



**Dr Chris Llewelyn**

Prif Weithredwr / Chief Executive

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Welsh Local Government Association**

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Ein Cyf / Our Ref:

Dyddiad / Date: 15<sup>th</sup> July 2025

Ebost / Email: naomi.alleyne@wlga.gov.uk

Mr John Griffiths MS  
Chair of Local Government and Housing Committee  
Welsh Parliament  
Cardiff Bay

Via email

Dear John,

**Request to provide additional evidence to the Local Government and Housing Committee as part of Stage 1 scrutiny of the Homelessness and Social Housing Allocation (Wales) Bill**

I recently met with Housing Cabinet Members across Wales to discuss the Homelessness and Social Housing Allocation (Wales) Bill and members shared a number of significant concerns about aspects and some specific proposals in the Bill.

Given local authorities hold the statutory duty on homelessness, and the biggest impact of the Bill in terms of implications for public sector bodies will be councils, members felt the need to seek another opportunity for local authority elected members to share their views with the Committee. We are aware that council officers provided evidence on 26<sup>th</sup> June, and we are supportive of the views and feedback they provided. However, the Committee has also received evidence from a number of other stakeholders and interested parties on the Bill, and we feel another evidence session for local government to share views at a political level, also reflecting on some of the views that have been expressed, would be helpful and reflect the critical role councils play and will play should the Bill be enacted. We would be happy to provide some additional written evidence, supported by case studies to exemplify our concerns, in advance of another session for consideration by members of the Committee.

You will be aware this is not a request that we have made before which hopefully reflects the seriousness with which members attach to this issue, and we would very much appreciate if you could consider this request positively. We appreciate it may not be possible to arrange a session prior to the summer recess but we hope that this could be arranged sometime in the Autumn, prior to the Committee finalising its scrutiny of the Bill.

I look forward to hearing from you.

Yours sincerely



Cllr Andrea Lewis

**WLGA Spokesperson for Housing and Deputy Leader of Swansea Council**

Cc: Jayne Bryant, Cabinet Secretary for Housing and Local Government  
Chairs of Finance Committee and Legislation, Justice and Constitution Committee

18 July 2025

**Homelessness and Social Housing Allocation (Wales) Bill**

Dear Cllr Lewis,

Thank you for your letter of 15 July, which we discussed at our meeting yesterday. Members considered your request for local authority elected members to present oral evidence on the Homelessness and Social Housing Allocation (Wales) Bill, however I'm afraid we are unable to facilitate this due to time constraints.

We have a tight timetable for undertaking our scrutiny of the Bill in order to meet the reporting deadline set by the Business Committee. As such, our final oral evidence session with the Cabinet Secretary for Housing and Local Government has been confirmed for our next meeting on 18 September. This session cannot be deferred due to the time constraints mentioned and other legislative commitments.

Members noted that you are supportive of the views expressed by the local authority representatives on 26 June but we appreciate the implications of the Bill on local authorities and, as such, we would be happy to receive written information from you. The Committee's public consultation closed on 20 June, however we will be able to accept a written response from you. Should you wish to submit written evidence, we would be grateful if this be sent to the Committee Clerk by Friday 1 August.

Yours sincerely



John Griffiths MS

Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg. We welcome correspondence in Welsh or English.



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Ein Cyf / Our Ref:

Dyddiad / Date: 1<sup>st</sup> August 2025

Gofynnwch am / Please ask for: Jim McKirdle

Ebost / Email: jim.mckirdle@wlga.gov.uk

Mr John Griffiths MS  
Chair for Local Government & Housing Committee

Dear John

Thank you for your letter of 18<sup>th</sup> July, in response to my request for an additional evidence session for elected members to provide their views on the Homelessness and Social Housing Allocation (Wales) Bill. The Committee's inability to accommodate this was disappointing however we have taken advantage of the offer to receive further evidence from local government to feed into the Committee's deliberations.

Please find attached a paper which sets out the main concerns councils have shared with the WLGA and asked they be shared with the Committee. This paper builds on our initial response to the consultation exercise on the draft Bill and is supported by additional information, shared by councils, that aims to set out how aspects of the Bill will impact on local authorities, the additional capacity and resources required for successful implementation, as well as some real life case studies that reflect the type of individualised approach councils need to take to support homeless people and those at threat of homelessness, but this also relies on the person working with the council to be successful. We hope this additional information will exemplify the issues and concerns raised in the paper.

I would wish to stress again that local government is supportive of the aims of the Bill of increased prevention, providing good quality temporary accommodation where needed for as short a time as possible through supporting and enabling people to find, move on and sustain permanent accommodation. This is an ambition that is shared with Welsh Government, as is the need to significantly increase the supply of housing, particularly social housing to meet the increased demand for homelessness services over recent years. Councils have been undertaking tremendous work to tackle homelessness, developing

innovative approaches and transforming their services and will continue to do so, and I hope the Committee will agree our commitment in this area is clear.

If you require any further information, please do not hesitate to contact me.

Yours sincerely



**Cllr Andrea Lewis**  
**WLGA Spokesperson for Housing and Deputy Leader of Swansea Council**

Cc: Jayne Bryant, Cabinet Secretary for Housing and Local Government  
Chairs of Finance Committee and Legislation, Justice and Constitution Committee

# Homelessness and Social Housing Allocation (Wales) Bill (the Bill)

## Key messages and concerns from local government

### July 2025

#### Background

- Local government share the ambition of the Bill and are already working hard to transform services to prevent and reduce homelessness, and where homelessness cannot be avoided, to ensure that any experience is brief, rare and non-recurrent.
- Over recent years, councils have faced and are facing significant homelessness pressures. The number of people in temporary accommodation, including the number of children and young people, have hit record highs over the past two years. This increase is due to a range of reasons including the legacy impact of the pandemic; the cost of living crisis that followed; changes in the housing market with higher rents and an overall reduction in the availability of properties in the private rented sector (PRS); increased numbers of migrants presenting as homeless; and most importantly, the fact that the development of housing, including affordable housing, has not kept pace with need.
- There have been significant increases in demand for services from homelessness and support services, aligned to both homelessness and temporary accommodation use reaching record levels in Wales during 2024. But councils and partners are finding there is also an increase in the complexities of need from some people seeking services and support. This can make it more difficult for councils to find suitable accommodation that can meet their specific needs. Ensuring safeguarding of an individual and wider residents are key considerations.
- With considerable efforts from, and progress made by councils, the numbers of households in temporary accommodation is finally showing a slight decrease over recent months, and we hope to see this downward trend continue as actions being taken now will deliver the improvements and reduced numbers of people presenting as homeless and living in temporary accommodation. Local government is concerned that the introduction of some aspects of the Bill, if not appropriately timed for implementation, risks adversely affecting and undermining this progress and will instead lead to further increased pressures on homelessness services and increased use of temporary accommodation.
- An increased pace and scale in the development of housing, significantly increasing housing supply is critical for the reduction in homelessness, particularly the need for more affordable housing in line with identified current and future need. More social and affordable housing will enable councils to continue on the path of homelessness prevention and reduction. Without significantly increased access to housing to move people to permanent from

temporary accommodation, even without any of the changes or additional duties and responsibilities set out in the Bill, risks undermining progress made so far and will lead to continued numbers of people presenting as homeless and living in temporary accommodation (and longer waits for those on social housing waiting lists).

