



PEOPLE, COMMUNITIES AND PLACES

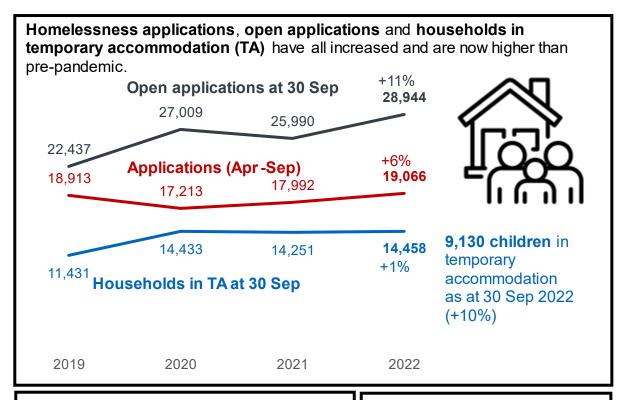
Homelessness in Scotland: Update to 30 September 2022

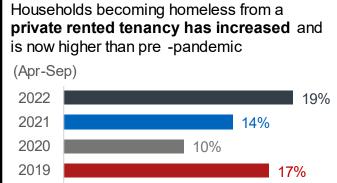
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Main findings: April to September 2022

Comparisons are with the corresponding periods in previous years



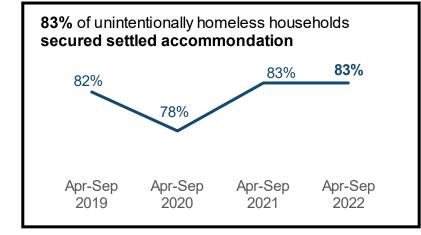


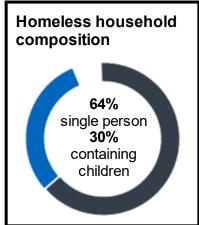
Rough Sleeping

1,184 applicants reported rough sleeping during the previous three months (6% of all applications)



733 applicants reported rough sleeping the night before (4% of all applications)





Introduction

This statistics bulletin provides information on homelessness in Scotland in the six-month period from 1 April 2022 to 30 September 2022 alongside comparisons with the corresponding period in previous years. Quarterly breakdowns of data are provided from 2019 in the supporting tables.

Its main purpose is to provide an indication of trends for key aspects of homelessness incuding applications, assessments, use of temporary accommodation and outcomes ahead of the annual publication, which includes a fuller set of information.

The statistics in this publication are based on administrative data collected by local authorities in the course of processing homelessness applications. A limitation of this approach is that data is not collected for any households that are homeless but do not engage with their local authority. For this reason the statistics in this publication do not necessarily cover the entire homeless population in Scotland. More detail on the data sources we use are included at the end of this publication.

Excel workbooks containing the tables and charts referenced in this publication are available to download at our supporting documents page.

A Quick Guide to the Homelessness Process

A household is homeless if they have no accommodation in the UK or elsewhere, or have accommodation but cannot reasonably occupy it. A household is threatened with homelessness if it is likely they will become homeless within two months.

There are three stages involved in a homeless application in Scotland:

- 1. The Application stage where the household first presents to the local authority.
- The <u>Assessment</u> stage which determines:
 - a. If the household is eligible for assistance. Households with no recourse to public funds are not eligible for homelessness assistance, though may be provided temporary accommodation while their status is assessed;
 - b. whether the household is homeless or threatened with homelessness;
 - c. if the household is homeless, whether this is 'unintentional' or 'intentional'; and
 - d. if unintentionally homeless, whether there is a connection to the local authority to which the application was made and/or to any other local authority.
- The <u>Outcome</u> stage. A case can be closed only once the local authority has fulfilled its statutory duty or contact has been lost for 28 days.

What is the statutory duty of the local authority?

If a household is unintentionally homeless (or threatened with homelessness), the local authority must offer settled accommodation. Until this is available, the local authority must offer temporary accommodation.

If a household is intentionally homeless (or threatened with homelessness), the local authority has no statutory duty to provide settled accommodation (although they may choose to do so). There is a duty to provide temporary accommodation and advice and assistance to help the household secure alternative accommodation.

Temporary accommodation must be offered, if it is required, while the household is awaiting an assessment decision.

The statutory duty lies with the local authority the household applies to. Up until 28 November 2022, if a household had no local connection to the one to which it applied, but to another local authority, they may be referred. From 29 November 2022, local authorities no longer have the power to refer an applicant to another local authority in Scotland on the grounds of their local connection. This will not impact on the data presented in this publication as data is only covered up to 30 September 2022.

A household can accept or refuse offers of accommodation. A local authority's duty to secure accommodation for unintentionally homeless households would be fulfilled by an offer that is refused, provided that the offer is a reasonable one.

More information on the duties local authorities have to assist people who are threatened with or experiencing homelessness can be found in the Code of Guidance on Homelessness.

A note on interpreting the figures

It is not possible to make direct links within a reporting period for each stage of the homlessness process as households will be at a different stage at different times.

That is, not all applications made between 1 April and 30 September 2022 will have an assessment or temporary accommodation placement within that same six-month period. Similarly, some assessments made between 1 April and 30 September 2022 will relate to applications received prior to this; and some temporary placements in this period will relate to household applications and assessments prior to this also. Furthermore, there will be households who entered and exited temporary accommodation within the same reporting period, and therefore will not appear in the end of period snapshot of households in temporary accommodation.

