

**NATIONAL ASSEMBLY FOR WALES**

**THE HOMELESSNESS COMMISSION**

# **REPORT TO THE MINISTER FOR FINANCE, LOCAL GOVERNMENT AND COMMUNITIES**

AUGUST 2001

**FOREWORD**

Statement by Mr Peter Black AM

Deputy Minister for Local Government

Chair of the Homelessness Commission

Everyone needs a home where they are safe, secure and comfortable. Decent housing is a pre-condition for their happiness and their ability to fulfil their potential. In this context homelessness is the most acute form of social exclusion.

The National Assembly has recognised the importance of addressing homelessness as part of its strategy to tackle social disadvantage, as set out in Better Wales.com. The Homelessness Commission was established in January 2001, with the task of advising the Assembly on the measures that should be introduced to reduce homelessness.

The Commission was asked to report to the Assembly by Autumn 2001. This report fulfils that target, and represents a commendable effort by all those involved. We have attempted to cover a broad spectrum of issues relating to homelessness, its causes and effects, and how it can be tackled in a comprehensive way throughout Wales.

The range of issues that have been covered has highlighted and reinforced the view that homelessness cannot simply be looked at under the narrow remit of housing, or even of housing and support. For many people who experience homelessness there can be deep-rooted and wide ranging causes and consequences. The Commission has attempted to reflect this understanding in its discussions and findings.

This need for a multi-service approach has significant implications for local and national services. The National Assembly, local statutory and voluntary services need to work much more closely together to provide the "joined up" assistance to people which should be delivered at the right time in the right place.

Statutory organisations may need to question more closely their allocations of funding and other resources in relation to homelessness. Significant health gains, and reductions in police, prison or social services involvement can be made through the delivery of the right types of high quality services for homeless people. Joined up approaches to homelessness include channelling funding, staff time and other resources into solutions, and can lead to long term savings for those and other services. But we must not look just to dealing with the problem. If we are to make real inroads into reducing the extent of homelessness we will need to increase our efforts in prevention. This involves the more obvious aspects of providing good quality, free advice and information, bond guarantee schemes and support to help people sustain their accommodation. We must also work to address the underlying causes of homelessness. For

example, support to develop good parenting skills, secure relationships, good educational attainment and routes into training and employment should contribute to reducing homelessness and social exclusion.

I would like to thank all who have been involved in the work of the Commission – those who contributed, the secretariat and most particularly my fellow Commissioners. I am sure that the results of our work will provide a platform for the development of long lasting services to those people who are unfortunate to be homeless or who have to sleep rough on our streets.

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## 1. Terms of Reference

The Commission will advise the National Assembly for Wales ("the National Assembly") on:

- a. Delivering the objectives in "Better Wales" (betterwales.com) to reduce (by 2003) the "number of homeless families in temporary housing to below 500," for "the need for rough sleeping to be eliminated," and to "improve the access to health services for those sleeping rough and the homeless."

Response:

- The first objective should be amended to read "...number of households placed by local authorities in temporary housing for more than 6 months...";

- The second objective is being dealt with through the Draft Local Homelessness Strategies Guidance (Appendix 7), but recommendations for its revision are contained in the Report of the Homelessness Commission ("the Report");
  - The third objective will be dealt with by recommendations to the National Assembly in the Report.
- a. Taking forward the recommendations in the National Assembly report "Rough Sleeping in Wales" and the recommendations of the Housing Strategy Task Groups relating to homelessness and rough sleeping.

Response:

- The recommendations of the Bevan "Rough Sleeping in Wales" report were considered by the Commission on the 11<sup>th</sup> June 2001 and the Commission's responses are annexed hereto (Appendix 4);
  - The recommendations of the Housing Strategy Task Groups relating to homelessness and rough sleeping were considered by the Commission on the 11<sup>th</sup> June 2001 and the Commission's responses are annexed hereto (Appendix 5).
- a. Delivering local homelessness strategies in all Welsh local authorities.

Response:

- The Commission has prepared a Draft Local Homelessness Strategies Guidance that forms part of the Report (Appendix 7).
- a. Setting targets and outcomes.

Response:

- This was considered by the Commission in its meeting of the 11<sup>th</sup>

June 2001 and is addressed in the following recommendations.

- a. Measuring homelessness and rough sleeping – and to investigate the methodologies adopted by local authorities for counting rough sleepers on census night 2001.

Response:

- This was dealt with by a report to the Commission on the 11<sup>th</sup> June 2001 and is addressed in the following recommendations.

- a. The options for the long term funding for homelessness services in Wales, particularly in relation to "Supporting People."

Response:

- "Supporting People" is in a consultative stage and the Report includes a recommendation on the funding implications.

## **Tasks:**

- a. To map current information on homelessness and rough sleeping in Wales, and existing and planned provision, and identify gaps and overlaps.

Response:

- The Commission considered a report by Dr Elaine Mullan at its meeting of the 14<sup>th</sup> May 2001 (Appendix 1). The Commission has made a recommendation to the National Assembly that a central database is created to show current provision.

- a. To devise a common methodology for counting rough sleepers in Wales.

Response:

- The Commission considered a report on this issue at its meeting of the 11<sup>th</sup> June 2001 and it is addressed in the following recommendations.

- a. To consider definitions of homelessness and rough sleeping and propose definitions for Wales.

Response:

- The Commission considered this matter at its meeting on the 2<sup>nd</sup> July 2001 and definitions are included in the Report.