- The high number of people experiencing homelessness and living in temporary accommodation has significantly impacted council budgets, both in terms of volume of cases and increased costs for accommodation. This has required identifying additional funding and shifting resource and capacity to respond to this growing demand. The workforce is committed to supporting people and preventing and reducing homelessness wherever they can, but they have also been overstretched with at some points, a relentless need for services. There have also been negative impacts and additional pressures on homeless and housing support services from budget and capacity pressures across wider social care and health services e.g. eligibility thresholds, access to services, case load management changes.
- Councils are also currently addressing a number of priority policy areas and initiatives in relation to housing, and these existing challenges, some of which are competing priorities in practice, need to be viewed in the round, and considered against a backdrop of challenging council, Welsh Government and public service budgets. These areas of work, which often interact and cannot be seen in isolation, and each affecting councils to varying degrees, includes: increasing the supply of affordable housing; meeting the revised Wales Housing Quality Standard, including achieving carbon reduction and net zero; the current consultation on rent levels for social housing; preventing and reducing homelessness, providing homelessness service and temporary accommodation; implementing of new legislation, duties and responsibilities such as the Renting Homes (Wales) Act; preparing for the new Building Safety (Wales) Bill, to name but a few significant programmes currently ongoing.
- There are a range of views from Councils on the detailed provisions contained within the Bill, and this paper aims to provide a summary of the key concerns. In addition, attached as Appendices are papers from Cardiff and Carmarthenshire Councils which capture more localised perspectives. We would draw particular attention to Cardiff's identification of "Real life impacts" and "how this provision may cause additional pressures" and illustrative case studies, as well as the "Impact and implications" and implementation recommendations identified by Carmarthenshire throughout their paper in relation to the various provisions of the Bill.

### **Specific proposals in the Bill**

- The statutory duty in relation to homelessness lies with councils. While councils work in close partnership with a range of support agencies, responsibility for accommodating and supporting homeless people and families lie with councils,

who are often left to provide services and support for homeless people, sometimes when others are unable or unwilling to do so. Councils have extensive and direct experience of how the homelessness system operates, and it is for this reason that councils feel compelled to highlight their concerns about some of the proposals in the Bill and potential unintended consequences that could hinder the current work ongoing to prevent and reduce homelessness. The intention is to ensure the Bill when enacted can be successfully implemented and supports councils to take the actions needed to achieve its policy intent.

### **Local Connection**

- Councils contend that the current local connection test is effective and does not need to be amended. There are identified exemptions to this test which councils believe are the right ones and these work in practice.
- The provisions in the Bill around local connection set out that Ministers would be given powers to make further amendments to specify criteria once the Bill has been implemented. Whilst the Bill acknowledges that feedback from councils was taken into consideration in relation to the initial proposal to remove the local connection test, these additional powers for Ministers allow for potential changes to exempt categories to this test. This could effectively allow for the local connection test to be removed gradually with the introduction of further categories at any time. This would be a contradiction to the stated policy intention of retaining the local connection test.
- If these powers remain, to ensure that Councils are not negatively impacted following any changes, it is suggested that the exercise of this power by Ministers should be supported by an impact assessment based on information and data collected from Councils.

### **Priority test and Intentionality**

- Councils strongly support the revised timescale in removing the priority need test but remain concerned that its eventual removal may result in increased demand for temporary accommodation and hinder the ability to prioritise the most vulnerable households.
- If the priority need test is to be removed, this needs to be at a point where the supply of affordable housing, and the resources available to Councils, have demonstrably increased to levels which allow Councils to fulfil the ambition of the legislation. Ensuring an adequate supply of one bed accommodation, in particular, to meet the needs of those in temporary accommodation will provide a very significant challenge in many areas. Councils would be happy to work with Welsh Government to clearly define what these increased levels of housing supply and additional resources would be.

- Taken alongside other proposals in the Bill, such as those related to responsibilities for developing, reviewing and implementing Personal Support and Housing Plans, the removal of the priority need test would add to the reduction or removal of individual responsibility for applicants to take actions to prevent their homelessness, or to find a solution to resolve their housing situation.
- There are clear views from Councils that the current intentionality test should be retained. The fact that the test is only formally applied in a small number of cases should not be misunderstood or misinterpreted. In some circumstances it is an important tool in clarifying expectations and options with those households being supported by Councils and their partners. The abolition of the intentionality test would be disproportionate, given the very low numbers of cases where applicants are actually determined to be intentionally homeless. As a valuable prevention tool, removal of the current test could, in some cases, result in less deterrent and a lack of consequences for repeated tenancy failure, such as failure to pay rent. The new Discharge of duty categories do not cover what was included in an intentionality test.
- The proposed deliberate manipulation test is not an effective replacement as it is applied at allocation stage, resulting in the unsatisfactory and expensive prospect of an applicant remaining in temporary accommodation for an extended period of time with no prospect of being able to access social housing. If an applicant is ineligible for social housing, one of the only move-on options would be the Private Rented Sector. With current low Local Housing Allowance (LHA) rates and extremely high rents, this is not an affordable option for many applicants.

### **Unreasonable failure to co-operate**

- Councils would like to see the ‘unreasonable failure to cooperate’ provision as contained in the Housing (Wales) Act retained and believe that limiting its use to cases involving property damage and abuse of staff is not in line with the Bill’s broader emphasis on people taking reasonable steps to resolve their housing situation, which may undermine personal responsibility and accountability, and may also lead to applicants feeling less compelled to take ownership of finding solutions to their housing circumstances.
- The new discharge of duty categories proposed do not appear to align with Renting Homes (Wales) Act requirements, and this will have implications for Councils who manage their own temporary accommodation. Homelessness duties can be discharged for certain behaviours, however the temporary accommodation provided which is attached to the duty cannot be easily ended as there is a lengthy legal process to follow. In addition, whilst the new discharge reasons specify ‘threatening behaviour to staff’, there is no consideration for threatening behaviour to other residents in temporary accommodation. Consideration is required in relation to the application of RHWA to temporary

accommodation, as this is currently causing significant issues for many Councils homelessness teams.

- While more regular intervals for reviewing Personal Support and Accommodation Plans, as specified in the Bill, may help in ensuring there is regular engagement and review of progress made on plans, both councils and applicants need to actively engage to make this process effective. Removing the ability to use this lever, as a last resort, to encourage, and where necessary require engagement, may lead to less compliance and following up of agreed actions, reducing the opportunity to make progress and achieve a positive outcome. Councils recognise the Welsh Government's commitment, in the Explanatory Memorandum accompanying the Bill, that this will be 'likely to take place in 2030-31 at the earliest', and a more robust commitment to working together collaboratively to phase in this change by 2030 or later would enable a collective effort towards significantly increasing supply and resources.

### **Ensuring all public services meet their proposed legislative duties to support councils in tackling homelessness**

- Councils are supportive of these proposals and believe preventing and tackling homelessness in a long-term sustainable way requires the active involvement of a full range of public and third sector bodies, with the support of our communities. While the statutory responsibility for homelessness rests with councils, supporting homeless people and those at risk of homelessness in a comprehensive and holistic manner, with the shared aim of creating positive outcomes for people, requires a full range of support services from other agencies, from mental health and substance misuse services to family and specialist support and advice services, education, criminal justice agencies and housing association partners.
- Councils would wish to see further detail of how this aspect of the Bill will be implemented in practice. It is also contended the Ask and Act aspects of the Bill should be strengthened to make the approach truly effective. Councils often experience a lack of appropriate support or acceptance of people for other support services needed at the current time and believe that issues of access to and availability of appropriate services will continue without further clarity of expectations. It is suggested that there should be an assessment of the capacity available across public services to undertake this role and play its part in tackling and preventing homelessness to provide assurance that the Bill's ambitions in this area are truly deliverable in practice.

### **Financial implications**

- As set out in the WLGA's Annual Financial Survey of councils<sup>1</sup>, net current spend on homelessness has increased from £10.8m in 2014-15 to £86.8m in 2024-25.

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<sup>1</sup> [FIN6-02-25 P1 Welsh Local Government Association.pdf](#) (page 23 onwards)

The latest budget returns show that this figure has increased to £100.8m for 2025-26 which is a 16% increase. Welsh Government funding only provides some of this funding and councils are having to spend from their general fund to cover all costs, therefore risking impacts on other council services (for example, discretionary services) also in need of funding. There is significant concern across councils about the current financing of current levels of demand for homelessness services, let alone ensuring new duties and responsibilities under the Bill can be effectively implemented.