To also note:

- it is possible for households to make an application and/or be assessed more than once in the same period (although this would be extremely unlikely in a six-month period)
- not all households assessed as homeless enter temporary accommodation

Where the publication refers to 'in the six-month period' this relates to the period 1 April to 30 September 2022, unless another year has been specified in the text. Where the years 2019, 2020 and 2021 are referred to in the publication (including charts), this relates to the respective six-month period 1 April to 30 September in each of the years.

The term 'homeless households' is used throughout the publication to denote households who have been assessed as (unintentionally or intentionally) homeless or threatened with homelessness.

The <u>Cost of Living (Tenant Protection)</u> (<u>Scotland</u>) <u>Act 2022</u> was introduced from 27 October 2022 in response to the cost of living crisis, to protect residential tenants from increases in rent and from eviction. This will not impact on the data presented in this publication as data is only covered up to 30 September 2022.

Impact of coronavirus (COVID-19)

In response to the pandemic, local authorities made a huge effort to house all of those in need (including those who would not otherwise be eligible for homelessness support). This included, but was not restricted to, the accommodating of rough sleepers. Where households housed in response to the pandemic have a formal homelessness application to a local authority and/or have a temporary accommodation placement recorded on management information systems, they will be included in the statistics presented in this publication. If there is no corresponding homelessness application and/or temporary accommodation placement recorded, they will not be included.

To protect renters over the COVID-19 period the use of extended notice periods for eviction proceedings were introduced through temporary <u>Coronavirus legislation</u> (lifted on 30 September 2021). In addition, <u>mortgage payment deferrals were introduced across the</u>

<u>UK in March 2020</u> to allow customers experiencing issues paying their mortgage during the COVID-19 pandemic to apply for a break in making mortgage payments for a period of up to six months, alongside a temporary ban on home repossessions.

Local authorities are reporting ongoing effects of COVID-19 on homelessness service provision. In particular, many are experiencing high levels of backlogs due to both the increase in the number of households in temporary accommodation, and the extended periods households are staying in temporary accommodation. There was an increase in the number of households and length of time in temporary accommodation over the pandemic due local authorities being unable to close cases. This was a result of restrictions limiting the ability to move households into permananent acommodation, including difficulties in carrying out necessary repairs, challenges conducting viewings due to households shielding or self-isolating, and a lower level of lets due to staff, especially registered social landlords, being furloughed. In addition, some households who had previously chosen not to take up temporary accommodation provided by the local authority, now required it as the alternative arrangements they had made were no longer viable due to the pandemic.

These backlogs have more recently been further exacerbated by a shortage of tradespeople and building materials, as well as the increased cost of materials, both of which are limiting the ability to prepare properties for use (as settled and temporary accommodation), particularly between tenancies.

Where findings are believed to have been impacted by COVID-19 these have been outlined within the relevant sections.

The period April to June 2020 was particularly unusual given it immediately followed the onset of the COVID-19 pandemic and the introduction of restrictions. As a result of changing restrictions and the ongoing impact of the pandemic, quarterly 2020 figures are particularly variable. Caution should therefore be applied when making comparisons with 2020 figures, however, these comparisons are in themselves useful in observing any changes in trends since the onset of the pandemic.

The extent of homelessness in Scotland

Key Points

Increases across all aspects of homelessness compared to the same period in 2021.

- 19,066 applications (+6%)
- 15,414 households assessed as homeless (+6%)
- 28,944 open cases (+11%)
- 14,458 households in temporary accommodation (+1%)

Applications, assessments, and households in temporary accommodation

Table A: Homelessness applications, assessments and households in temporary accommodation, April to September 2021 and 2022

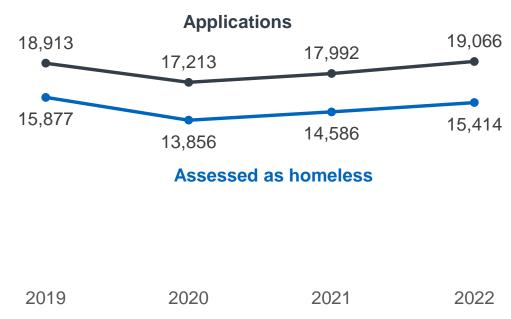
	2021 2022 Apr-Sep Apr-Sep	Change		
Measure A _I		=	Number	Percent
Applications	17,992	19,066	1,074	6%
Assessed as homeless	14,586	15,414	828	6%
Open applications as at 30 September	25,990	28,944	2,954	11%
Households in temporary accommodation as at 30 September	14,251	14,458	207	1%

Over the six-month period 1 April to 30 September 2022, there have been increases in the number of homelessness applications, households assessed as homeless, open homelessness applications and households in temporary accommodation compared to the same period in 2021.

The number of homelessness applications reduced in 2020 as a result of the COVID-19 pandemic (where there were changes in service use, and measures such as temporary emergency COVID-19 legislation, a temporary ban on home repossessions and mortgage payment deferrals to protect renters and home owners). In the last two years, the number of homelessness applications has been rising and now exceeds those recorded before the pandemic. The number of households assessed as homeless, however, while following a similar trend, is still slightly below pre-pandemic figures.

Homelessness applications are higher than pre-pandemic

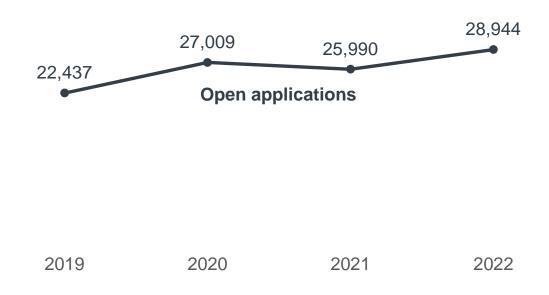
Chart 1: Number of homelessness applications and households assessed as homeless, April to September



Despite a reduction in the six-month period in 2021, open homelessness applications are at the highest since the collection began in 2002, with an increase of 29% compared to 2019.

