

# Homelessness and Social Housing Allocation (Wales) Bill

## Supplementary evidence

Cymorth Cymru | September 2025

### Introduction

---

**Cymorth Cymru warmly welcomes the Homelessness and Social Housing Allocation (Wales) Bill. On the whole, this is a progressive piece of legislation that will transform how we prevent and respond to homelessness in Wales.**

The Housing (Wales) Act 2014 was ground-breaking in its approach to prevention, by introducing duties on local authorities to take steps to prevent homelessness, a move that received international praise and has since been replicated in other countries. However, the world has changed significantly since 2014, and other nations have taken their own legislative leaps forward. It is important that Wales recognises the changing environment, learns from progress elsewhere, and continues on its path to making homelessness rare, brief and unrepeatable.

Over the last decade, Wales has developed a much better understanding of the impact of adverse childhood experiences and other traumatic events on people's lives, as well as the need to take a more inclusive and compassionate approach to supporting people in distress. This continues to shape policy development and should be at the heart of this legislative change. The experience of, and response to, the Covid-19 pandemic also provides important context. The response of the homelessness and housing support sector – both local government and their third sector partners – was remarkable and life-saving. The collaboration across services was invaluable, as was the Welsh Government's decision to disregard priority need and intentionality, in order to get everyone inside and protect them from infection. Since then, there has been a strong desire to avoid a return to a system that puts barriers in the way of people getting the help they need.

The Homelessness and Social Housing Allocation (Wales) Bill recognises the changing context and the need to address weaknesses in our current legislation. It represents the desire to continue the inclusive approach we took during the pandemic, and cements the realisation that homelessness is a public service issue, not just a housing issue.

### Considerable engagement and preparatory work

As members consider and scrutinise the Bill, we would like to emphasise the huge amount of work that has led to its publication, involving a wide range of stakeholders and perspectives, with careful consideration given to the proposals in front of the committee today. This includes the evaluation of the Housing (Wales) Act 2014, the work of the Homelessness Action Group in 2019/20, the Independent Review of Priority Need, and most recently, the work of the Expert Review Panel.

Chaired by one of the UK's most respected experts in homelessness policy and legislation, Professor Suzanne Fitzpatrick, the Expert Review Panel included experts and representatives from a range of organisations and perspectives. There were four representatives from local government on the panel, as well as representatives of social landlords, support providers and housing advice services, with additional expertise from academia and the legal profession. The Welsh Government also coordinated a local authority reference group, which ran alongside the Expert Review Panel and enabled all twenty-two local authorities to inform the work. Engagement events were held with a range of stakeholders, and additional research helped to supplement the evidence that was considered by the panel.

### **The voice of Experts by Experience and frontline workers**

As a member of the Expert Review Panel, we represented homelessness and housing support services across Wales, but crucially, we also led engagement with frontline workers and people with experience of homelessness. As part of our work coordinating the Frontline Network Wales, we held several sessions with frontline workers from a range of organisations, including local authorities, housing associations and third sector support providers. We discussed their experiences of working to help people avoid or exit homelessness, the barriers they face, and what changes should be made to improve the system. Two papers were submitted to the Expert Review Panel for their consideration. The first focused on the homelessness and housing system, and the second focused on the role of public services. Quotes from frontline workers are included in this evidence paper, highlighted in red text.

We are extremely proud of our engagement with people who have experienced or been at risk of homelessness. We will refer to them as 'experts by experience' in this evidence paper. We engaged with over 300 experts by experience during the Expert Review Panel's work, through online surveys, open engagement events, one-to-one interviews, visits to prison, probation services, temporary accommodation and a reconnection service, and time spent with people on the streets. We submitted [six papers](#) to the Expert Review Panel. These were based entirely on the views and experiences of experts by experience, with each focusing on the specific topic of discussion at the relevant panel meeting. The voices of experts by experience had a huge impact on the Expert Review Panel's recommendations, the subsequent White Paper, and the Homelessness and Social Housing Allocation (Wales) Bill. **We want to ensure that their voices remain at the forefront of committee members' minds during the scrutiny process.**