- The financial analysis of the impact of the Bill as a whole is detailed but also complex, not easy to decipher even for seasoned financial experts. The assumptions behind some of the savings seem optimistic, not only in their scale but also in the timing of when they might be realised. While some of the data has been provided by councils, the information supplied did not always reflect the final proposals in the Bill and therefore may undermine elements of the assumptions made in the financial assessment. Councils would wish to ensure that the actual costs of implementation are closely monitored, and discussions held with Welsh Government if costs are exceeding the level of funding provided. We believe it is necessary to agree how this information will be collected at this stage, at the beginning of the process and co-produced with local government. It is crucial that Welsh Government commit to fully funding the financial implications of the Bill on an on-going basis.
- Our experience with other legislation is that theoretical analysis of costs underestimate the real-world impact. On the benefits side, these estimates tend to contain an element of optimism bias that mean they are over-stated and impacted by real-world changes that arise from, for example, latent service demand. The 10 year timescale for assessing the financial impacts in 'present value' terms is helpful and is welcomed.
- Councils are fully supportive of the importance of preventing homelessness and recognises that this, along with reduced use of temporary accommodation will reduce current spend. However, along with increasing supply of social and affordable housing, this does not happen overnight. Aspects of the financial assessment are made on the assumption that the Bill will be successful in achieving higher rates of prevention and therefore a reduction in the use of temporary accommodation. Whether this approach is successful will depend heavily on whether the correct level of investment is made to increase capacity and transform homelessness services to the anticipated level; it is the difference between a theoretical assessment compared to the reality of delivery on the ground. Such assumptions as set out in financial assessments linked to proposed legislation do not always become true in implementing legislation as the following from a financial evaluation of the Social Services and Wellbeing (Wales) Act demonstrates, "It would be fair to conclude that the clarity and range of the Regulatory Impact Assessment for the Act – that the additional benefits of implementing the legislation would outweigh the additional costs of implementation over the long-term – has to be seriously questioned. This is

because there is no dataset currently available upon which a claim can be substantiated, and because the limited evidence that could be collected by this study suggests otherwise<sup>2</sup>.”

- There is also concern at aspects of the financial assessment that could affect the effectiveness of proposals, such as cooperation (of other public services). The assessment identifies that this “amendment should not increase caseload, in that it will not result in more people becoming entitled for services” but more an opportunity cost. However, council experience reflects that many services where councils could require cooperation, for example, access to mental health or substance misuse services, are already overstretched and are not always in a position to provide such cooperation at the scale or pace required. It is not believed that this amendment will significantly increase the benefit of such cooperation unless there is a clear commitment by partner bodies to prioritise homeless people within their own policies and processes or increased investment.

### **Additional contextual points**

- Should the Bill be enacted, in its current form or with amendments, councils are supportive of a phased timescale for implementation of the additional duties and responsibilities. This will allow time to undertake any required preparations, increasing capacity, training staff, changing services etc, and would allow more structured and planned approach to managing change to be able to implement successfully. Councils are not supportive of any suggestions to speed up the proposed timetable, nor to bring certain aspects of the Bill, such as the removal of priority need and intentionality, forward, and have been clear in their collective discussions that doing so would fundamentally compromise achieving the policy intention of the Bill.
- It is well understood and documented<sup>3</sup> that all councils are currently experiencing serious financial challenges; council budgets have not recovered from the long period of austerity and the public sector financial issues that have followed this. The increase in homelessness, the demand and cost of temporary accommodation has significantly impacted on budgets and has, in most cases, actual spend has exceeded the funding provide by Welsh Government. Any new duty or responsibility on local government under the Bill will need to be fully funded and should be based on an agreed assessment of additional capacity and funding (including for support services and to increase the supply of housing) that is needed to implement the changes effectively. There is no slack within existing budgets to meet any shortfall and without the required funding, it

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<sup>2</sup> [evaluation-of-the-social-services-and-well-being-act-financial-and-economic-implications.pdf](#)

<sup>3</sup> [FIN6-02-25 P1 Welsh Local Government Association.pdf](#) (Housing and homelessness pressures set out from page 24)

will be extremely difficult to continue to meet demand and provide good quality, preventative and responsive services and support as required by the Bill.

- Local authority staff welcome the increased focus on prevention and working with homeless people to develop Personal Support and Housing Plans. Ensuring there is sufficient capacity in the workforce to take on these additional tasks, along with the necessary skills, will be crucial to its success. Recent reports, such as Cymorth's report, *Struggles on the Frontline*<sup>4</sup> and the Senedd's Local Government and Housing Committee<sup>5</sup> report both highlight the current pressures on homelessness and housing support staff, dealing with both increasing demand and complexity of the needs of people they are working with, leading to increased stress and potential burnout. Both reports also note the need to ensure the workforce is treated fairly, both in terms of recompense and support arrangements. Given the Bill will place additional requirements on the workforce, it is necessary to ensure the impact on the capacity of the existing workforce is identified so the Bill does not add to these pressures and enables additional capacity is available where needed to enable successful delivery.
- Councils would suggest that the Committee, as part of the scrutiny of the Bill, also considers its interaction with other legislation, such as the Renting Homes (Wales) Act (RHWA) and its potential impact on the ability of councils to make progress across a range and sometimes competing priorities on housing. It is felt by some that implementation of the RHWA has contributed to the increase of homelessness that has been experienced over the recent period due to PRS landlords leaving the market thus reducing the supply and affordability of private rentals.

## Conclusion

- All councils see housing and homelessness as key areas of service provision, with specialist officer teams working to support people with housing solutions and management of complex needs on a daily basis and many have housing and homelessness as one of their corporate priorities. Councils are focused on reducing homelessness and many are undertaking transformative approaches to address not only their homelessness situation, but also able to access other support services that may be required to assist people to successfully hold a tenancy and address other lifestyle issues that enable people to move on with their lives, with having a good quality and affordable place to call home.
- While councils are supportive of ambition of the Bill and recognise and welcome changes made to the proposals by Welsh Government since the White Paper, they remain concerned at the impact of the Bill if all clauses are introduced in its

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<sup>4</sup> [Struggles-from-the-Frontline-Eng.pdf](#)

<sup>5</sup> [cr-ld17174-en.pdf](#)

current form. They are keen to maintain the improvements and progress made over recent years and build upon these.

Effective arrangements and structures for monitoring progress in relation to the implementation of all aspects of the Bill need to be put in place from the outset, supported by the capture and evaluation of comprehensive and meaningful data. Implementation timescales must be realistic and achievable, with ongoing and effective support for Councils which fully reflect the impacts on capacity and costs of implementation.

## Overview of how Cardiff Council already utilises the legislation to support people in the most effective way

While we support the overarching ambition to make homelessness rare, brief, and unrepeated, we are concerned that several provisions in the Bill risk undermining this goal through various means which are outlined.

It is also important to recognise that much of the Bill's intent aligns with work already underway in Cardiff which has been achieved without the need for new legislation. Since the pandemic, we have faced unprecedented demand which resulted in the Authority declaring a Housing Emergency in 2023. At its peak, our temporary accommodation estate expanded by 50%, with numerous hotels being utilised for the first time, and significant increases in the use of 'shared' or emergency spaces. In addition to this, housing demand across the city is exceptionally high, with more than 10,000 households on the waiting list for social housing and evidence of year-on-year increases of homeless presentations to the Authority. Despite these difficulties, Cardiff has made significant progress, where we have now:

- Closed two long-term hotel arrangements, with plans to close the remainder this year.
- Reduced reliance on shared accommodation by 120 units.
- Delivered hundreds of new or retrofitted self-contained units for temporary and supported accommodation.