Open homelessness applications are at an all-time high

Chart 2: Open homelessness applications, as at 30 September

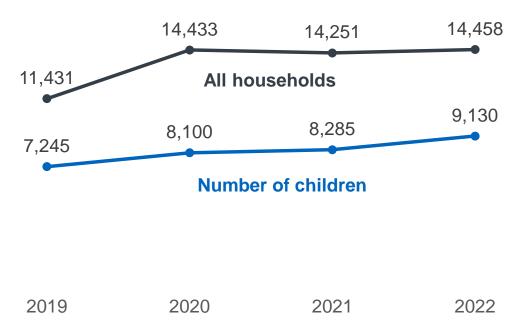


There has been a decrease (540, 4%) in the number of homelessness cases closed compared to 2021 which partly explains the increase in open applications.

The number of households in temporary accommodation have increased by 1%, similar to the 2020 figure, following a slight reduction in 2021. The number of children in temporary accommodation has been increasing year on year to also reach the highest in the time series in 2022.

The number of households and children in temporary accommodation remain considerably higher than pre-pandemic

Chart 3: Households and number of children in temporary accommodation, as at 30 September



The increase in open applications and temporary accommodation are also likely the result of the backlog of cases that built up during COVID-19 and the ongoing cost and supply issues for materials and lack of tradespeople which are required to provide settled accommodation.

To note that the national temporary accommodation and open homelessness applications figures are impacted by updated data supplied by Edinburgh Council. Prior to 1 April 2020, Private Sector Lease (PSL) accommodation was not counted as part of Edinburgh's temporary accommodation stock. From a recording perspective, this meant that the homelessness applications associated with these cases were closed and new ones opened if those households re-presented.

The new PSL contract which started on 1 April 2020 allows Edinburgh council to use PSL accommodation for immediate access temporary accommodation placements. This has resulted in cases remaining open with associated PSL temporary accommodation placements. Please note, Edinburgh snapshot figures for temporary accommodation have been updated since the 2021/22 annual publication as a result of continued quality assurance, which uncovered further discrepancies between the aggregate and placement level returns. This resulted in an additional number of households in temporary accommodation as at 31 March 2020, 2021 and 2022 (142, 394 and 268 more households respectively) compared to those previously published.

Intentionality

In the six-month period in 2022, 15,414 (82%) applications were assessed as homeless or threatened with homelessness, an increase of 828 (6%) compared to 2021. Of these, 15,155 (81%) were assessed as unintentionally homeless and 259 (1%) were assessed as intentionally homeless. The continued low proportion of those assessed as intentionally homeless is likely due to the changes in legislation from November 2019 which give local authorities the power to assess for intentionality, rather than it being a legal duty to do so.

Local authority differences

Applications

Edinburgh experienced a notable increase in the number of homelessness applications from 1,171 to 1,509 (388, 29%) between 2021 and 2022. However, this follows a decrease of 14% between 2020 and 2021. Figures are still lower than pre-pandemic.

The next largest numerical increase for homelessness applications was in Dumfries & Galloway, with this figure now higher than pre-pandemic (660 in 2022 compared to 426 in 2019).

Aberdeen City and East Ayrshire have also experienced sizable numerical increases in homelessness applications (increases of 143, 20% and 133, 32% respectively).

Local authorities have noted increases due to the ongoing impacts of the pandemic and the increasing costs of living. They note an increase in evictions from the private rented sector (PRS), with Dumfries & Galloway noting an increase in private landlords serving notices with a view to selling their properties. This ties in with the increase in households reported as becoming homeless from a private rented tenancy.

Conversely, Glasgow experienced a decrease in the number of homelessness applications (of 691, 18%) between 2021 and 2022 from 3,761 to 3,060. This follows an increase of 29% between 2020 and 2021. The 2022 figure is much more in line with the 3,006 applications recorded in 2019.

Only four other local authorities recorded decreases in applications. These were Inverclyde (18, 3%), Orkney (8, 10%), West Dunbartonshire (5, 3%), and Renfrewshire (4, 1%).

Open homelessness applications

Edinburgh, Falkirk and Fife have notable increases in the number of open homelessness applications between September 2021 and 2022 (1,055, 418 and 408 respectively). Note, Edinburgh figures are affected by the inclusion of PSL temporary accommodation placements previously mentioned.

Fife also noted an increase in evictions from the PRS, as well as fewer discharges into, and fewer households resolving their housing needs within, the PRS. They additionally noted an increase in new presentations.

Notable decreases in open homelessness applications were recorded in Dundee City (122, 14%) and Midlothian (104, 15%).

Temporary accommodation

Edinburgh, Fife, Aberdeen City and Stirling experienced the largest numerical increase of households in temporary accommodation (265, 115, 51 and 47 respectively). Note, Edinburgh figures are affected by the inclusion of PSL temporary accommodation placements previously mentioned.

Edinburgh, Glasgow, Fife and West Lothian had the largest numerical increase in the number of children in temporary accommodation (190, 185, 170 and 100 respectively).

Local authorities note that these figures are a result of (a) the continued greater demand for homelessness services than the supply of affordable social housing; (b) households staying longer in temporary accommodation due to reduced availability and turnover rates of suitable permanent accommodation; and, (c) a rise in the number of households with children requiring larger accommodation which takes longer to source.

