provision or outcomes; cost/resource issues; and views that it would be difficult to specify the period of provision. Only a few respondents made any comments on the prescribed period. A few specified a period or a point at which input should be made, while a few expressed a view of the way in which such a decision should be made.

In relation to whether Scottish Ministers should specify matters to which a local authority is to have regard to when ensuring provision of housing support services, a majority (63%) disagreed with this, while under a third (29%) expressed agreement, and 8% did not express a clear preference.

Where reasons were given for the view that Scottish Ministers should specify these matters, the most common issue was consistency. Other reasons included: ensuring that clients' needs are met; providing definition of services; and the implications for cost/resources. Where reasons were given for the view that Scottish Ministers should not specify these matters, the most common themes were: the implications for the nature of services and decision making processes; and a preference for guidance. Other reasons included: that current legislation and practice are sufficient; a need for flexibility; and issues relating to costs/resources. In terms of matters to be specified, the most common theme related to overarching issues in the provision of services and the nature of the process. Small numbers of respondents identified some specific types of support needs for specification.

Question 6 asked whether Scottish Ministers should make different provision for different purposes and different areas. A majority (67%) of those who addressed the question did not support the view that Ministers should make different provision for different purposes and different areas, while 20% supported this, and 14% did not express a clear preference.

Where reasons were given to support the view that Scottish Ministers should make different provision for different purposes and different areas, these related to: different individual and local needs/circumstances; different geography/demography; and different provision in different areas. In relation to the view that Scottish Ministers should not make

different provision for different purposes and different areas, themes included: the impact on the nature of processes or provision; the perceived need for consistent access to support; a preference for guidance; and a perceived need for flexibility. Only a few respondents commented on what such provisions, purposes and/or areas should be, and suggestions focused on the means of decision making and the identification of elements of provision considered important/essential.

Other issues, business and equality impact

Almost all of the respondents commented on other matters relating to the provision of housing support services by local authorities which they believed Scottish Ministers should consider. Overall, themes on which comments were made were: the process of assessment and provision; the nature of service provision; housing support overall; implementation

issues for clarification; the provision of guidance; issues for specific groups; resources and staffing issues; other aspects of implementation; and comments on the consultation itself.

More than three quarters of respondents made comments on the Business Regulatory Impact of their proposals and the partial BRIA. Themes were: the identification of additional costs; a perceived impact upon service provision; costing issues; the provision of resources; the identification of cost savings/benefits; examples of local practice; a view that the business impact would be neutral; and wider contextual issues.

Over a third of respondents provided comments on the equalities impact of their proposals and the draft Equalities Impact Assessment. Themes were: specific comments on the draft EQIA; perceived benefits for equality; perceived risks to equality; specific equalities issues to consider; the identification of no impact on equality; the importance of equality; and examples of practice.

This document, along with full research report of the project, and further information about social and policy research commissioned and published on behalf of the Scottish Government, can be viewed on the Internet at: <http://www.scotland.gov.uk/socialresearch>. If you have any further queries about social research, please contact us at socialresearch@scotland.gsi.gov.uk or on 0131-244 7560.



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