This work has been made possible through a number of measures, such as strengthening prevention services city-wide, re-developing and branding our PRS team – LETS, and implementing a robust Rent Arrears Pathway. Additionally, Cardiff has been required to make significant changes to its allocations policy – reducing choice in the lettings system for homeless applicants and substantially increasing the number of lets to homeless households to increase the speed of move out of temporary accommodation (TA), and so aligns with Rapid Rehousing, making homelessness brief; without taking these steps, Cardiff risked a worsening housing crisis.

The combination of these efforts has led to a net reduction in temporary accommodation use for the first time since the pandemic, but our concern is that this progress is finely balanced. The number of people exiting temporary accommodation is for the first time since the pandemic marginally higher than those entering, but this is not by any significant margin. Any small tilt towards increasing the number of people entering homelessness services will put undue pressure on an already burdened service and may result in us having to increase our accommodation estate again. As we have seen, increases in estate size also has a direct impact on the length of stay for households due to the increased competition for permanent homes in the city which are finite.

We are deeply concerned that increases in demand risks reversing these gains and puts additional pressure on already stretched services – something which the Bill may inadvertently do. Cardiff urge Welsh Government to consider the unintended consequences of the Bill's provisions and to ensure that legislative changes support, rather than hinder, the principles of Rapid Rehousing and sustainable homelessness prevention.

## **Cardiff Case studies**

### **Surrendering Properties**

**A:** Family surrendered PRS accommodation due to noise nuisance from neighbours. Client was resistant to ask for the keys back from the landlord and to raise noise complaints with landlord/police when advised to do so by HOC Officers. Tenancy ended on 01/07/2025 and landlord wanted the client and family to leave at this point, but no formal notice was given. Family left property.

### **Prevented Case Studies**

**B:** Client presented due to disrepair in property and rent arrears. Rent Arrears had occurred due to an informal agreement with the landlord to decrease the rent while disrepair improvements were ongoing. Landlord also wanted the client out of the property (although also refused to give formal notice) and had been showing up at the property without prior notice and sending threatening messages.

Client eventually abandoned the property for six months to stay on her father's sofa due to lack of repairs being completed. During conversations with Prevention Officer, the landlord advised they were willing to take the client back. Throughout these 6 months, client was encouraged to move back to the property and landlord completed the necessary repairs to the property.

Client returned following completion of repairs and advised the property was to a good standard. Rent Rescue paid once client returned to the property, plus a bond of £500 and £100 'pet' fee to keep the client in the property.

**C:** Client presented due to notice from landlord due to landlord selling the property. Other issues cropped up during the assessment, including disrepair in the property, which led to the client deciding to withhold the rental top-up, accruing rent arrears. Prevention Officer noticed that Housing Benefit believed the rent to be lower than what it really was so encouraged the client to attend the Hub to amend this as client should be entitled to the full amount.

Following discussions with the Prevention Officer, the landlord decided not to proceed with the notice and would issue a new contract at a higher rent, which was deemed affordable to the client. The case was closed once a new contract was issued and client was encouraged not to pay the increased rental amount until repairs had been completed.

### **Case study D**

Client presented due to fleeing Domestic Abuse from husband. Client was an owner-occupier of the property they were fleeing from; joint mortgage with the perpetrator. Bail conditions were in place but were due to come to an end at the time of the Prevention Appointment; police refused to extend the bail conditions.

Advice was given by the Prevention Officer to join the General Waiting List (and subsequent advice for RISE to submit a re-banding request) and robust PRS/BRIA advice. Help was also provided during Review Appointments to search for PRS properties. Client found a PRS property and a B/RIA application was initiated, but a family member paid the B/RIA.

**To note**, Cardiff has purchased 32 properties where the tenants were threatened with homelessness due to the landlord needing sell. This allowed the household to remain in their property in a social housing contact. This has been especially helpful for complex health or medical cases, for cases where a member of the family is neurodivergent or for larger families.

### **Case study E**

MH is a 63 year old male known to homeless services since 2013. MH has had a significant number of placements in temporary accommodation, accessing almost all provisions in Single Person Gateway since 2013 and having a total of 40 placements. Many of these placements lasted just days, and MH faced multiple evictions or transfers as a result of his behaviour whilst in the Gateway. MH was known to have complex needs which included a history of alcohol dependency and was estranged from family.

As part of our efforts since the pandemic to offer alternative forms of accommodation to help move single people with complex needs into independent living, MH moved to a Managed Accommodation site in 2023. MH has thrived in this setting-sustaining the tenancy since this time. He now abstains from alcohol, engages well with the team, and has reconnected with his family.

### **Case study F**

LA is a young person who first became known to services at 15. LA was placed in Residential before referred to our Young Person's Gateway at an age-appropriate time. LA presented with a history of very complex needs, including a lack of emotional regulation which resulted in numerous outbursts of verbal and physical aggression. LA was well known to criminal justice and was later evicted from our Young Person's Gateway for a very serious incident. LA faced numerous short-term stays in various accommodation options which continued to breakdown.

As part of our efforts to ensure that everyone becomes ready for independent living with the right support, LA was moved into a Housing First tenancy with extensive support. LA has excelled in their Housing First tenancy - they have enrolled in college, engage well with staff and this is now their longest home placement since the age of 15.

**Suggested amendments to the Homelessness & Social Housing Allocation (Wales) Bill**

<b>Proposed Change from the Bill</b>	<b>Suggested Amendment</b>	<b>Real Life Implication</b>	<b>How this provision may cause additional pressures/ why we are highlighting concerns</b>
<p><b>Removal of the ‘unreasonable failure to cooperate provision’ as contained in the Housing (Wales) Act 2014 S.79 (5)</b></p>	<p>Retain the 'unreasonable failure to cooperate' provision as contained in the Housing (Wales) Act 2014 S.79 (5)</p>	<p>Unreasonable Failure to Cooperate decisions are used very infrequently in ordinary practice, with just 7 decisions made in the 2024 calendar year for applicants under a Prevention Duty in Cardiff. As such, the removal of this test will have a very small <i>actual</i> impact in terms of removing the negative case outcomes associated with decisions made regarding an unreasonable failure to cooperate.</p> <p>Whilst this may be the case, the removal of this legislation as a lever to encourage compliance to avert homelessness will have a much greater impact as whilst it is infrequently used in practice, the ability to call upon this tool to encourage compliance is invaluable.</p>	<p>The removal of this tool removes emphasis from individuals to take ownership of their own housing situation and may act in contrary to the Bill’s overall aims to make homelessness rarer. By disincentivising personal ownership, applicants may avoid taking actions that are considered reasonable and proportionate in order to resolve their housing situation.</p> <p>The removal of this test in conjunction with the proposed changes to Personal Support and Accommodation Plans is particularly important as these will be completed at more regular intervals. Without Local Authorities being able to utilise this lever to encourage engagement, applicants may not follow agreed actions which risks undermining the utility of PSAPs.</p>