Dundee City had the largest numerical decrease (99) of household in temporary accommodation. The next largest numerical decrease was recorded in Highland (95), which also had the largest numerical decrease (40) of children in temporary accommodation.

Reasons for Homelessness and Prior Circumstances

Key Points

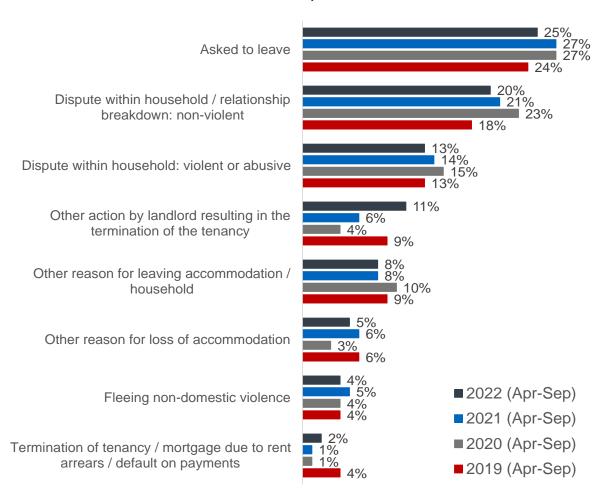
- Proportion homeless from private rented tenancies higher than prepandemic
- Increase in the last two quarters in the number of households reporting rough sleeping

Reasons

'Asked to leave' and 'household disputes' remain the most common reasons given for making a homelessness application. While still higher than 2019, both have experienced recent decreases indicating a return to pre-pandemic proportions.

Most common reasons for homelessness are returning towards prepandemic proportions

Chart 4: Main reasons for homelessness, 2019 to 2022



The notable increase in 'Other action by landlord resulting in the termination of tenancy', which now surpasses pre-pandemic proportions. The slight increase in 'Termination of tenancy / mortgage due to rent arrears / default on payments' is likely a result of the ceasing of the ban on evictions, home repossessions and mortgage deferrals.

Some applicants (74%) also provided additional reasons for homelessness. Of these, notable changes compared to the 2021 include 'Drug / alcohol dependency' (decrease from 12% to 9%), 'Lack of support from family and friends' (decrease from 22% to 19%) and 'Not to do with applicant household' (increase from 48% to 51%).

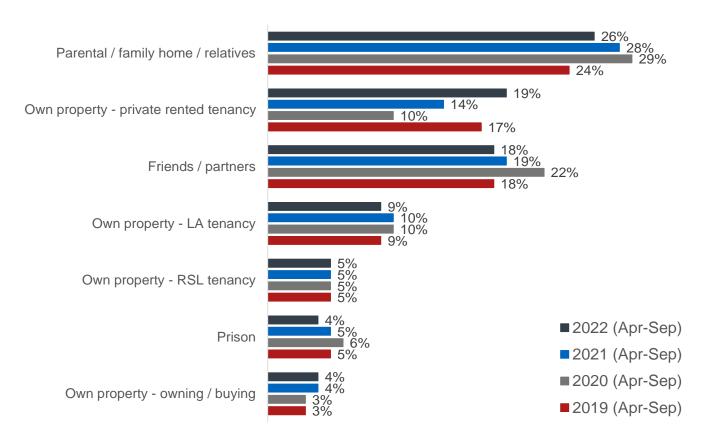
Previous property

The proportion of households becoming homeless from a 'Private rented tenancy' is higher than it was pre-pandemic. Similarly, 'owning/buying' remains above pre-pandemic proportions. These are tied in with the findings and reasons noted above.

Homelessness from other property types have returned, or appear to be returning, to prepandemic proportions.

There was a notable increase in the proportion of households becoming homeless from private rented tenancies

Chart 5: Property type from which the household became homeless, 2019 to 2022

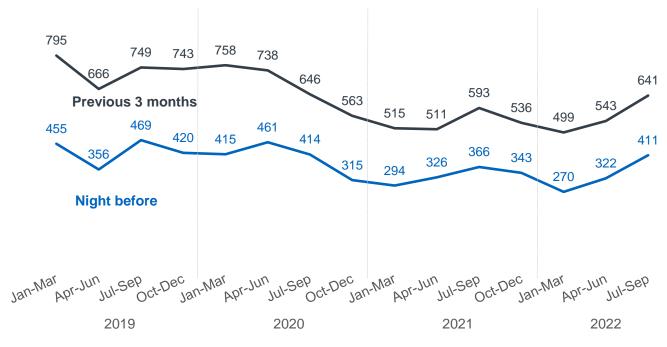


Rough sleeping

Over the six-month period 1 April to 30 September 2022, 733 households (4% of all applications) reported rough sleeping the night before and 1,184 households (6% of all applications) in the previous three months before their homelessness application.

There was an increase in the reporting of rough sleeping over the last two quarters

Chart 6: Households experiencing rough sleeping prior to making a homelessness application, quarterly, January 2019 to September 2022



Characteristics

Key Points

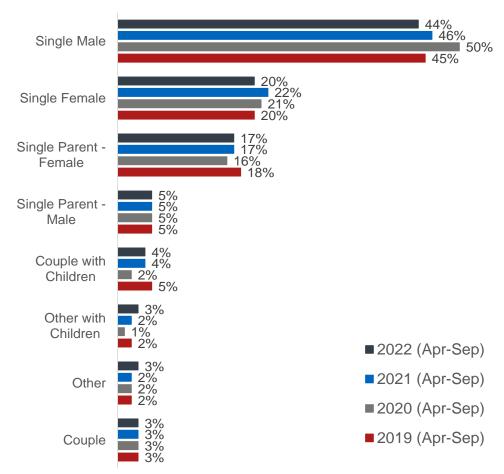
- 30% of homeless households contain children
- Decrease in the proportion of homeless households with main applicants aged 25-34, with an increase in those 35 and over

Similar to other findings, there has been a general return of the composition of homeless households, following a slight departure from trends over the pandemic.

