

HSHAWB20 Adra

This document provides a translation of correspondence received from Adra

Senedd Cymru | Welsh Parliament

Y Pwyllgor Llywodraeth Leol a Thai | Local Government and Housing Committee

Bil Digartrefedd a Dyrannu Tai Cymdeithasol (Cymru) | Homelessness and Social Housing Allocation (Wales) Bill

Ymateb gan Adra | Evidence from Adra

What are your views on the general principles of the Bill, and whether there is a need for legislation to deliver the stated policy intention?

(We would be grateful if you could keep your answer to around 500 words).

Adra supports the general principles to improve homelessness prevention and fully supports Community Housing Cymru's response on behalf of the registered social landlords sector.

We will continue to work in partnership with local authorities that are our partners with a commitment to ending homelessness in Wales.

We agree that there is a need to change in terms of approach, investment, reforming legislation and policy to ensure a greater focus on person-centred prevention; and tenancies that are sustainable, alongside a commitment to invest more in the housing supply.

The availability of suitable accommodation, funding, partnership working and good housing management are essential to ensuring success.

What are your views on the provisions set out in Part 1 of the Bill - Homelessness (sections 1 -34)? In particular, are the provisions workable and will they deliver the stated policy intention?

(We would be grateful if you could keep your answer to around 500 words).

S6 – Welcome the proposal for a 'connection to Wales' and a connection to local authority area requirements. Local connection criteria are important in ensuring sustainable communities, community cohesion and access for people to support in their local area.

The Bill should recognise the connection between local connection and the Welsh language. Safeguarding the Welsh language throughout Wales should be a key factor in all legislative changes. The Welsh language is declining in many areas, and letting policies with local connection criteria are an important element in protecting the future of the language. Recently, the Welsh Government has responded to the Commission for Welsh-speaking Communities and has agreed to reform the allocation of accommodation and homelessness: guidance for local authorities to ensure that it matches the objectives of Cymraeg 2050, and also provide further guidance to registered social landlords on considering the Welsh language when letting social housing. It is important that the Homelessness Bill takes this commitment into account.

S7 – Guidance is needed on how the duty ceases and checks should be included with Registered Social Landlords for them to confirm that support is no longer required, together with confirmation of the suitability and sustainability of the accommodation.

S18 – Some people may need support for more than 12 months to maintain their tenancy. Both adequate resources and sufficient long-term funding should be available to achieve this intention within the policy.

S20 – We believe that the circumstances in which the duty would cease should be wider. Violent or threatening behaviour towards others should include behaviour towards neighbours, members of the household, and towards any employee of other agencies. Violent or threatening behaviour should also include abusive behaviour. Damage to property should be a consideration, but it is not the biggest concern; other factors should be considered such as the needs/protection of victims of violent, threatening and abusive behaviour; community cohesion.

S21 – The possible effects of referring to registered social landlords as public authorities should be explained.

We currently direct and refer tenants to homelessness prevention, tenancy breakdown prevention and/or other safeguarding, health and care needs. Consideration should be given to integrating this duty, which we support, into other "ask and act" statutory duties and the statutory referral procedure eg

safeguarding, in order to use current structures and training and avoid numerous referrals to local authorities.

S23 – Strongly agree with measures to support care experienced young people.

S25 – Agree with the proposal and its intention. However, the protocol should allow a registered social landlord to initiate a multi-disciplinary case conference, and not just participate by request.

S33 – We support the principles of the section but further clarification and amendments would be required. Clarity is needed on what "reasonable", "reasonable period", "good reason" means in relation to a request to an offer of accommodation from a registered social landlord. This could be included in further statutory guidance.

Guidance on the scope/definitions should include issues such as the suitability of the property for the individual(s); location; safeguarding risks; previous behaviour and abuse towards staff of registered social landlords and other victims; estate management reasons; community cohesion.

Although we support the intention, this will only be achieved through strong, open and proactive partnership work between the LA and registered social landlords – and if there is no clarity, unnecessary tensions could arise in the balance between partners and their autonomy as individual organisations that form any partnership.

S33 96B We do not anticipate numerous cases of non-compliance due to the strong emphasis on working in partnership and collaboration which is at the heart of this Bill. Systemic non-compliance should be escalated to Welsh Ministers/the housing regulator.

What are your views on the provisions set out in Part 2 of the Bill – Social Housing Allocation (sections 35 – 38)? In particular, are the provisions workable and will they deliver the stated policy intention?

(We would be grateful if you could keep your answer to around 500 words).

35 We continue to be of the opinion that all possible measures should be taken to ensure that the intention of this policy does not lead to a harmful perception of social housing, or of homeless individual(s).

In introducing it, it should not exclude some people from trying to access social housing due to a fear of stigma/social labelling.