		<p>In one example where Cardiff did apply this test, the Homeless Applicant was requested 19 times to provide financial information and engage with Money Advice services to resolve affordability concerns</p>	
<p><b>Remove the intentionality test as defined under S.77 and S.78 of the Housing (Wales) Act 2014 and retain the application of this test under S.75</b></p>	<p>Retain the intentionality test</p>	<p>Removal of this test will ensure that there are far fewer consequences for deliberately acting or failing to act in a way which results in the loss of accommodation.</p> <p>As with Unreasonable Failure to Cooperate, the actual number of cases where this test has been applied is minimal – with next to no intentionality decisions having been made since the onset of the pandemic. This is however an important tool for modifying behaviour in circumstances where households might attempt to gain access into social housing by jeopardising their prior accommodation i.e., PRS.</p>	<p>Cardiff’s homeless service already sees applications whereby households deliberately act in ways in which to end their accommodation in the hope that they can gain social housing. In some circumstances this has included conspiring with landlords to give notice, or even simply giving landlords the keys to their PRS accommodation and presenting to the Authority for housing assistance.</p> <p>The removal of this test removes the most effective deterrence tool the service can utilise and may incentivise further households to act in ways through which they hope to eventually secure social housing. The consequence of the decision to remove this test may result in outcomes at odds with the goals of Rapid Rehousing – with more households presenting and putting strain on the service which</p>

			results in longer stays in temporary accommodation
<b>Introduce the Deliberate Manipulation test under S.167 of the Housing Act 1996</b>	Remove the Deliberate Manipulation test (S.167) and retain the original Intentionality Test	<p>By removing the intentionality test and introducing the manipulation test, the real-world impact is that local authorities will still have a duty to accommodate households but will have limited options to then move them on in future.</p> <p>This is particularly an issue whereby a household has deliberately lost their PRS accommodation through actions such as rent arrears or property damage.</p>	<p>This test could result in a household deliberately losing their PRS accommodation through arrears or property damage who would then be placed into accommodation, deprioritised for social housing, and unable to re-access the private rented sector due to being having poor landlord references or credit history.</p> <p>The consequence of this test will result in certain households staying in temporary accommodation for longer- at odds with the goals of Rapid Rehousing.</p>
<b>Introduction of Prevention, Support, and Accommodation Plans (PSAPs) under S.63 (B) which sets out the circumstances in which Local Authorities must review (at least every 8 weeks)</b>	The current proposal suggests that PSAPs are required to be completed for all applicants owed a homeless duty following the S.62 assessment. Whilst we would agree that the introduction of this under a Prevention Duty (S.66) would be beneficial, the introduction of PSAPs to be reviewed every 8 weeks under <i>all</i> Homelessness	<p>Once in temporary accommodation, many households become ready for move on, but the finite supply of housing in the community is the only reason for prolonged stay in Temporary Accommodation.</p> <p>Completion of these PSAPs may be considered frustrating for individuals who see themselves as</p>	Cardiff has more than 2000 households across Temporary and Supported Accommodation. By implementing this test (and assuming that all households could now be owed a duty due to the removal of S.73 discharge into Supported Accommodation), this could result in 14,000 reviews being required every year. Many of these reviews could be considered unnecessary by the fact

	<p>Duties would be exceptionally time consuming for Local Authorities.</p> <p>Local Authorities should be able to determine the level of applicant need and adjust the timeliness of the review accordingly.</p>	<p>ready for move on and are limited by a lack of housing stock, and time consuming for authorities who could utilise this time helping to get other households ready to live independently.</p> <p>Households with support needs would already be supported through alternative frameworks such as through monthly reviews with their allocated support worker.</p>	<p>of those households already being ready to live independently.</p> <p>The completion of these plans for those in temporary accommodation on such a strict basis when they do not have further steps to take towards independence will only divert resources from where they could be making a far greater impact.</p> <p>The consequence of PSAPs being introduced in the way proposed is a substantial uplift in resource and cost for authorities which will not in many circumstances result in improved outcomes for individuals or households</p>
<p><b>Removal of the S.73 Relief Duty</b></p>	<p>Retain the S.73 Relief Duty or ensure that the ways in which the main homelessness Duty (S.75) can be discharged reflect the existing types under S.73.</p>	<p>As an Authority, Cardiff operates around 1000 units of Supported Accommodation. Hundreds of single people are placed into our Supported Accommodation every year, with their homeless duty under S.73 being subsequently discharged under S.74 (4) by virtue of an offer of Supported Accommodation.</p> <p>This does not mean that we then deprioritise these individuals for rehousing, but we have instead</p>	<p>Supported accommodation is, for many individuals, an appropriate and effective housing option.</p> <p>The existing pathway that Cardiff operates is effective in ensuring that homelessness is 'unrepeated' as it ensures that individuals that go into the Gateway are given adequate support to become ready to live independently before and after being offered permanent accommodation.</p>

		<p>developed a pathway out of Supported Accommodation which ensures that individuals become live on the waiting list when ready for move on, and do so with adequate support in place.</p> <p>The removal of the S.73 duty would mean that without expanding the S.75 discharge duty to cover offers of Supported Accommodation, Single People would remain under a S.75 Duty whilst in Supported Accommodation.</p>	<p>Removal of this step could result in individuals in Supported Accommodation being provided with offers of accommodation sooner than they are ready, resulting in tenancy failure.</p>
<p><b>Introduction of the 'Viewing of Accommodation' Duty under S.96 (C).</b></p>	<p>Removal of the Duty and/or incorporate into Code of Guidance instead.</p>	<p>Cardiff already operates internal policies to ensure that viewings (in person or virtual) are provided to individuals but by legislating this, the Bill provides a potential barrier to providing someone with a move on option.</p>	<p>Last year more than 1600 social housing lets were made. At the same time, more than 2000 households were accessing temporary and supported accommodation.</p> <p>In line with the goals under Rapid Rehousing, we want to ensure that homelessness is as brief as possible and strive to reduce the time available between any property becoming vacant and next being occupied. Whilst this does not mean that corners should be cut in offering unsuitable accommodation to individuals, existing safeguards are already in place to</p>

			<p>ensure that any offer of accommodation is suitable (suitability assessments at the time of offer and independent review procedures).</p> <p>Adding this step as a legislative requirement may be contrary to the goals of Rapid Rehousing as it will slow the rate of move on – particularly where viewings result in unreasonable refusals of offers of accommodation.</p>
<p><b>Introduction of the amendment for S.80/ S.189 referrals under a S.66 Prevention Duty.</b></p>	<p>Clarification required/ possible amendment to make legislation compatible with the Housing Act.</p>	<p>Currently legislation under S.189 applies to individuals who are owed a duty under S.189 (B) – Homeless and Eligible for Assistance.</p> <p>As a city with a prison population, this could result in Cardiff taking applications through Act and Ask to support people in custody in sustaining a tenancy in the community. This is a positive step, but without legislation fully supporting this, it is possible that any referrals under S.80 would be declined by an authority in England as they do not meet the criteria under their respective legislation.</p>	<p>HMP Cardiff has a population of approximately 758, with 31% considered to have no fixed abode. The number of individuals that could present to Cardiff as the hosting authority has the potential therefore to have significant impact – particularly when considered in combination with Ask and Act.</p> <p>This impact will be felt further if legislation allows for conflict between authorities or results in cross-border referrals being refused – therefore resulting in Cardiff case-holding for individuals under a Prevention Duty.</p>

<b>Introduction of a reasonable preference category proposed for care leavers under the Housing Act 1996 (S.167 (2))</b>	Ensure that any reasonable preference for the allocation of social housing is dependent on local connection.	Without clearly linking the reasonable preference for care leavers and veterans to a local connection, there is a risk that individuals from outside Cardiff could be allocated social housing, potentially straining limited resources in a city that already attracts high demand.	Any care leaver could apply to Cardiff's social housing waiting list and be allocated social housing.  This would put a disproportionate level of burden on Authorities that have pull factors such as employment opportunities.
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# Housing Services

## Housing Reform in Action: Carmarthenshire's Perspective on the Homelessness and Social Housing (Wales) Bill



[sirgar.llyw.cymru](http://sirgar.llyw.cymru)  
[carmarthenshire.gov.wales](http://carmarthenshire.gov.wales)

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# Introduction

In May 2025 Welsh Government introduced the *Homelessness and Social Housing Allocation (Wales) Bill*, accompanied by a comprehensive Impact Assessment. This legislative development marks a significant milestone in the ongoing reform of Housing Policy in Wales, aiming to strengthen the legal framework surrounding homelessness prevention and the allocation of social housing. The Bill reflects a growing recognition of the need for a more person-centred, preventative and equitable approach to housing support, particularly in the context of increasing demand and complex housing needs across the Country.