In the six-month period in 2022, 64% of homeless households are single people, compared to the peak of 71% in 2020. This remains very slightly below the 65% of all homeless households in 2019. Conversely, the proportion of households with children declined over the pandemic to a low of 24% in 2020 and have increased to 30% in 2022, slightly above the 29% in 2019.

There were decreases in the proportions of single person households whilst proportions of households with children have increased

Chart 7: Household type (households assessed as homeless), 2019 to 2022



Also in line with pre-pandemic proportions, 54% of main applicants of homeless households were male and 46% female in 2022.

There has been a decrease in the proportion of main applicants aged 25-34, accounting for 31% in 2022 compared to 33% in the last three years. Conversely, the proportion of those 35 years and over has increased from 43% in 2019 to 48% in 2022.

In 2022, 86% of main applicants stated they were of White ethnicity. This compares to a peak of 90% in 2020 and is now slightly below pre-pandemic proportions (87%). Following a low of 6% in 2020, 9% of main applicants in 2022 declared an ethnicity which was not White, in line with pre-pandemic proportions.

Temporary Accommodation

Key Points

- 3,385 refusals of temporary accommodation offers, a 7% decrease compared to 2021
- 300 instances of households not being offered temporary accommodation

Sources of temporary accommodation data

Since 2002, local authorities have provided aggregate snapshot information relating to households in temporary accommodation. While this allows trends to be explored over time, understanding around individual placements and how these relate to assessed households is not possible from the snapshot data. Therefore, since 1 April 2016 placement level information on households in temporary accommodation has been provided to enable a more rounded picture of the use of temporary accommodation.

The snapshot data shows 14,458 households in temporary accommodation as at 30 September 2022. The placement level returns show that there were 15,026 temporary accommodation placements open at 30 September 2022 – 568 (4%) higher than the snapshot returns. Differences may be explained by the returns including different types of temporary accommodation and the placement level returns experiencing a lag in cases being closed.

Both of these figures show households in temporary accommodation at a point in time and, as such, will include those who have recently entered temporary accommodation as well as those who have been in temporary accommodation for a longer period of time (including prior to the reporting period).

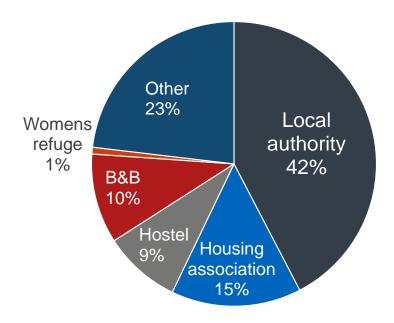
Households entering and exiting temporary accommodation

Between April and September 2022, 10,941 households entered temporary accommodation for the first time while 8,633 exited for the last time (i.e. where homelessness cases were closed) – this is a net difference of 2,308 (21%) households in temporary accommodation over this period.

Glasgow had the largest numerical difference with 464 more households entering than exiting. The next largest was Edinburgh with a net difference of 407 more households entering than exiting.

The most commonly used temporary accommodation was local authority accommodation

Chart 8: Types of temporary accommodation used, as at 30 September 2022



Generally, there has been a decrease in the proportion of most types of temporary accommodation, with an increase in the proportion of 'other' types of accommodation. 'Other' accounted for 18% at September 2019 compared to 23% at September 2022. The increased use of 'Other' is likely the result of 'newer' types of accommodation such as rapid access accommodation, community housing and shared tenancies, which can be deemed suitable.

The exception is Bed & Breakfast accommodation, which accounted for 6% of temporary accommodation placements at September 2019 compared to 10% at September 2022.

Local authority (furnished), housing association, other and women's refuge accommodation remain more commonly used for households with children compared to all households. Hostel and bed and breakfast accommodation are used much less for households with children.

Refusals

A household can choose to refuse an offer of temporary accommodation made by the local authority. There were 3,385 refusals of temporary accommodation between April and September 2022. This is 250 (7%) less than the same period for 2021. Refusals were particularly high in July to September 2020 (2,050) and April to June 2021 (1,900).

Failure to provide temporary accommodation

A local authority is required to indicate when they do not offer any temporary accommodation to a household and are therefore acting unlawfully.

Between April and September 2022, there were 300 instances of households not being offered temporary accommodation – 75 for April to June and 225 July to September. This is a fall of 15% compared to 355 in the same period in 2021 and is considerably smaller than that reported pre-pandemic. This is largely driven by the reduction in Glasgow as a result of steps taken to improve access to emergency accommodation, including repurposing hotels during the pandemic.

A total of five local authorities reported at least one instance of not offering accommodation over the six month period in 2022, with Edinburgh reporting the majority (285). The others were Aberdeen City, Fife, Highland and Scottish Borders.

How often do local authorities breach unsuitable accommodation legislation?

Important! These figures should be treated with caution due to:

- a) reporting anomalies and inconsistencies;
- b) uncertainty caused by the extension of the Unsuitable Accommodation Order (UAO) legislation in May 2020; and
- c) the existence of COVID-19 exceptions between May 2020 and September 2021.

