

# Housing (Wales) Bill inquiry

## Feedback to homeless people and Gypsy and Traveller communities that took part in focus groups

The Welsh Government brought forward a proposal for a law called the Housing (Wales) Bill, which the Government hopes will improve support for homeless people and lead to more sites for Gypsy and Traveller communities in the parts of Wales where they are needed.

The Communities, Equality and Local Government Committee carried out an inquiry on the Bill to decide whether it was a good idea, and whether it was likely to bring about the changes that it set out to make. The Committee asked people who were interested to contact it in writing, and invited some of those people in to talk to about the Bill with Assembly Members at official meetings in the Senedd. The Committee also wanted to make sure that homeless people and Gypsy and Traveller communities had the opportunity to tell Assembly Members what they thought of the changes the Welsh Government were suggesting in the Bill. Assembly staff held five focus groups across Wales with a total of 40 homeless people, and three focus groups with a total of 24 members from Gypsy and Traveller communities.

The Committee has written a report with recommendations to the Welsh Government Minister, Carl Sargeant AM, suggesting how the Bill could be improved. We wanted to share these with you, and let you know the impact of contributions from these focus groups .

## Impact of focus groups on scrutiny of the Housing (Wales) Bill

Many of the points raised in the focus groups were raised with witnesses during sessions where the Committee took evidence. These witnesses included Carl Sargeant AM, the Welsh Government Minister with responsibility for Housing and Regeneration. The focus groups played an important role, and this was recognised by the Chair of the Committee, Christine Chapman AM, when she spoke in a debate held in the Assembly on 1 April 2014:

“I would like to thank all those who gave evidence, as well as those representing Gypsy and Traveller communities and homeless people who took part in focus groups, all of which helped inform our work on the Bill.”



Here are some of the points raised in focus groups that were addressed by the Committee during evidence sessions, and which resulted in recommendations being made to change the Bill.

## Homeless aspects of the Bill

### Rights of tenants in private rented sector

A participant raised concerns about what would happen to the tenant if a landlord or agent's registration was revoked. The Committee asked the Minister this question and was told it wouldn't affect the tenant's rights. However, the Committee felt the Bill should make this clear and recommended:

"...that the Minister amends the Bill to clarify a tenant's legal position in cases where their landlord's or agent's licence or registration has been revoked, or expires and is not renewed by the local housing authority."

### Training for local authority homelessness staff

Another theme that emerged from the focus groups on homelessness was the need for local authority staff working with homeless people to be adequately trained. One participant said they needed to be "knowledgeable and experienced". The Committee agreed and made this recommendation:

"We recommend that the Minister amends the Bill to make provision for local authority housing officers to undergo accredited training in order to assist them in meeting the challenges of effective implementation of Part 2 of the Bill."

### Priority need status

While a number of participants felt that there was a need to maintain the current system of "priority need" when tackling homelessness, others felt it meant many people were not entitled to meaningful help. One participant described people as not in priority need as "falling through the net". Another participant said that "as soon as you mentioned that you're single a wall goes up". The Committee didn't think that priority need could be abolished at present, but did think the Minister should consider doing this in the future so recommended:

"...that the Minister reports back to the Committee in due course about the feasibility of phasing out priority need status."



## Private sector tenancies for ex-homeless people

Some participants felt that a six month tenancy in the private sector was not sufficiently long for a person who has experienced homelessness. One participant said a six month tenancy provided “little or no stability”. The majority of the Committee also felt this way and made a recommendation that any tenancy offered to a homeless person in the private rented sector should be for a minimum of 12 months. Other participants also raised the issue of accommodation standards in the sector, with one saying it should be of “sufficient standard and quality”. The Committee made these recommendations to address those concerns:

“We recommend that the Minister amends section 59(4) to provide for any offer of an assured short-hold tenancy made by a private landlord to an applicant to be for a minimum fixed term of at least 12 months.”

“We recommend that the guidance under Part 2 of the Bill should set out an expectation of the standards of accommodation that should be met in order for a local authority to discharge its homelessness duty into the private rented sector.”

## Support needs of ex-homeless tenants

A number of participants in the focus groups spoke about the need for support for ex-homeless people to help them maintain their accommodation. The Committee asked witnesses for their views on this, and in particular whether the Bill would ensure the needs of homeless people accommodated in the private rented sector were met. In its report the Committee said:

“...we feel strongly that private rented sector accommodation used for this purpose should be of a reasonable standard, more closely aligned to that required in the local authority housing sector, and takes account of individuals’ support needs.”

The Committee went on to make a specific recommendation in this area:

“We recommend that the guidance under Part 2 of the Bill makes clear provision about the support that should be provided to homeless applicants entering private rented accommodation, as well as to their landlords, in order to enable both parties to understand their respective rights and responsibilities.”



# Gypsy and Traveller aspects of the Bill

## Gypsy and Traveller sites

Many focus group participants felt that the Bill should make it a legal requirement for the Gypsy and Traveller communities to be consulted by local authorities when identifying the need for sites in its area. The Committee agreed and made this recommendation:

“We recommend that the Minister amends section 84(2) to require local housing authorities to consult directly with Gypsy and Traveller communities when carrying out an assessment of accommodation needs.”

Many participants were sceptical about the effectiveness of current consultation with the Gypsy and Traveller communities. One participant described it as “tokenistic”. Other participants said there was a need for a strong advocate for Gypsies and Travellers when dealing with the local authority. The Committee also had concerns about current consultation with Gypsies and Travellers, and made a recommendation to improve this:

“We recommend that guidance issued under section 89 should fully address concerns about the effectiveness of the current needs assessment process in relation to accommodation for Gypsies and Travellers and the extent to which these assessments accurately reflect site provision and unmet need.”

## What happens next?

The Welsh Government Minister will now consider the Committee’s report and recommendations before deciding whether to agree to the changes suggested, and/or propose other changes (known as ‘amendments’) to the Bill. Other Assembly Members can also propose changes to the Bill. The next step is for the Committee to consider any proposed changes and decide whether they should be made to the Bill. This will take place in May during the Committee public meetings at the Senedd.