- a. To consider how to monitor homelessness across Wales.

Response:

- The Commission considered this matter at its meeting on the 11<sup>th</sup> June 2001 and it is addressed in the following recommendations.

- a. To consider targets (and the feasibility of targets) and outcomes for tackling homelessness and rough sleeping in Wales.

Response:

- The Commission considered this matter at its meeting on the 11<sup>th</sup> June 2001 and it is addressed in the following recommendations.

- a. To review and evaluate best practice in tackling homelessness and rough



sleeping, and to publish the review on the National Assembly website.

Response:

- The Commission considered this matter in a report from Dr Elaine Mullan at a meeting of the Commission on the 14<sup>th</sup> May 2001 (Appendix 1), and it is addressed in the following recommendations.

a. To develop a model local authority homelessness strategy.

Response:

- The Commission agreed on a Draft Local Homelessness Strategies Guidance (Appendix 7) – this forms part of the Report.

## 1. Membership

The members of the Commission are:

- Peter Black AM, - Deputy Minister for Local

(Chair) Government

- Gwenda Thomas AM - Chair of the Local Government and

Housing Committee

- Kirsty Williams AM - Chair of the Health and Social Services

Committee

- Paul Bevan - Newport Action for the Single

Homeless ("NASH") - (Adviser to the Commission)

- Libby Burn - Pembrokeshire Action for the Single

Homeless ("PASH")

- Steve Gamgee - Wallich Clifford Community
- Angela Hoare - Barnado's Cymru
- Paul McHugh - North Wales Housing Association
- Mutale Nyoni - Black Association of Women Step Out

("BAWSO")

- Bridget Price - Welsh Local Government Association
- John Puzey - Shelter Cymru
- Phil Roberts - Welsh Local Government Association
- Malcolm Russell - Welsh Local Government Association

The Management, Homelessness and Support Branch, Housing Directorate of the National Assembly provided the secretariat.

## 1. Narrative of the Work of the Commission

1. The Commission was established in January 2001 following the "Partnership Agreement", and is a "task and finish" group whose findings will be reported to the Minister for Finance, Local Government and Communities.

Its objectives and tasks are hereinbefore referred to, and its recommendations are contained in this report.

The Commission adopted an "open government" policy and members of the public have attended the meetings and been provided with copies of the papers.

2. The Commission met on the:

- 10<sup>th</sup> January 2001 at the offices of the National Assembly for Wales, Cardiff Bay, Cardiff;
- 26<sup>th</sup> February 2001 in the Council Chamber of Powys County Council, Llandrindod Wells, Powys;
- 12<sup>th</sup> March 2001 at the offices of the National Assembly for Wales, Cardiff Bay, Cardiff;
- 9<sup>th</sup> April 2001 in the Council Chamber, City and County of Swansea, The Guildhall, Swansea;
- 14<sup>th</sup> May 2001 at the offices of the National Assembly for Wales, Cardiff Bay, Cardiff;
- 11<sup>th</sup> June 2001 in the Hywel Dda Chamber, Gwynedd County Council, Caernarfon, Gwynedd;
- 2<sup>nd</sup> July 2001 in the Council Chamber, Pembrokeshire County Council, Haverfordwest, Pembrokeshire;
- 23<sup>rd</sup> July 2001 at the offices of the National Assembly for Wales, Cardiff Bay, Cardiff;
- 17<sup>th</sup> August 2001 at the offices of the National Assembly for Wales, Cardiff Bay, Cardiff.

3. The Commission members met with user groups and homeless people on the :

- 9<sup>th</sup> April 2001 at the Bays Project, High Street, Swansea – this project is managed by Barnado's Cymru and deals with the problems encountered by 16-21 year olds;
- 11<sup>th</sup> June 2001 at Ty'n Rhodyn, Bangor, Gwynedd – this is a project managed by CAIS and is a rehabilitation unit for drug and alcohol misusers;
- 11<sup>th</sup> June 2001 at Pendinas Hostel, Bangor, Gwynedd – this is a project managed by North Wales Housing Association and provides accommodation for the street homeless;
- 11<sup>th</sup> June 2001 at GISDA project in Bangor – this is a project dealing with youth homelessness;
- 2<sup>nd</sup> July 2001 at the Probation Service, Haverfordwest – the Commission met with five clients from Pembrokeshire Action for the Single Homeless ("PASH") and with members of the Probation Service. This was an opportunity for Commission members to discuss the problems associated with rural homelessness with people who have a personal experience of this problem;
- 2<sup>nd</sup> July 2001 at Furnace Banc, Carmarthen – this is a direct access hostel managed by Tai Trothwy.

3. The Commission has received evidence from the following:

- 9<sup>th</sup> April 2001 - Mr Hugh Gardner, Director of Social Services, City and County of Swansea in his capacity as a representative of both the Association of Directors of Social Services and the Local Health Groups;
- 14<sup>th</sup> May 2001 – Mr Paul Howarth, a representative from the Department of Work and Pensions (formerly the Department of Social Security);
- 2<sup>nd</sup> July 2001 – Mr Ian Fox, Regional Manager for Wales, National Probation Service;
- 23<sup>rd</sup> July 2001 – Dr Sarah Watkins (Senior Medical Officer), Mr John Sweeney (Mental Health and Learning Disability Branch) and Mr Peter Meredith-Smith (Nursing Officer) – representing the Health Directorate of the National Assembly.