### **Constructive compromise – reaching consensus**

An important feature of this legislation is that it is built on constructive compromise. There were many elements of legislative reform that members of the Expert Review Panel agreed on, such as the need for earlier intervention and the proposed legal duties on public services. However, there were some elements that caused disagreement, or where consensus was more difficult to reach. As a result, every member of the panel had to compromise on something, in order to agree the report and recommendations for the Cabinet Secretary. This means that no stakeholder is likely to be entirely happy with all elements of the Bill – including Cymorth Cymru.

While we have highlighted our discomfort with some of the proposals in our oral and written evidence, we have also tried to approach this in the spirit of constructive compromise and respect the decisions taken by the Expert Review Panel. There are several proposals within this Bill that we are uncomfortable with, but we accept that some of these have been included to alleviate other stakeholders' concerns about other proposed changes. We have been transparent about this in our evidence and tried to respect the spirit of compromise from the Expert Review Panel. Without this approach, we could miss this opportunity to strengthen our approach to homelessness – which would be a huge disservice to the people of Wales.

## Implementation timeline

One of our concerns about implementation is the implied timeline within the explanatory memorandum. While we understand that this is not set in stone, we would be very concerned if key elements such as the abolition of priority need and intentionality did not happen until 2030/31. Firstly, these legal tests are rarely used (see our evidence below), so the transition would not require a major change from the status quo. Secondly, these tests exclude homeless people from getting help, put them at risk, and directly contradict the trauma-informed approach advocated by the Welsh Government. Every day that they continue to be used, people are shut out of the system and further traumatised. We see no legitimate reason to delay their implementation until 2030/31, and advocate that this happens by the end of 2028/29 at the very latest.

## Improving prevention

---

### Meaning of threatened with homelessness (1)

*“If people knew they could contact the council early for advice, if they knew they had that option, it could help prevent homelessness and intentionality.” (Frontline worker)*

We strongly support the proposal to extend the definition of ‘threatened with homelessness’ from fifty-six days to six months. There is widespread support across all key stakeholders for earlier intervention, as this is likely to prevent harm and the need for more costly interventions later on. While fifty-six days may have been sufficient to prevent homelessness in 2014, the current crisis in the housing market means that it is extremely difficult to find alternative housing solutions within that time period. Six months is a far more appropriate and reasonable time period to prevent homelessness. The increase of the period to six months also aligns with recent changes to the no fault eviction notice period, which was extended to six months following implementation of the Renting Homes (Wales) Act 20216. The failure to prevent homelessness can have a terrible and long-lasting impact on people’s lives, and also comes at a considerable cost to the public purse. Intervening early and increasing the chance of successful prevention is in the interest of everyone.

### Duty to assess (3) and

### Prevention, support and accommodation plans (4)

*“Housing support services should not just focus on housing. Need whole person approach.” (Expert by experience)*

*“Be more flexible, accessible and innovative about contacting people.” (Expert by experience)*

*“Professionals come and go and you get tired of always having to tell your story.” (Expert by experience)*

*“Personalised support, better staff training on The Social Model of Disability, homeless prevention in practice, The Equality Act 2010, mental health training.” (Expert by experience)*

*“If you’re struggling to get hold of tenant, try and see them – there’s all sorts of reasons why people don’t answer the phone or open a letter.” (Expert by experience)*

We support the amendments to the Housing (Wales) Act 2014 that aim to make Wales’ approach to homelessness more person centred. We strongly welcome the strengthening of the assessment process to include reference to the barriers people may face to living independently, and the personal characteristics and circumstances of the applicant and their household. The earlier the local authority can get an understanding of these issues, the better the chance of success in preventing and alleviating homelessness. This should be particularly beneficial to people who face additional barriers, inequalities or marginalisation. We also welcome the requirement to include an assessment of the support needed by the applicant regarding communication. During our engagement with experts by experience, challenges with communication were a common theme. We also welcome the specific reference to seeking the views of the applicant and having regard for

these views. While this approach is evident in much of the existing good practice across Wales, it should be central to the process to ensure that people get the right support that meets their needs, as quickly as possible.