See below for further details on these.

Between April and September 2022 there were 1,470 reported breaches of the unsuitable accommodation order (UAO). This is a notable increase from the 410 reported in 2021. This is very likely due to the ceasing of the COVID-19 exceptions on 30 September 2021, as evidenced by the increase from 285 in July to September 2021 to 825 between October and December 2021.

The extension of the legislation to all households will also impact these figures. Prior to May 2020, the UAO only applied to households with a pregnant member and/or children.

Twenty local authorities reported a breach over the six month period with Edinburgh accounting for the highest number (655). Other local authorities with a large number of breaches were West Lothian (270), Fife (235), East Lothian (120) and Glasgow (85).

Reporting anomalies and inconsistencies

Increased scrutiny of the data brought about by changes in legislation and the introduction of COVID-19 exceptions uncovered anomalies and inconsistences in the reporting of breaches. Through this process, it became clear that this was exacerbated by a lack of consistent interpretation of unsuitable accommodation legislation and data collection guidance.

In May 2022, enhanced data collection guidance was issued to local authorities to clarify reporting requirments and, in turn, ensure consistency and improve quality. While some local authorities have been able to update their management information systems in line with the ehanced guidance in time for this publication, many have not.

In addition, some errors have been identified for local authorities who have implemented changes. This is to be expected over the transition period.

Therefore, issues persist around comparability and correctness of this data.

Additional quality assurance processes have been incorporated to pick up errors quickly and close working with local authorities is ongoing to ensure that consistent reporting against updated guidance is implemented as quickly and as correctly as possible.

Changes in legislation

Prior to 5 May 2020, a breach was encountered when a household with a pregnant member and/or child is in unsuitable temporary accommodation for more than 7 days. From 5 May 2020, this was extended to all households. Therefore, breaches figures before and from the 5 May 2020 are not comparable. To also note, this falls in the middle of a reporting quarter.

COVID-19 exceptions

Temporary exceptions were put in place to allow local authorities to provide households with accommodation in response to COVID-19. The legislation noted that a placement was not considered unsuitable if:

- a person in the household has symptoms of coronavirus and the household requires to isolate; or
- the accommodation is required to provide temporary accommodation to ensure that a distance of 2 metres can be maintained between a member of the household and a person who is not a member of the household in order to prevent the spread of coronavirus; or
- the local authority is unable to place the household in suitable accommodation as a result of the impacts of coronavirus on temporary accommodation supply in the area, provided that where a household includes a child or a pregnant woman, the household is not placed in unsuitable accommodation for more than 7 days.

The first two of these came into effect in May 2020 and the third came into effect on 30 September 2020. All ceased on 30 September 2021. Again, this means that data will not be comparable across the series.

A household placed in unsuitable accommodation for longer than 7 days where an exception did not apply must still be recorded as a breach.

Outcomes

Key Points

- 83% of unintentionally homeless cases secured a settled accommodation as an outcome
- The proportion of unintentionally homeless households with an outcome of private rented tenancy remains lower than pre-pandemic

Homelessness cases are closed once the local authority has fulfilled its statutory duty or contact has been lost with the applicant household for 28 days. Local authorities provide information on the circumstances and outcomes of homelessness cases once they have been closed.

Cases closed

Over the six-month period in 2022, there were 13,150 applications closed that had been assessed as unintentionally homeless. This is a decrease of 4% and 7% compared to 2021 and 2019 respectively. It is, however, notably higher than the 10,070 that closed in 2020, although this period is known to be affected by reduced levels of activity and availability of settled accommodation due to COVID-19.

Lost contact

Contact was maintained for most households assessed as unintentionally homeless (96%, the same as last year) and intentionally homeless (93%, a decrease from 95% last year, although bearing in mind these are based on relatively small numbers).

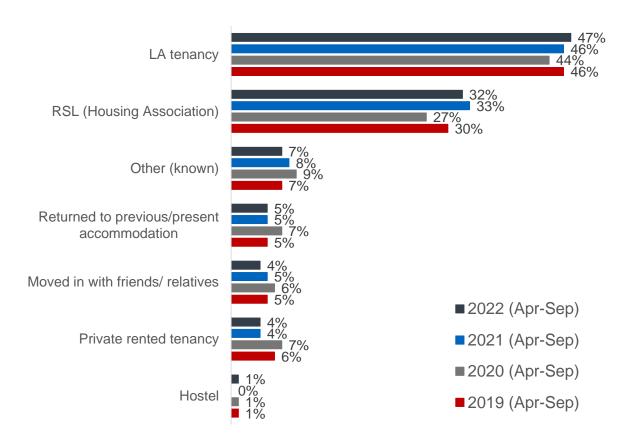
Outcomes

Of the 12,665 unintentionally homeless cases that closed in the six-month period (where contact was maintained and the outcome known), 83% secured settled accommodation. This is the same as last year and slightly higher than 82% in 2019.

Settled accommodation here is defined as a local authority tenancy, a tenancy with a registered social landlord or a private rented tenancy.

Homeless households with an outcome of private rented tenancies remain lower than pre-pandemic, with outcomes of LA tenancy and RSL higher than pre-pandemic

Chart 9: Outcomes for households assessed as unintentionally homeless or threatened with homelessness, 2019 to 2022



The proportion of intentionally homeless households securing settled accommodation decreased from 54% to 38%. However, these are based on relatively small numbers and are therefore particularly susceptible to natural fluctuation.