3. On the 27<sup>th</sup> February 2001 the National Assembly made The Homeless Persons (Priority Need) (Wales) Order 2001 which came into force on the 1<sup>st</sup> March 2001. The Order, which applies only to Wales, extends the descriptions of persons as having priority need so that they now also include:

- A care leaver or person at particular risk of sexual or financial exploitation, 18 years or over but under the age of 21;
- A 16 or 17 year old;
- A person fleeing domestic violence or threatened domestic violence;
- A person homeless after leaving the armed forces;
- A former prisoner homeless after being released from custody.

This Order will have an effect upon persons presenting at the local authority as homeless.

The Commission had the opportunity to consider the content of the Provisional Guidance relating to this Order, which is attached hereto at Appendix 11.

3. The Welsh Affairs Committee, sitting at its 1999-2000 session, stated that Wales has housing of poor quality, which contributes towards social exclusion. The Committee accepted that housing in Wales is the responsibility of the National Assembly, but did make certain observations, which it asked the National Assembly to address. These included:-

- Care Leavers;
- Bond Schemes; and
- Domestic Violence.

The Committee heard evidence from Welsh Women's Aid (that included a case study from Black Association of Women Step Out, "BAWSO"). Following this Report, the Commission has made recommendations hereinafter referred to.

3. The Commission received a Report on the Review into the Use of Exclusions and Restrictive Practices in the Allocation of Social Housing, prepared by Joy Kent. The Commission has endorsed the recommendations from this report. An Executive Summary of the full report can be found at Appendix 8.
4. The Commission considered the Draft Report on Welsh Housing Audit Advice prepared by Bob Widdowson with Derek Manson Smith. An Executive Summary of the full report and its recommendations can be found at Appendix 9.
5. Dr Elaine Mullan, a senior researcher with Health Promotion Division of the National Assembly, undertook an investigation into research and information on homelessness in Wales, approaches to tackling and preventing homelessness and a guide to developing homelessness strategies. Recommendations from the report have been included herein. The full report is attached hereto at Appendix 1.
6. The Commission has devoted significant time to the preparation of a Draft Local Homelessness Strategy Guidance for local authorities. The final draft is attached hereto at Appendix 7, and the Commission is of the opinion that this very important document takes account of most of the recommendations of the Bevan Report and those relating to homelessness in the Task Group recommendations.
7. The Commission received a report from Mr Henry Small, Statistician with the National Assembly, on the monitoring of homelessness. Mr Small devised an amended Form – WHO12 – to be forwarded to local authorities to collate more detailed information on statutory homelessness. The Commission was of the opinion that this amended form should be used and is attached hereto at Appendix 6.
8. Mr Paul Bevan, Adviser to the Commission, presented a report to the Commission on the measuring of rough sleeping in Wales, attached hereto at Appendix 2. The Commission concluded that it is impossible to accurately count rough sleepers but agreed on the Combination Survey as the best and most appropriate means. A recommendation is included in the Report.
9. The Commission agreed a definition of "homelessness". It was uniformly accepted that it is not just a matter of "bricks and mortar" and involves a multi-disciplinary approach. It also agreed on a definition of "rough sleeping", as hereinafter referred. These definitions could be included in the Local Homelessness Strategies Guidance and also in a general policy context. They do not affect the statutory definition referred to in Section 175 of the Housing Act 1996, and the legal responsibilities resulting therefrom.
10. On the 2<sup>nd</sup> July 2001, the Commission heard evidence from Mr Ian Fox, Regional Manager for Wales, National Probation Service. Mr Fox confirmed that the service

struggled with the matter of accommodation for ex-offenders and this area continued to be one of the principal concerns for his service. The Commission was advised that there was a strong link between re-offending and homelessness. Following a detailed discussion between members of the Commission and Mr Fox, the Commission made recommendations that are included in this report.

15) On the 23<sup>rd</sup> July 2001, the Commission heard evidence from Dr Sarah Watkins, Senior Medical Officer, John Sweeney of the Mental Health and Learning Disability Branch; Priority Groups and Chronic Illness, and Peter Meredith-Smith, Nursing Division. John Sweeney gave a brief overview of the NHS Directorate's perspective on homelessness and stated that homelessness cuts across all areas of the Directorate's work. The Commission was advised that the Directorate's aim was to provide equal services to homeless people, including primary care and access to drug and alcohol treatment. Following the recent issue of key documents e.g. [betterwales.com](http://betterwales.com) and the National Plan of the NHS in Wales, and a new consultation document: Structure of the NHS in Wales, the Directorate will ensure that the importance of homelessness is fed into these plans. There followed a very detailed discussion between all three representatives and the Commission that resulted in recommendations in the Report.

16)The Commission felt that it would be difficult to achieve the following target, referred to in betterwales.com, within the timescale envisaged:

"the need for rough sleeping to be eliminated"

It concluded that the target should be amended, and this takes the form of a recommendation in the Report. The Commission was of the opinion that the original target was not achievable due to difficulties with funding, planning and infrastructure.

## 1. Recommendations

### Definitions

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One of the Commission's primary tasks was to agree on a definition for the terms "homelessness" and "rough sleeping". It was agreed that definitions were required to achieve a common interpretation of the needs being addressed in each context. As far as the statutory responsibilities of local authorities are concerned, the legal definition of "homelessness" (as defined in the Housing Act 1996) is applicable.