This report provides a summary of the key legislative changes introduced by the Bill, with a particular focus on their implications for Housing Options services across Wales. It also explores the specific service delivery in Carmarthenshire, highlighting both the opportunities and challenges that lie ahead for local implementation. The aim is to support informed planning, ensure compliance with the new statutory duties and promote best practice in meeting the housing needs of our communities.

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# Strategic Shifts

## 1. Earlier Intervention

- The definition of “threatened with homelessness” has been expanded from 56 days to 6 months, enabling earlier interventions to be implemented.
- This change enables residents to access support before reaching crisis point, improving prevention outcomes.
- This means that individuals served with a notice to vacate – even if the notice is not legally valid – must now be treated as threatened with homelessness.

### Impact and implications

As outlined in the impact assessment this will increase caseloads for all local authorities and will require more proactive casework and earlier engagement with applicants.

In Carmarthenshire we are already focussing on the front end of the service and have introduced to an earlier prevention model. The shift to taking applications from the point a notice is served – where there is a threat of homelessness - is already embedded into the service.

This change in approach, particularly in relation to notices, removes discretion from local authorities whether to take a homelessness application in such cases. Previously, advice alone may have resolved the issue. This new approach introduces a statutory administrative burden.

## 2. Abolition of the Priority Need Test

Under current legislation, only certain groups (e.g. families with children, vulnerable individuals) are considered to have a “priority need” and are therefore entitled to the main homelessness duty.

The new approach abolishes the priority need test, meaning all eligible applicants will now be owed a full duty, regardless of whether they fall into a previously defined priority category.

### **Impact and implications**

In Carmarthenshire, we have continued with this inclusive approach since the pandemic and the “no one left out” policy, choosing not to revert to applying the priority need test. However, this has presented challenges. We are seeing an increase in clients seeking assistance who would not have approached in the past. Many of these individuals are not vulnerable and have the resources to resolve their circumstances independently.

Word has spread that local authorities must assist regardless of individual circumstances. As a result, the system is becoming less effective for those who are most in need – **“if everyone is a priority, no one is priority”**.

### **3. Abolition of the Intentionality Test**

Under Current Homeless legislation, individuals may be found to have made themselves intentionally homeless in certain circumstances. While such decisions are rare, the test has been used by local authorities to manage behaviour and as a persuasive tool to encourage engagement and discourage manipulation of the system.

The new Bill replaces this with a “Deliberate manipulation” test, which specifically targets applicants who intentionally make themselves homeless to access social housing. These individuals may be deprioritised for housing but not excluded from homelessness support.

Additionally, the new Bill further removes the ability to end the Section 75 duty if an applicant becomes intentionally homeless from temporary accommodation.

## **Impact and implications**

While the “deliberate manipulation” test is a welcome tool, it only applies at the social housing registration stage. This creates a challenge for local authorities: for example, an individual who becomes homeless intentionally from the private sector maybe ineligible for social housing yet must be provided with interim accommodation. However, this accommodation cannot be ended unless permanent housing is secured. In such cases, the only viable option may be to source private sector accommodation. But due to the individual’s previous behaviour, this route can become difficult to access – leaving people in interim accommodation for extended periods.

The Bill does introduce new, specific grounds under which the Section 75 duty can be ended, including:

- Violent or threatening behaviour towards staff or service providers.
- Serious damage or destruction of property provided under homelessness duties.
- Persistent non-engagement, where the applicant fails to respond to repeated contact attempts despite a warning notice.

While these are welcome additions, the bill does not address situations where individuals abandon or cease to occupy the accommodation provided, such as leaving without notice or not using the accommodation at all.

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# Operational Duties

## 4. Mandatory Prevention, Support and Accommodation Plans (PSAPs)

Prevention, Support and Accommodation Plans (PSAPs) will replace Personal Housing Plans under the new Homelessness and Social Housing (Wales) Bill.

- PSAPs are mandatory for all applicants to whom a local authority considers it owes a homelessness duty.
- They replace Personal Housing Plans, which were previously recommended but not legally required.
- Must be person-centred, trauma-informed and **reviewed every 8 weeks** or when circumstances change.
- Each plan must include housing needs, support needs, communication preferences and agreed actions.

### Impact and implications

As this becomes a regulatory requirement, all individuals undergoing a S.62 assessment must receive a PSAP, with reviews every 8 weeks or when circumstances change.

Each PSAP is estimated to take 4 hours to complete and maintain. Although the impact acknowledges the need for additional staffing, it does not fully explore the operation implications for local authorities.

With an expected increase in homeless presentations under the new Bill, more individuals will require PSAPs.

We have analysed current casework to estimate the scale of this requirement:

- **Cases where the Section 75 duty ended from 01/04/2025:** 147
- **Top end:** 20 PSAP reviews per case times (typically single-person households with longer case durations) = 80 hours per case
- **Bottom end:** 1 review = 4 hours
- **Average:** 7 reviews per case = 28 hours

This highlights the operational burden, particularly for complex or long-term cases such as single-person households where accommodation is harder to source.

Given the scale of the resource requirement, we suggest considering the model used in England, where PSAPs are mandatory but reviews are required only when circumstances change or at the discretion of the local authority.

## 5. Expanded Review Rights

The new Homeless and Social Housing Allocation (Wales) Bill introduces significantly expanded rights for applicants to request reviews of key decision made by local housing authorities.

Applicants can request reviews of:

- **Decisions not to assess under Section 62**
- **Assessments of:**
  - Housing needs.
  - Support needs to retain accommodation or live independently.
- **PSAP content can be reviewed at any time while the plan is maintained.**
- **Suitability of accommodation:**
  - Before accepting the offer.
  - After accepting, while a duty under Section 66, 68 or 75 applies.
  - Within 6 months of the accommodation being made available.

## Impact and implications

The national impact assessment anticipates a 25% increase in review requests across Wales, estimating that each review will take approximately 3.5 hours to complete.

However, operational experience suggests this is a significant underestimation. When factoring in time to prepare files, contact individuals for further information, arrange and conduct interview, and complete the review process, the actual time required is closer to 8 hours per review – and up to 10 hours for more complex cases.

With PSAPs now subject to mandatory review every eight weeks, individuals could potentially request a review at each interval. Based on our average time estimate, this could result in **56 hours** spent on PSAP related reviews for a single case over a six-month period.

The provision allowing individuals to request a review up to six months after moving into a property is also problematic. While the rationale is to give individuals a realistic opportunity to assess the suitability of their accommodation over time, we believe these considerations can and should be addressed during the initial offer process through open and transparent communication.

Furthermore, under Section 75, even when a reasonable offer is made and accepted the duty cannot be ended unless the applicant agrees in writing. If this agreement is not provided, the case remains open, requiring ongoing monitoring, support and administrative input.

### Why is this requirement challenging for Local Authorities?

- **Limits of Case Closure** – cases remain open longer, even after offers are accepted.
- **Resource Strain** – Increased demand on staff time and capacity
- **Risk of System Congestion** – higher volume of open cases may lead to delays and inefficiencies
- **Administrative Complexity** – more frequent reviews and extended rights increase procedural burdens.
- **Limited Recourse Without Agreement** – authorities are unable to close cases without written consent, even when duties are fulfilled.

## 6. New Discharge and Follow-Up Duties

### 6.1 Discharge of Duty:

Local authorities will now be able to discharge the Section 75 duty using a broader range of accommodation options, including:

- Supported Lodgings
- Family reunification
- Returns to previous accommodation

This flexibility is intended to:

- Improve flow through the homelessness system.
- Offer more tailored solutions, particularly for younger or single applicants.
- Reduce reliance on traditional social housing or private sector offers.