We are keen for the Bill and its introduction to ensure that other groups with accommodation needs and access to social housing continue to be addressed.

There may be different opinions from partners on the likelihood of unacceptable behaviour happening again, which may be mitigated with a joint assessment, shared risk assessments, and information sharing in relation to personal housing plans.

Section 38 - We are in favour of using common housing registers and common letting policies across all local authorities in Wales. Common letting policies, where agreed and implemented well, provide a consistent approach and strong partnership working between the local authority and landlords.

Although we support the intention in this section, we are also cautious due to a lack of clarity on exceptions to the common housing registers in relation to housing rights and estate management of registered social landlords.

We would support further clarity in the Bill that accommodation/social housing for the purposes of this policy proposal would not include affordable holdings such as intermediate rents, Rent to Buy or rental market properties etc. Accommodation/social housing needs to be clearly defined in the legislation.

The Bill should outline that the establishment of a common housing register would not prohibit the scope of any common letting policy, as RSLs currently agree with the LA on exceptions to the letting policies such as emergency transfers, relocation, managed transfers, exchanges, succession-related transfers etc.

There must be reference to allocation exceptions from Part 6 - Act 1996 in the legislation.

There must be reference to estate management bases (under RHWA), allowing the RSL to continue to exercise their housing management functions. These should be referred to in the list of exceptions.

Local letting policies and Section 106 properties (as required by planning conditions in Section 106) enable social housing landlords to let certain properties to people of a certain description - whether they fall within the reasonable priority categories or not. This should be explained and referred to in the Bill.

We strongly note that RSLs' ability to maintain autonomy in terms of stock management is essential. The exceptions as outlined above are important tools for RSLs and tenants, and can be used to avoid homelessness, respond to housing needs, and make the best use of stock etc.

We strongly support the requirement for an accessible housing register. We would ask that funding for this area of work is considered as part of WG policy and their funding considerations to realise the principles of this Bill. Clarity is needed between the use of "accessible" and "disability" - will the register include non-physical disabilities, adults and children with additional learning needs (the rules of the Disabled Facilities Grant are limited in scope).

What are your views on the provisions set out in Part 3 of the Bill – Social Housing Allocation (sections 39 – 43 and Schedule 1)? In particular, are the provisions workable and will they deliver the stated policy intention?

(We would be grateful if you could keep your answer to around 500 words).

S42 – we welcome the fact that there will be transition periods and a phased approach. Information about the timetables is important in order to understand the operational aspects of the Bill eg developing local policies and new IT systems takes time, along with partnership working systems and training which will be essential for success.

What are the potential barriers to the implementation of the Bill's provisions and how does the Bill take account of them?

(We would be grateful if you could keep your answer to around 500 words).

Sufficient resources and an appropriate allocation of resources across partners need to be implemented and agreed upon locally.

In terms of funding, the Bill should inform the direction of relevant grant programs eg HSG. CHC have discussed this in detail in their response.

Currently, further guidance is needed on certain elements and these should be developed with input from registered social landlords.

Information sharing protocols to facilitate information sharing.

IT systems vary across different LA areas and for a registered social landlord this could mean barriers in terms of access/training and cost.

How appropriate are the powers in the Bill for Welsh Ministers to make subordinate legislation, as set out in Chapter 5 of Part 1 of the Explanatory Memorandum)?

(We would be grateful if you could keep your answer to around 500 words).

We believe that the powers within the Bill for a Minister to make subordinate legislation are appropriate. However, it is essential that any subordinate legislation is properly scrutinised.

Our main concern is the definition around "good reason" in relation to a request from an LA for a registered social landlord to offer accommodation. We note that the Welsh Ministers will issue guidance, and as stated previously, this would allow flexibility compared to regulations. However, we remain concerned that guidance would be interpreted and applied inconsistently, which would cause obstacles, particularly for registered social landlords that operate across more than one LA area.

Are there any unintended consequences likely to arise from the Bill?

(We would be grateful if you could keep your answer to around 500 words).

Potential conflict with the duties and rights within the Renting Homes Act and other legislation; the legislative process must allow time for scrutiny and cross reference to other legislation.

Potential to affect the ability of an RSL to manage their own stock or support existing contract holders with changing personal circumstances or emergencies.

What are your views on the Welsh Government's assessment of the financial implications of the Bill, as set out in Part 2 of the Explanatory Memorandum?

(We would be grateful if you could keep your answer to around 500 words).

There are significant resource implications in complying with the proposed legislation. We have referred to some of these in our previous responses and believe that CHC has provided a response with which we fully agree.

Are there any other issues you would like to raise about the Bill and the Explanatory Memorandum or any related matters?

(We would be grateful if you could keep your answer to around 500 words).