Housing support assessments

Upon closing a homelessness case, local authorities are required to assess whether any housing support services are required by the household for any cases assessed as unintentionally homeless and where it has reason to believe that support would be beneficial. It also has a duty to provide that support if needed.

Across Scotland, assessments for housing support needs were carried out in 79% of cases where there was a duty to assess between April and September 2022 – a decrease from 81% last year. Support was provided for 40% of all cases (decrease from 41% last year), although support was not provided for 7% who were identified as needing it (same as last year). In 20% of cases where there was a duty to assess, no assessment took place and no support was provided (increase from 17% last year).

Notes on Tables

All of the tables and charts in this publication are available in electronic format on the supporting documents page.

The statistics included in this publication are based on administrative data collected by local authorities in the course of carrying out their homelessness activities. This data is collected from local authorities and quality assured by the Scottish Government on a quarterly basis. Details about the data we collect, our quality assurance process, and how we engage with users to improve our statistics are outlined in our quality assurance statement.

<u>Data Protection Impact Assessment and Quality Assurance Statement for HL1, HL2, HL3</u> and PREVENT1 data collections

Updates to previous statistics

The data we use in this publication is collected from local authorities on a quarterly basis. As a result these figures are updated on an ongoing basis and may differ from those previously published. This may be a result of delays in some cases being reported to the Scottish Government due to IT issues, quality assurance processes and delayed entry of data – particularly at the end of the financial year.

For example, this publication estimates that 9,503 homeless applications were made in January to March 2022, but our annual 'Homelessness in Scotland: 2021 to 2022' publication gave a figure of 9,220. This is a difference of 283 applications, or approximately 3%. A table comparing the annual number of applications is included in the tables accompanying this publication.

Known data quality issues

There are other data quality issues of which we are aware:

- There are a small number of temporary accommodation cases on the Scottish Government temporary accommodation placement database that are recorded as open but are linked to homelessness applications that we know to be closed. This occurs when a local authority fails to provide an update for these cases after the placement is closed. In these cases we have taken the approach of using the close date of the homelessness application as the exit date of the temporary accommodation placement. This may have the impact of inflating the length of time these households are recorded as using temporary accommodation.
- Snapshot data about temporary accommodation provided by Fife and Orkney do not include all temporary accommodation placements used, and therefore understates the number of households in temporary accommodation within these councils.
- There are inconsistencies between local authorities in the reporting of breaches of the Homeless Persons (Unsuitable Accommodation) (Scotland) Order 2020. From May 2020 to September 2021 exceptions were put in place in response to COVID-

19 which caused confusion for some local authorities, particularly around when the extension of the legislation (from only households with pregnant women and/or children to all) should commence. Local authorities were able to capture different levels of information regarding breaches around this time (i.e. whether an exception could or could not be applied) which has implications for data comparability. In May 2022, enhanced guidance was issued to provide clarity around the reporting of breaches. It was anticipated that this should relate to all data from 1 April 2022, however, not all local authorities have managed to correctly implement changes to management information systems as yet, and therefore over the transition period, there will remain inconsistency and inaccuracies within the data.

- A new Private Sector Lease (PSL) contract which started on 1 April 2020 allows Edinburgh council to use PSL accommodation for immediate access temporary accommodation placements, which they were unable to do before. This has resulted in cases remaining open with associated PSL temporary accommodation placements, which previously would have been closed and re-opened. This explains the noticeable increase in the number of temporary accommodation placements within Edinburgh from 2,010 at 31 March 2020 to 2,824 at 31 March 2021 to 3,316 at 31 March 2022. Edinburgh provided Private Sector Leasing in their temporary accommodation statistics for the first time to be included in the annual 2021/22 publication, backdated to 1 April 2020. Please note, Edinburgh figures have been updated since the 2021/22 annual publication as a result of continued quality assurance, which uncovered further discrepancies between the aggregate and placement level returns.
- West Dunbartonshire council recently experienced data issues which has led to
 duplication of temporary accommodation placement records. This has resulted in
 discrepancies in the HL3 placement data collection compared to the HL2 snapshot
 data for the last three quarters. January to March 2022 was the worst affected with
 a discrepancy of 24%. Recent quality assurance efforts have reduced the difference
 to between 6% and 7% in the latest two quarters. Removing these duplicates
 completely is an on-going process and West Dunbartonshire placement level data
 for the most recent three quarters should be treated with caution until this issue is
 fully resolved.

Comparability with other UK homelessness statistics

Because of the substantial differences in legislative frameworks and data collection methods that exist across the UK care needs to be taken in comparing homelessness statistics across the four countries.

In September 2019 the Office for National Statistics published the UK homelessness: 2005 to 2018 report, which assessed the comparability and coherence of existing UK government homelessness data sources.

Also published in September 2019, the GSS Homelessness Interactive Tool allows users to explore the similarities and differences between how key concepts relating to homelessness are defined across the four UK countries. It allows users to explore an applicants' process through each of the different homelessness systems and enables users to visualise the different definitions of homelessness currently being used for official statistics and how these compare.

Summary of current legislation

The Housing (Homeless Persons) Act 1977, now consolidated into <u>Part II of the Housing</u> (<u>Scotland</u>) Act 1987, introduced statutory duties on Local Authorities to assist those who are homeless or threatened with homelessness (potentially homeless), including providing accommodation in certain circumstances.