## **6.2 New Follow-Up Duty**

### **Who it applies to**

The follow-up duty applies to applicants whose Section 75 has ended, provided that:

- They are no longer homeless
- They have suitable accommodation expected to last at least 12 months
- They have agreed in writing to the duty ending
- They are not already being assessed or supported under another duty

### **When and How**

Local authorities must contact the applicant between 5 and 7 months after the Section 75 duty ends.

The purpose is to assess whether the applicant:

- Is homeless
- Is threatened with homelessness
- Is at risk of either

### **What Authorities Must Do**

- Take reasonable steps to contact the applicant, regardless of where they are living
- If a risk is identified, provide appropriate advice and information

This duty acts as a preventative safeguard, particularly for individuals in non-traditional housing arrangements such as shared or informal accommodation.

The follow-up duty does not apply if the Section 75 duty ended through a formal offer of social housing or private rented accommodation.

## **Impact and implications**

The impact assessment estimates that each follow-up will take up to 30 minutes. However, in practice, the process of establishing contact including multiple phone calls, letters, emails, text messages, and checks with known support services – is likely to take significantly longer. This places an additional burden on local authorities.

## **7. Local Connection and Local Connection to Wales**

### **7.1 What Counts as a Local Connection?**

The Bill retains and refines the concept of local connection as a condition for accessing the main housing duty, this means:

- A person must have a local connection to a Welsh local authority area to be eligible for the full duty to secure accommodation.
- The Bill introduces Section 12 to define the meaning of local connection, and Section 6 to specify that the duty to secure accommodation applies only to those with such a connection.

Although the Bill itself does not redefine the criteria, it gives Welsh Ministers the power to make regulations that clarify when a person is or is not considered:

- Normally resident in an area.
- Employed in an area.
- Having a family association with an area.
- Having special circumstances connecting them to an area.

This provides flexibility and allows future clarity through secondary legislation.

### **7.2 The Local Connection to Wales Test**

- If an applicant has a local connection to any Welsh local authority, they meet the threshold test for the Section 75 duty (the duty to secure accommodation including temporary accommodation).
- For example, if someone applies in Carmarthenshire but has a local connection to, say, Swansea, they are still eligible for the Section 75 duty – as long as they have a connection to somewhere in Wales.

- Once the Section 75 duty is triggered, the referral mechanism applies:
  - If the applicant does not have a local connection to the authority they applied to but does have a connection to another Welsh authority then the authority may refer the case to that area (known as the Section 80 referral).

Situation	Section 75 Duty Applies?	Referral Possible?
Applicant has a local connection to another Welsh authority	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes, unless exempt
Applicant has no local connection to any Welsh authority	<input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Not eligible for Section 75 <input checked="" type="checkbox"/> Yes, unless exempt
Applicant has a local connection to the applying authority	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> No referral needed

### Impact and implications

The new local connection to Wales test is designed to help authorities focus resources on individuals with a genuine connection to Wales. It also strengthens provisions to ensure that interim accommodation is provided while local connection is being investigated.

In Carmarthenshire, analysis shows that cases often present from across Wales, as well as from England and Scotland. Many of these are accepted due to fleeing domestic abuse or serious harassment, which are exempt from local connection requirements.

Cases where no local connection exists are rare. However, attempts to refer individuals to areas where they do have a connection have sometimes failed due to non-cooperation, with individuals choosing to remain in the county.

## **8. Rights and Provisions for Prison Leavers**

The Homelessness and Social Housing Allocation (Wales) Bill significantly strengthens the rights and entitlements of prison leavers, with a focus on early intervention, continuity of support and fair access to accommodation.

### **8.1 Clarified Eligibility for Homelessness Support**

Prison leavers are not automatically considered homeless unless one of the following applies:

- They are already under an existing homelessness duty.
- Their existing accommodation is at risk (e.g. due to loss during custody).
- They are within six months of release.

This ensures that support is targeted and timely, especially for those at risk of homelessness upon release.

### **8.2 Early Assessment of Need**

At the reception stage (point of sentencing), local authorities are encouraged to assess:

- Risk of losing accommodation.
- Risk of losing personal possessions.
- Likelihood of being homeless within six months of release.

Although not a standalone legal duty, this is expected to be captured under the new “Ask and Act” duty for public authorities.

### **8.3 Viewing Accommodation**

Local authorities must take reasonable steps to allow applicants to view accommodation before accepting it.

For prison leavers, this may include:

- Proxy viewings.
- Photographs or videos of the property.

This ensures informed decision-making and reduces the risk of unsuitable placements.

### **8.4 Continuation of Duties During Custody**

- If a person enters custody while under a homelessness duty, that duty does not automatically end.

- However, if the person is likely to remain in custody for more than six months and no accommodation can be preserved, the duty may be discharged.

## 8.5 Protection of Property

Local authorities have a legal duty to take reasonable steps to prevent the loss or damage of personal property belonging to applicants who are:

- Are owed homelessness duties
- Are unable to protect or manage their property due to detention or incapacity.

## 8.6 Tenancy and Accommodation

The Bill does not require social housing tenancies to be held open during a prison sentence. Instead, it provides a framework for assessing whether the tenancy can or should be preserved, based on:

- The length of the sentence.
- The risk of homelessness upon release.
- The ability of the local authority to intervene under prevention duties. This can be supported by rent payments or arranging for someone to manage the property temporarily.

### Impact and implications

While the Regulatory Impact Assessment suggests the financial impact on local authorities will be small, several practical and financial challenges are anticipated:

- **Storage costs:** protecting personal belongings can be expensive, especially where long-term storage is needed.
- **Pets:** the Bill is silent on responsibilities for pet care during custody, which may create gaps in support for individuals with animals.
- **Access to Prisoners:** conducting assessments and arranging viewings while individuals are in custody remains a significant operational challenge. Current limitations on communication and scheduling within prisons may hinder timely interventions.
- **Capacity Pressures:** Effective implementation will require increased capacity within prisons to facilitate communication between officers and prisoners, often on short notice.

## **9. Accommodation and Allocation**

### **9.1 Improved Temporary and Long-Term Accommodation**

The Improved Temporary and Long-Term Accommodation provisions in the Homelessness and Social Housing (Wales) Bill aim to reduce time spent in temporary accommodation and increase sustainable move-on options.

Under point 6 above it gives broader discharge options under the main homelessness duty.

### **9.2 Suitability and Security**

To ensure stability:

- Accommodation must be suitable for the applicant and their household.
- It must be likely to be available for at least 12 months before the duty can be discharged.

This aligns with the goal of providing the same security of tenure as other housing options.

### **9.3 Temporary Accommodation**

Provide interim accommodation even if local connection is unclear or not yet established.

### **9.4 Suitability Standards**

The Homelessness (Suitability of Accommodation) (Wales) Order 2015 remains the foundation, but the Bill enables Welsh Ministers to:

- Amend the Order to improve standards
- Set the minimum suitability criteria, including:
  - Health and Support Needs
  - Location and accessibility
  - Physical condition and safety
  - Affordability
  - Landlord/provider suitability
  - Conditions of occupation
- The Bill explicitly states that unsupported temporary accommodation, such as B&Bs, is not suitable for applicants aged 16 or 17.
- This applies to both interim accommodation and accommodation used to discharge duties under the homeless legislation.

### **Impact and implications**

While local authorities agree that B&Bs are not suitable for 16 and 17 year olds this will require an increase in supply of suitable accommodation for this age group and stronger protocols for joint assessments with social services and youth justice to be able to secure appropriate placements.

## **10. Common and Accessible Housing Registers**

The new Homeless and Social Housing Allocation (Wales) Bill introduces a statutory requirement for all local authorities in Wales to establish and maintain both a Common Housing Register (CHR) and Accessible Housing Register (AHR). These reforms are designed to improve consistency, transparency and efficiency in the allocation of social housing.