The need for definitions was also included in the Commission's Local Homelessness Strategies Guidance (Appendix 7). Initially, the case for a broad definition was considered, which would take account of the range of situations where people were unsatisfactorily housed or may become homeless. It was agreed that this broader spectrum should be included in the introduction to the Guidance, to place homelessness in the context of its causes and effects and the need for people to be housed where all their needs would be met. The Commission proposed a more specific definition for the Guidance, which focused on the actual or threatened homelessness.

Agreement on the definition of "rough sleeping" was more easily achieved, which involved minor modifications to the definition used by the Rough Sleepers Unit in England.



1. The National Assembly should adopt the following definition of "homelessness":

"Any person who lacks accommodation or where the tenure is not secure"

The following are examples of people covered by this definition:

#### Homeless people

- sleeping rough
- living in insecure/temporary housing (excluding assured/assured shorthold tenants)
- living in short term hostels, night shelters, direct access hostels
- living in bed and breakfasts
- moving frequently between relatives/friends
- squatting
- unable to remain in, or return to, housing due to poor conditions, overcrowding, affordability problems, domestic violence, harassment, mental, physical and/or sexual abuse etc

#### People threatened with homelessness

- staying in hospitals, police custody, prisons, other institutions or supported schemes and due for release with no accommodation
- required to leave by family/ friends
- facing possession proceedings, within three months of the end of short term/limited tenancy, or threat of illegal eviction

- required to leave current accommodation due to relationship breakdown

1. The National Assembly should adopt the following definition of "rough sleeping":

"People sleeping, or bedded down, in the open air; people in buildings or other places not designed for habitation"

The following are examples of places covered by this definition:

People sleeping, or bedded down, in the open air

- on the streets
- in doorways
- in parks
- in bus shelters

People in buildings or other places not designed for habitation

- barns
- sheds
- car parks
- cars
- derelict boats
- stations
- squats
- tents
- makeshift shelters

## **Local Homelessness Strategies**

Discussion on local homelessness strategies took place in the context of the introduction of the "Homelessness Bill", new legislation that imposes a duty on local authorities to carry out homelessness reviews and adopt strategies. The drafting of Guidance for the creation of these strategies formed one of the Commission's main tasks, and substantial work was required to revise and refine the text.

The Commission regarded the Guidance as having a vital role in steering the development of local strategies to meet local needs within context of national

priorities. The proposed text (Appendix 7) took account of previous work undertaken in Scotland and England, but was strengthened by an emphasis on prevention and inter-agency co-operation.

The Commission was of the opinion that the approved document should be issued to local authorities for consultation. A final version could then be published as part of the statutory Code of Guidance on homelessness, following the implementation of the Homelessness Bill.

1. The National Assembly should issue the Draft Local Homelessness Strategies Guidance (Appendix 7) to local authorities for consultation;
  
2. Local authorities should prepare a local homelessness strategy in accordance with the Guidance to be issued by the National Assembly, as hereinbefore mentioned in Recommendation 3 above;
  
3. The National Assembly should monitor the consistency with which local authorities interpret and meet their legal duties to tackle homelessness under Part VII of the Housing Act 1996, and under the forthcoming Homelessness Bill;
  
  
6. The National Assembly should advise local authorities that they should integrate their local homelessness strategy into their broader community plan;
  
  
7. The National Assembly should appoint a "Standing Commission" to guide and monitor the development of homelessness strategies in Wales.

## **National Homelessness Strategy for Wales**

The Commission considered the need for the National Assembly to adopt a national homelessness strategy. Discussion was focused on a paper from its adviser, Paul Bevan, which explored the role of a national strategy.

The Commission agreed that there was a need for a strategy that embraced key policy areas such as prevention, support, joint working, funding and local homelessness strategies. It was felt that this strategic vision could provide a framework for prioritising national policy, funding and targets as well as an important reference point for local action.

The Commission agreed that this strategy should form part of the broader national housing strategy.

8. The National Assembly should adopt a strategy for addressing homelessness in Wales that should form part of the wider National Housing Strategy for Wales.

## **Monitoring and Measuring of Homelessness**

The Commission agreed the importance of monitoring and measuring homelessness as a means of understanding the nature and extent of the problem and the success of measures to address it.

It received a report on current National Assembly statistical monitoring of statutory homelessness, and agreed proposals for enhancing this process. It was concerned about the evidence that there were drastic variations in the way individual homeless people would be dealt with by different authorities.

The Commission also agreed proposed Guidance on the preferred method of measuring rough sleeping. Although this was notoriously difficult to achieve to any precision, a method combining snapshot and ongoing process was preferred. This would involve outreach surveys, snapshot counts and on-going common monitoring across agencies ("the Combined Survey").

9. The National Assembly should issue the amended WHO12 form statistical return (Appendix 6) to local authorities for consultation purposes with a view to its implementation as soon as possible. The form will collect additional information about the number of people who experience homelessness, including the prevalence of ethnic

minority homelessness, as well as its causes;

10. The National Assembly should encourage agencies, including voluntary agencies, Registered Social Landlords and local authorities, to adopt the Combined Survey method of counting rough sleepers (Appendix 2).

## **Targets and Outcomes**

The identification of recommended targets was another key area for the Commission. The Commission found this a problematic area, due to difficulties in measuring the true extent of homelessness, the volatility of the circumstances associated with homelessness, and the difficulty in controlling the range of causal factors.

There was recognition of the difficulties arising from planning, funding and service infrastructure problems, which could delay the achievement of objectives to tackle homelessness and rough sleeping.