The legislation currently requires Local Authorities to make inquiries into the circumstances of applicants to satisfy themselves whether the applicant is homeless or potentially homeless. Once the authority is satisfied this is the case, prior to 31 December 2012, it also determined whether the applicant had a priority need. However, from 31 December 2012, the <u>priority need test was abolished</u>. The Local Authority may then test whether the applicant became homeless intentionally and, in some cases, whether the applicant has a local connection with another authority in Scotland, England or Wales. There were changes in legislation from November 2019 which give local authorities the power to assess for intentionality, rather than it being a legal duty to do so. A local connection with an authority means that the applicant normally resided in that area from choice, either because he/she was employed in or had family associations with it, or for other special reasons.

Section 24 of the Housing (Scotland) Act 1987, as amended, defines homelessness for the purposes of the Act as follows. A person is homeless if they have no accommodation in the UK or elsewhere. A person is also homeless if they have accommodation but cannot reasonably occupy it, for example because of a threat of violence. A person is potentially homeless (threatened with homelessness) if it is likely that they will become homeless within two months. A person is intentionally homeless if they deliberately did or failed to do anything which led to the loss of accommodation which it was reasonable for them to continue to occupy.

<u>Section 25 of the Housing (Scotland) Act 1987</u>, as amended, defined the categories of household regarded as having a priority need for accommodation. Further details can be found in the Code of Guidance on Homelessness.

<u>The Housing (Scotland) Act 2001</u> amends the 1987 Act and requires councils to provide a minimum of temporary accommodation, advice and assistance to all applicants assessed as homeless, regardless of whether they have been assessed as being in priority need.

<u>The Homelessness etc. (Scotland) Act 2003</u> is more long-term in scope, notably introducing a phasing out of the distinction between priority and non-priority applications. The ultimate aim of the Act was to ensure that everyone assessed as being unintentionally homeless was entitled to settled accommodation from 31 December 2012.

In November 2012, the Scottish Parliament approved the <u>Homelessness (Abolition of Priority Need Test) (Scotland) Order 2012</u> which gave effect to this commitment. From 31 December 2012, the priority need test for homeless households was abolished. As a result, from this date, all unintentionally homeless households are entitled to settled accommodation.

The Homeless Persons (Unsuitable Accommodation) (Scotland) Order 2004 came into force on 6 December 2004, and is intended to prevent the routine use of unsuitable temporary accommodation for households with family commitments. Under this Order, Local Authorities cannot put households with children and pregnant women into temporary accommodation which is not suitable, unless exceptional circumstances apply. Unsuitable accommodation is defined in the Order as accommodation which does not meet standards relating to the physical properties of the accommodation (the physical standard), its proximity to health and education services (the proximity standard) and its suitability for use by children (the safety standard).

The 2004 order was revoked by <u>The Homeless Persons (Unsuitable Accommodation)</u> (Scotland) Order 2014, which came into force on the 21 November 2014. The 2014 order adds the additional requirement that the accommodation must be wind and watertight.

While the Order provides for exceptional circumstances, in which accommodation which does not meet the physical and/or proximity standards may be used, the safety standard must always be met. Further details can be found in the Code of Guidance on Homelessness.

The 2014 Order specifies that the local authority may provide an applicant with temporary accommodation which does not meet the requirements set out by Article 5 of the Order, but for no longer than 14 days in total in respect of that person's application. The Homeless Persons (Unsuitable Accommodation) (Scotland) Amendment Order 2017, which came into force in October 2017, reduces the number of days from 14 to 7 days before a 'breach' is recorded for the applicant remaining in such unsuitable accommodation.

The <u>Homeless Persons (Unsuitable Accommodation) (Scotland) Amendment Order 2020</u> extended the order to include all households, rather than just those containing children or a pregnant woman.

The <u>Housing Support Services (Homelessness)(Scotland) Regulations 2012</u> came into force on 1 June 2013. These Regulations make provision in relation to the duty of Local Authorities to assess whether some persons found to be homeless or threatened with homelessness ("an applicant") need housing support services.

Regulation 2 prescribes four types of housing support services which apply for the purposes of that duty. If a Local Authority has reason to believe that an applicant may be in need of one or more of these services, it must assess whether the applicant, or any person residing with the applicant, is in need of such support. If so, the Local Authority must ensure that the service is provided to the person who needs it. There is <u>guidance available for local authorities on their Housing Support Duty to Homeless Households</u>.

Summary of Local Authority duty to homeless households: Unintentionally homeless

Provide temporary accommodation until settled accommodation has been secured.

Settled accommodation is defined as:

- A Scottish Secure Tenancy (SST)
- A Private Residential Tenancy

If the applicants have previously been evicted for anti-social behaviour in the last 3 years, or if they are subject to an anti-social behaviour order - a short Scottish Secure Tenancy can be offered.

In some circumstances, the Local Authority can provide non-permanent accommodation. These circumstances are laid out in <u>the Homeless Persons (Provision of Non-permanent Accommodation)</u> (Scotland) Regulations 2010.

Under certain circumstances, a Local Authority may apply a local connection test and refer the applicant to another Local Authority. However, the receiving Local Authority must then secure settled accommodation for the applicant.

From 29 November 2022, local authorities no longer have the power to refer an applicant to another local authority in Scotland on the grounds of their local connection.

Intentionally Homeless

Provide temporary accommodation for a reasonable period of time, advice and assistance.

Potentially homeless, unintentionally so

Take reasonable steps to ensure that accommodation does not cease to be available.

Potentially homeless, intentionally so

Provide advice and assistance to help retain accommodation.

A National Statistics Publication for Scotland

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Designation can be interpreted to mean that the statistics: meet identified user needs; are produced, managed and disseminated to high standards; and are explained well.

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The data collected for this statistical bulletin:
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☑ are available via an alternative route - summary tables can be found at
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