### **Impact and implications**

There would be no impact on Carmarthenshire as it already has an already well established CHR and AHR which includes a Common Allocations Policy.

## **11. Allocation Reforms**

Local housing authorities are empowered to define who qualifies for social housing in the area. This enables:

- Greater local flexibility in managing housing registers.
- The ability to exclude applicants who do not meet locally determined criteria (e.g. residency, behaviour or housing history).
- A requirement to give reasonable preference to care leavers owed duties under Section 180A.
- A new “deliberate manipulation” test, allowing the removal of preference for applicants who intentionally make themselves homeless to gain priority.

### Impact and implications

This would require minor amendments to the Social Housing Allocation Policy. Carmarthenshire has recently implemented a new Allocations Policy, transitioning from choice-based lettings to direct matching. This change has enabled the local authority to discharge its duties more efficiently by prioritising applicants who are homeless or at risk of homelessness.

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## Multi-Agency Collaboration

### 12. “Ask and Act” Duty

The new statutory duty requires specified public authorities in Wales- such as health boards, social services and prisons to:

- **Identify individuals** who are homeless or may be homeless or at risk of homelessness.
- **Seek the persons consent** to refer them to a local housing authority.
- **Make a referral** to the local housing authority (if consent is given), which will be treated as a formal homelessness application.
- **Provide information** about other services that may help the person.
- **Consider additional steps** they could take to help the person secure or retain suitable accommodation.
- **Reflect on how the persons housing situation affects their own service delivery.**

The aim is to identify risk earlier and enable timely intervention by housing authorities. This duty reinforces shared responsibility for preventing homelessness, strengthens the multi-agency response and improves the likelihood of successful prevention.

### **Impact and implications**

Until guidance is issued, there is uncertainty around what constitutes a “reasonable request” and how local authorities can monitor non-compliance. In practice, challenges already exist - referrals are often made, but when support is requested from referring agencies to assist individuals, it is not always forthcoming. This may limit the effectiveness of the duty unless clearer expectations and accountability mechanisms are established.

## **13. Joint Protocols**

Local authorities are required to establish joint protocols between housing and social services for the following groups:

- Care Leavers.
- 16-17 year olds.
- Individuals leaving custody or youth detention.

These protocols are intended to ensure a coordinated, multi-agency response that supports vulnerable individuals in accessing and maintaining suitable accommodation, while also meeting their wider support needs.

### **Impact and implications**

While it may take time for these protocols to be fully established the introduction of joint protocols reinforces the importance of collaborative working between housing and social services.

Protocols must include:

- A mutually agreed vision and objectives
- Clear systems and processes
- Defined lead agency roles

## **14. Statutory Case Coordination**

The new Homeless and Social Housing Allocation (Wales) Bill introduces a new statutory requirement for case coordination protocols aimed at supporting individuals with multiple and

complex needs – such as those experiencing homelessness alongside mental health issues, substance misuse or having served in the armed forces.

What Local Authorities Must Do:

- Establish a written protocol for handling these cases
- Ensure multi-agency coordination between housing, social services, health, criminal justice and other relevant partners.
- Promote effective case management and joint working to:
  - Prevent homelessness
  - Secure suitable accommodation
  - Provide wraparound support

### **Impact and implications**

Carmarthenshire has recently appointed a Multi-agency Support Co-ordinator funded through Housing Support Grant monies. This will:

- Facilitate collaborative relationships with internal departments and external agencies
- Ensure a coordinated response to complex cases
- Support the coordination, delivery and actions of regular multi-agency panel meetings
- Improve outcomes for people with complex and/or multiple needs

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# Implementation

## 15. Phased Implementation

### Phase 1: Bill Introduction and Planning (2025)

Milestone	Details
 May 2025	Bill introduced to Senedd Cymru
 Purpose	Reform homelessness and social housing allocation law
 Structure	3 Parts: Homelessness, Social Housing Allocation, General Provisions
 RIA Published	Cost-benefit analysis and implementation roadmap

### Phase 2: Early Implementation (2026–2027)

Focus	Key Actions
 Foundation Building	Begin implementation of reforms that reduce pressure on the system

Focus	Key Actions
 Training & Guidance	Develop and deliver training for local authorities and public bodies
 Legislative Commencement	Sections 39, 41–43 come into force immediately after Royal Assent
 Monitoring Prep	Begin aligning internal monitoring frameworks with new duties (e.g. PSAPs, Ask & Act)

## Phase 3: Core Legislative Rollout (2027–2028)

Focus	Key Actions
 Prevention Duties	Expanded definition of “threatened with homelessness” (6 months)
 PSAPs	Prevention, Support and Accommodation Plans become statutory
 Ask & Act Duty	Specified public authorities must identify and refer at-risk individuals
 Review Rights	Applicants gain new rights to review assessments and plans

Focus	Key Actions
 Local Connection	New referral rules and exemptions begin phased rollout

## Phase 4: Systemic Reform (2030–2031)

Focus	Key Actions
 Abolish Priority Need	All eligible homeless individuals entitled to support
 Abolish Intentionality	Removes “deserving vs undeserving” distinction
 Suitability Standards	Strengthened accommodation standards (via amended Suitability Order)
 Statutory Review	First report on interim accommodation due by 31 Dec 2030
 Ministerial Orders	Welsh Ministers to commence remaining provisions by statutory instrument.

## Impact and implications

Carmarthenshire is currently reviewing its service areas in anticipation of the Homelessness and Social Housing (Wales) Bill. While the reforms offer a more inclusive and preventative approach, they also present significant challenges:

- **Funding uncertainty:** There is currently no clear indication of how local authorities will be resourced to deliver the expanded duties.
- **Workforce development:** authorities will need to invest in training, recruitment and upskilling to meet new statutory requirements.
- **Systems infrastructure:** IT systems and case management tools will require upgrades to support new monitoring and reporting duties.
- **Administrative Burden:** The introduction of PSAPs, expanded review rights and new referral mechanisms will increase the administrative workload, requiring careful resource planning.

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# Conclusion and Recommendations

The Homelessness and Social Housing (Wales) Bill represents a transformative shift in housing legislation, placing prevention, equity and person-centred support at the heart of service delivery. From Carmarthenshire’s perspective, the Bill aligns with many of the progressive practices already embedded locally – such as early intervention, inclusive service access and multi-agency collaboration. However, it also introduces significant operational and resource challenges.

The removal of the priority need and intentionality tests, the introduction of mandatory Prevention, Support and Accommodation Plans (PSAPs), and expanded review rights will increase demand on frontline services, case management systems, and staffing capacity. While the Bill offers welcome flexibility in discharging duties and strengthens protections for vulnerable groups, including prison leavers and young people, its success will depend heavily on adequate funding, clear guidance and robust infrastructure.

Carmarthenshire is well-positioned to lead in implementing these reforms, having already adopted the Bills principles. However, to fully realise the Bill’s ambitions, sustained investment, workforce development, and cross-sector accountability will be essential. As we move into the implementation phases, Carmarthenshire remains committed to delivering a responsive, fair and effective housing service that meets the evolving needs of its communities.

## Recommendations

1. **Secure Funding** – Advocate for dedicated resources to meet the Bill’s expanded duties
2. **Build Workforce Capacity** – Recruit, train and upskill staff to deliver new statutory functions.
3. **Upgrade Systems** – Invest in digital tools to manage PSAPs, reviews and case coordination efficiently.
4. **Update Local Policies** – Align Allocation Policy and joint protocols with the new legal framework.
5. **Enhance Prevention** – Strengthen early intervention pathways, especially for high-risk groups.
6. **Monitor Implementation** – Establish local systems to track progress and outcomes.
7. **Promote Multi-Agency Accountability** – Clarify roles under the “Ask and Act” duty and ensure shared responsibility.
8. **Expand Suitable Housing Options** – Increase access to appropriate accommodation, especially for young people and complex cases.