The Commission supported the aim of eliminating the need for rough sleeping, but had reservations that this could be achieved by 2003. Even with the available resources, there were practical problems in identifying the gaps in provision and creating appropriate projects in this timescale. It also considered that it was likely that some rough sleepers would not avail themselves of the housing, and recognised that in a few cases individuals may present too great a risk to be admitted to the available accommodation.

It was agreed that national targets needed to focus on reducing the period of time people had to live in temporary accommodation and the implementation of local strategies to tackle homelessness.

11. The National Assembly should amend the target (referred to in [betterwales.com](http://betterwales.com)) as follows:

"number of homeless households placed by local authorities in

temporary housing for more than six months".

12. The Commission endorses the principle of the objective to eliminate the need to sleep rough by April 2003 but believes that it is not achievable within that time scale, and recommends that the National Assembly reviews the timescale based on realistic benchmarks for measurement of progress.

## **Bond Schemes**

The Commission endorsed action already being taken to promote bond schemes across Wales, and highlighted the need to review their management in order to promote best practice.

13. The National Assembly should continue to advocate and support the positive development of the growth of local Bond Guarantee Schemes;
14. The National Assembly should review the management of existing Bond Guarantee Schemes to promote good practice;
15. The National Assembly should review the effectiveness of the Cardiff Custodial Bond Bank and, in due course, incorporate the findings into the Local Homelessness Strategies Guidance.

## **Exclusion Policies**

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Joy Kent presented a report to the Commission reviewing current exclusion practices.

The report identified the wide range of policies and practices, which in many cases led to inappropriate exclusion and homelessness.

The Commission considered this to be an important area for policy that had a direct impact on social exclusion and homelessness. The Commission endorsed the Kent report, and made a number of specific recommendations on this area.

16. The National Assembly should provide Guidance to local authorities that possession action using mandatory procedures against Introductory Tenants in cases of rent arrears is considered poor practice. The authority should, in such cases, pursue alternative debt recovery procedures;
17. The National Assembly should make a Statutory Instrument, under the provision of section 129(3) of the Housing Act 1996, that all Introductory Tenants facing possession action by a local authority for rent arrears are entitled to an oral hearing to review the decision to seek possession, and to be independently represented at such a hearing;
18. The National Assembly should advise local authorities to regularly monitor and evaluate their anti-social behaviour policies;
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19. The National Assembly should encourage local authorities to develop private rented/ registration schemes in their area;
20. The National Assembly should advise both local authorities and Registered Social Landlords that a lack of a permanent address is not a reason for excluding a homeless person from their Housing Register/Waiting List;

21. The Commission endorses the recommendations made by Joy Kent in her report: "Review into the Use of Exclusions and Restrictive Practices in the Allocation of Social Housing" (Appendix 8) and recommends their implementation.

## **Prevention**

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This was one of the key themes of the Commission's work, and regarded as an essential element in national and local strategies. The Commission focused particularly on the need for young people to be provided with information on how to avoid homelessness and the need for comprehensive, high quality housing advice services. The Commission considered the findings of the Housing Advice Services Audit, undertaken by Bob Widdowson, and endorsed its recommendations.

The Commission also recognised the importance of intervention to prevent homelessness through proper assessment of needs and provision of support.

22. The National Assembly should advocate the benefit of independent housing advice in the prevention of homelessness;

23. The National Assembly should include housing and homelessness in the National Curriculum;

24. The National Assembly should make representations to the UK Government that housing advice, guidance and support is provided to



those leaving prison, long-term care, hospitals and psychiatric

hospitals to prevent homelessness, promote and regain links with the community and to find and sustain accommodation on their release;

25. The National Assembly should encourage police authorities to maintain a list of local authority and voluntary direct access hostels to refer those requiring emergency accommodation;

26. The National Assembly should encourage social landlords to provide furnished accommodation, where appropriate;

27. The National Assembly should promote housing advice services across Wales to provide a comprehensive, sustainable and independent advice service beyond the statutory obligations of the local authorities;

28. The Commission endorses the recommendations in the report by Bob Widdowson with Derek Manson Smith: "Welsh Housing Advice Audit" on the audit of housing advice services in Wales (Appendix 9).

## **Health and Homelessness**

The link between health and homelessness had already been identified in earlier work, and one of the Commission's key tasks was to make recommendations on how homeless people

could gain better access to primary health services.

The Commission received a number of written and oral reports on this area. It was deeply concerned by the very low life expectancy of rough sleepers, and by the strong association between homelessness and ill health. The Commission strongly endorsed the target in "Better Wales.com" to improve the access to health services for those sleeping rough and the homeless by March 2003, and wished to see more evidence from the National Assembly on how this was being addressed.

The Commission considered evidence on the difficulties experienced by homeless people in accessing primary health services, and some good practice initiatives that attempted to overcome these barriers. The Commission was made aware of the nurse-practitioner scheme in Cardiff that had succeeded in raising registration levels with GP's, as well as providing a range of other health services. Drop-in and walk-in centres also help to make health services more accessible to homeless people. The NHS Confederation suggested that another solution to the problem of registration has been to allow homeless people to register a park bench as their official address, although the Commission felt that this was an inappropriate response and that the service procedures should be adjusted to enable homeless people to receive health services without a nominal address.

It concluded that there was a need for a clearer focus by health services on meeting the number of homeless people, and for better joint working with other services. The recommendations adopted by the Commission also emphasise the need for flexible services that take account of the chaotic lifestyles of homeless people.

29.The National Assembly should ensure that Health Improvement Plans, and if adopted, Health and Well-Being Plans, have a strong multi-disciplinary and housing base;

30.The National Assembly should ensure that Health Improvement Plans, and if adopted, Health and Well-Being Plans include reference to homeless people, the need for this group to have equal access to primary health services appropriate to their needs and indicate how their needs would be identified and addressed. This could be effected by the appointment of a nurse-practitioner with specific responsibility

for homeless people, but the Commission rejected cosmetic solutions such as registering park benches, and took the view that if the systems in place required such action they were fundamentally flawed;

31. Local authorities should provide to homeless people with mental illness a comparable quality of care to those who are housed, and the National Assembly should issue suitable Guidance to that effect.

Authorities, in conjunction with Local Health Groups and voluntary agencies, should identify how they will assess and address this within their area;

32. The Health Services should ensure that no person is discharged from hospital without accommodation, or to accommodation that would prejudice their health, unless this is their express choice;

33. As a response to the Primary Care Strategy, the Commission urges that more importance is placed on the provision of primary care to homeless people;

34. The National Assembly should develop guidance for health and housing authorities on how they should promote better access to health services for homeless people.

# **Substance Misuse and Homelessness**

The Commission looked at a range of issues surrounding drug and alcohol misuse and their connection with homelessness. Substantial evidence was received which confirmed the prevalence of drug and alcohol problems in homeless people. These reports established the difficulties faced by homeless people in gaining access to appropriate treatment. The impact of recent amendments to Section 8 of the Misuse of Drugs Act 1971 (which is not yet in force) was discussed, with the Commission agreeing a recommendation seeking a clearer and more flexible framework for projects working with drug users.

The Commission agreed a set of recommendations aimed at meeting the need for more accessible treatment services and the provision of appropriate specialist housing services.

35. The National Assembly, together with local health groups and in conjunction with local authorities, Registered Social Landlords and voluntary organisations should review the adequacy of funding for rehabilitation schemes relating to drug and alcohol misuse in partnership with Social Services Departments;

36. The National Assembly should fund Social Services Departments to provide additional support to people who have multiple diagnosis (i.e. two or more difficulties of a mental health problem, drug or alcohol abuse);

37. Police Forces should establish a consistent approach to encouraging

referrals to drug rehabilitation units/wet houses and should more actively promote arrest referral schemes;

38.The National Assembly should make representations to the Home Office that interpretation and guidance on the implementation of the Misuse of Drugs Act 1971, as amended, which takes account of the need for organisations working with homeless people who are also drug misusers to be able to work with them within the provided accommodation on a controlled harm minimisation basis;

39.The National Assembly should consider whether the Care Standards Act has any implications for existing Drug and Alcohol Misuse Projects.

## **Ex-Offenders and Homelessness**

The Commission considered evidence of the high incidence of homelessness amongst ex-offenders, and also of the correlation between post-release homelessness and re-offending.

Ian Fox, Regional Manager for Wales, National Probation Service, made a presentation to the Commission outlining the statistical evidence and the importance that the Probation Service placed on appropriate re-housing. He also explained how risk should be safely managed through inter-agency protocols and assessments.

The Commission acknowledged the need to take account of community safety considerations in planning the resettlement of homeless people who may pose a risk to the community. The

importance of multi-agency arrangements for the risk assessment and management of dangerous persons, particularly sex offenders, was emphasised. The Commission stressed the need for landlords to take full account of advice from the relevant statutory services, particularly police and probation.

The Commission agreed recommendations for improving the level of support available to ex-offenders to help them establish stable lives in settled accommodation.

40. The National Assembly should make representations to both the National Probation Service for England and Wales and the Prison Service, to improve the advice and follow-up support provided to ex-offenders released from prison;

41. The National Assembly should make representations to both the National Probation Service for England and Wales and the Prison Service, to provide housing advice, assistance and planned discharge to accommodation, to prisoners on their admission and prior to their release from prison;

42. The National Assembly should make representations to the National Probation Service for England and Wales to ensure that the pastoral needs of ex-offenders, in respect of housing, are reflected in all its community-based programmes;

43. The National Assembly should make representations to the Prison Service, first, that purpose-built accommodation be provided in Wales for young offenders and female prisoners; secondly, that educational and training facilities in Welsh custodial institutions be reviewed; and thirdly, that more Welsh prisoners be allowed to serve their sentence in Welsh prisons with the possible provision of suitable re-settlement accommodation in Wales.

## **Domestic Violence and Homelessness**

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The Commission considered the significance of domestic violence as a factor in causing homelessness. It discussed measures to address the needs of people escaping domestic violence, and welcomed the extension of the statutory homeless priority need categories to cover this group. In the context of the discussions on exclusion, it affirmed the need for social landlords to re-house women where they may have no local connection.

The Commission reviewed the evidence submitted to the Welsh Affairs Committee by Welsh Women's Aid, and supports the following recommendations, which arose therefrom.

44. The National Assembly should advise local authorities that they should house victims of domestic violence in any area, without the need to establish a local connection;

45. The National Assembly should advise local authorities that victims of domestic violence should receive support, including affordable housing

and housing benefit advice;

46. The National Assembly should advise local authorities of the importance of not housing women who have suffered domestic violence all in the same location.

## **Education, Training, Employment and Homelessness**

The Commission considered the connections between education, training and employment and how they impacted on homelessness. Reports were received on how homeless people were often alienated from learning opportunities and how this reinforced their social exclusion. It strongly supported initiatives to help homeless people re-engage with learning schemes, which were adapted to their needs and would expand their employment opportunities. They also looked at education initiatives to promote awareness of homelessness amongst young people and noted the apparent links between exclusion from school and subsequent homelessness, as part of a broader pattern of social exclusion.

The Commission felt that this whole area was critical to enhancing the quality of life for homeless people and enabling them to establish fulfilled lives in settled accommodation.

47. The National Assembly should make representations to the UK Government that additional funding is provided to increase flexibility of employment opportunities and/ or therapeutic work;

48. ELWa should ensure that adequate funding is available for the provision of learning and training services which are accessible,



flexible and appropriate to the needs of homeless people;

49. The Education Department of the National Assembly should

investigate the links between exclusion policies in schools and

homelessness and make appropriate recommendations to local

Education Authorities to reduce exclusion.

## **Support**

The issue of support for people was a central theme of the Commission's work. This emerged from a range of perspectives on homelessness, with support seen as crucial to enable people to sustain their accommodation and to help them to cope with and be resettled out of homelessness.

Support was thus seen both as a preventative and a responsive element in homelessness strategies.

The Commission identified the importance of statutory and voluntary organisations working in partnership to provide support. As well as forming a vital aspect of local homelessness strategies, recommendations focused on the need for expansion of resettlement services, and specialist services capable of meeting the individual needs of people with multiple or highly marginalised needs.

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50. The National Assembly should include in its "Code of Guidance for

Local Authorities on Allocation of Accommodation and Homelessness"

that following assessments, appropriate support is provided for people

in applicable homeless application cases;

51. The National Assembly should advise Registered Social Landlords and Voluntary Organisations and, also include in its "Code of Guidance for Local Authorities on Allocation of Accommodation and Homelessness", the need to provide support services in conjunction with emergency accommodation to homeless people to help and prepare for, and settle into, suitable long-term accommodation;

52. The National Assembly should include in its "Code of Guidance for Local Authorities on Allocation of Accommodation and Homelessness" the need to provide adequate after care support for people who have been resettled into the community;

53. The National Assembly should promote models of specialist supported small-scale units for those people with acute or chronic needs;

54. The National Assembly should promote the posts of resettlement workers in the community which would focus on tackling financial difficulties, reducing social isolation and assisting with

employment/learning issues.

## **Social Services and Homelessness**

The Commission looked at the role of statutory social services in relation to homelessness. It noted that there were no specific responsibilities to homeless people as a group, and recognised that the statutory responsibilities were attached to groups, as defined in various legislation, such as children and the elderly.

However, the Commission took the view that Social Services Departments should take a more pro-active role in addressing the needs of homeless people by working with statutory and voluntary partners to plan service needs and to provide appropriate assistance.

55. The National Assembly should provide guidance to local authorities

on how the needs of homeless people should be addressed within

their Social Care Plans;

56. The National Assembly should seek to ensure that Social Services

Departments pro-actively work with housing colleagues, local health groups, statutory and voluntary agencies to alleviate and prevent homelessness through the identification of needs and provision of assistance to children in need and other vulnerable groups.

## **Carers and Homelessness**

The Commission looked at the statutory provisions relating to succession of tenancies. It concluded that a carer who has relinquished his or her tenancy, or has given up his or her own home in order to care for a dependant person who subsequently dies or moves into residential

care and who was a tenant of a local authority or Registered Social Landlord, should be protected where there is no automatic right to succeed to the tenancy of the house in which the dependant person resided.

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57. The National Assembly should take account of the relationship between carers and homelessness in its review of policy on lettings and in contributing to the review of tenure law.

## **Children and Homelessness**

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Continuity of care is a problem for many homeless people. With homeless children in particular, the fact that they may frequently switch addresses means that there is a high risk of contact being lost as a consequence. The Commission has made the suggestion that a specialist health visitor is appointed to act as an on-going point of contact between homeless children and the health service, as well as taking other steps such as notifying relevant school nurses of homeless children under their care.

58. The Commission recommends that a named health visitor is appointed to liaise closely with housing departments and receive regular up-dates on the status and location of homeless children;

59. The National Assembly should include in its "Code of Guidance for Local Authorities on Allocation of Accommodation and Homelessness" that where they are considering children and homelessness, they take

into account Command Paper 1668, Convention on the Rights of the Child, adopted by the General Assembly of the United Nations on the 20<sup>th</sup> November 1989.

## **Welfare Benefits**

The Commission examined a number of aspects of the welfare benefits system and its impact on homeless people. A schedule of questions was raised with the Department, who sent a representative to make a presentation on current policy.

The Commission was concerned about the effects of some aspects of the benefits system on homeless people, particularly young people. Recommendations were aimed at alleviating poverty and hardship in groups who were discriminated against through benefit rules.

60. The National Assembly should make representations to the UK

Government to review the adequacy of Welfare Benefits payable to 16-25 year olds;

61. The National Assembly should make representations to the UK

Government to abolish the Single Room Rent Restriction Rule;

62. The National Assembly should make representations to the UK

Government to amend their regulations so that Social Fund payments

are based on individual need and not on the type of benefit received;

63.The National Assembly should make representations to the UK

Government to amend their regulations so that consideration can be

given to making Community Care Grants instead of loans to homeless

people through the Social Fund;

64.The National Assembly should make representations to the UK

Government that consideration is given to reviewing the amount of

housing benefit payable to vulnerable women who have been in the UK

for a period of less than 12 months;

65.The National Assembly should ask the Department for Work and

Pension to provide precise Guidance to its staff in order to

achieve a more flexible approach across Wales to the interpretation

of legislation and regulations governing the payments of benefits to

homeless people or people at risk of homelessness, that recognises the

need of the claimant and applies to both mandatory and discretionary

benefits e.g. the Social Fund;

66.The National Assembly should make representations to the

Department for Work and Pension to promote better co-ordination

between its department and voluntary homelessness organisations;

67.The National Assembly should review how local authorities make

payments in relation to hardship situations across Wales.

## **Rural Homelessness**

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The particular difficulties faced by homeless people in rural areas were discussed by the Commission, in relation to general service provision. The Commission recognised the problems that were experienced in providing and gaining access to the range of services that were needed in areas where the population and service infrastructure were highly dispersed.

68. The Commission understood that the resourcing of services in rural areas would remain problematic, particularly for specialist services, but wished to see the National Assembly strengthen its focus on this issue through research and assistance to local authorities;

69. The National Assembly should recognise the additional costs incurred in providing services and advice in rural areas, and should be sympathetic to the funding requirements of authorities' Local Homelessness Strategies seeking to overcome access problems;

70. Local authorities need to consider the impact of transport costs on the ability of homeless people to access housing and advice services.

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## **Miscellaneous**

71. The National Assembly should acknowledge the efforts of voluntary organisations in the creation of a member representative body working with homelessness in Wales, to represent the views of these organisations;

72. The National Assembly should look at ways in which more emphasis is placed on increasing the awareness and understanding of homelessness within the community at large;

73. The National Assembly should review the pilot projects to promote Personal Housing Plans for homeless people and assess their viability and applicability throughout Wales.

## **Funding**

The Commission considered the issue of funding in the context of the recommendations which it was formulating across the range of policy areas reflected in this report. It realised that there were considerable financial implications arising from these recommendations, and that the National Assembly would need to provide additional resources to enable many of them to be implemented fully. The Commission only considered funding in relation to activities which came under housing budgets, and made the following recommendations.

74. The National Assembly should allocate funding to support local authorities facilitating the development of local homelessness strategies;

75. The National Assembly should make additional funding available to



voluntary organisations, under the provisions of Section 180 of the

Housing Act 1996, to meet gaps in provision identified following the implementation of the local authorities' local homelessness strategy;

76.The National Assembly should make additional capital funding available to local authorities, under the provisions of Section 126 of the Housing Grants, Construction and Regeneration Act 1996, to meet gaps in provision identified following the implementation of the local authorities' local homelessness strategy which should take into account any revenue implications;

77.The Commission recognises the major change in the funding of Supported Housing which will occur as a consequence of the implementation of Supporting People, and urges the National Assembly to monitor the impact to ensure that there is no reduction in service provision;

78.The Commission welcomes the increase in the Supported Housing proposed, but again urges the National Assembly to keep the overall needs under review and devote additional resources for support if these are identified as part of the Local Homelessness Strategies;

79.The National Assembly should ensure that where projects funded by

Section 180 of the Housing Act 1996 relate to supported housing schemes, funding arrangements should be consistent with those for Supporting Housing Revenue Grant ("SHRG"), i.e. based on agreed service delivery and subject to 5 yearly reviews.

## **Research**

The Commission received a report from Dr. Elaine Mullan that reviewed the extent of research relating to homelessness. Published research informed the deliberations of the Commission and its findings are set out in this report. However, the Commission noted the lack of detailed research on the underlying causes of homelessness and on the effectiveness of measures to tackle it. The recommendations it adopted covered a broad range of areas where, in the view of the Commission, a stronger base of evidence and understanding was required to inform future policy. The Commission realised that some prioritisation was necessary, and thus grouped the research recommendations into first and second priority categories.

The National Assembly should carry out research into homelessness in accordance with the following priorities:

### **First Priority**

80. There is a need for more longitudinal research to track pathways through homelessness; that is, to link the routes into homelessness with specific routes out of it;

81. There is a need for both statutory and non-statutory agencies to collect information on the relative proportions of people who experience short-term intermittent and long-term homelessness;

82. There is a need to implement a standardised, systematic method (e.g. a common monitoring form) for recording approaches to non-statutory agencies across Wales;

83. There is a need for more evaluation of preventative work (other than housing advice services) and specific specialist services/schemes (e.g. resettlement and support services);

84. There is an immediate need to examine what more can be done to prevent people leaving care, prisons and other institutions becoming homeless;

85. The National Assembly should commission, in conjunction with service providers, research into the most appropriate form of temporary accommodation for 16-25 year olds;

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**Second Priority**

86. There is a need for a review of research to lay out the best way in which to consult with homeless people about current service provision, gaps in provision, and strategies to tackle homelessness;

87. There is a need for more specifically rural based research;

88. There is a need to establish a database of specialist service provision (voluntary and statutory) throughout Wales;

89. There is a need for a review of research examining the barriers to accessing available services that would point to the specific needs, or the need for specific action across Wales;

90. There is a need to establish a database of homelessness research, evaluation (e.g. strategies, projects) and monitoring (e.g. of service use) activity throughout Wales;

91. There is a need for the Health Services to undertake a cost-benefit analysis of the cost of maintaining a person with health problems in the community rather than in an institution.