We also welcome the duty to prepare and maintain a Prevention, Support and Accommodation Plans (PSAPs) and the explicit recognition of the importance of prevention and support, alongside the retention or provision of accommodation. We are particularly pleased to note that this section of the Bill requires the local authority to seek the views of applicant and inquire as to the outcomes they wish to achieve. We also welcome the need for the local authority to consider how to ensure that they communicate with the applicant in a way that is accessible to them. As mentioned above, communication from local authorities was a common theme in our engagement with experts by experience, and we welcome any moves to improve how this is undertaken.

### **Right to request a review (5)**

There are a number of references to an applicant's right to review decisions within the Bill and we welcome this wholeheartedly. We know that local authorities try to ensure that their approaches to decisions are person-centred, but there are occasions where important information is missed or mis-interpreted, particularly when people are experiencing a crisis and the homelessness system is under so much pressure. The ability for a person to ask for a review of their PSAP, the suitability of accommodation being offered to them, the ending of the duty, and the referral of their case under local connection rules, is to be welcomed.

However, it is unclear in the Bill whether the applicant has the ability to request a review of the reasonable steps taken by the local authority in relation to the prevention duty. We know that these reasonable steps can be critical in preventing homelessness and ensuring that the person does not experience the trauma of homelessness, while also reducing the burden on local authorities to find accommodation. However, the feedback from experts by experience indicated that reasonable steps can vary considerably, and therefore we believe a right to request a review of the reasonable steps taken by the local authority would be a useful addition.

### **Additional housing options (7, 19)**

In most circumstances, an offer of suitable social or private rented accommodation will be the most appropriate and sustainable way to end the duty to secure accommodation, and this should continue to be the case regardless of this Bill.

However, there may be circumstances in which additional housing options, such as remaining in the family home (where safe to do so) or supported lodgings, could provide a positive housing solution for people. This could ensure that people have a safe and secure place to call home, reducing or avoiding time spent in temporary accommodation. It is important, however, that there are safeguards to prevent this from being used inappropriately. We are wary that significant pressure on temporary accommodation, combined with the short supply of affordable, permanent accommodation, could lead to pressure to accept alternative housing solutions that may appear reasonable, but are not suitable when all factors are considered.

We therefore strongly support the safeguards that have been included in section 7 and section 19, including the need to get the person's agreement, as well as considering whether the accommodation is suitable and likely to be available for twelve months. We also welcome the requirement to keep in touch with people for a period after they have accepted the accommodation to ensure they are not experiencing or at risk of homelessness. Guidance will be important to ensure that implementation is in line with the intention of this legislation, and we support the calls for the provision of independent advice for people who are considering alternative housing options under this part of the Bill.

## Abolition of priority need (9)

*“People slip through the net.” (Expert by experience)*

*“I feel priority groups should be removed as it’s unfair – everyone who is homeless or at risk of homelessness is a priority.” (Expert by experience)*

*“Everyone deserves a decent roof over their heads.” (Expert by experience)*

*“What is the difference? If someone is homeless, they should have the same support.” (Expert by experience)*

*“[It feels like they are saying] You’re a young fit, healthy, male - you’re suitable for the streets.” (Expert by experience)*

*“Not every case fits into the existing priority need categories. [...] The priority need system allows many to become more vulnerable and to slip through the net when left without support at a time of great need or potential danger.” (Frontline worker)*

*“Some people with mental health are not confident enough in seeking medical support and this has affected the homeless process for people I have supported as they have no official diagnosis therefore don’t become a priority.” (Frontline worker)*

*“Whether single people or families, both need help if they are facing homelessness, we can’t just tick boxes to say that some people come first.” (Frontline worker)*

We strongly support the proposal to abolish priority need. This is a system that shuts people out of the system and stops them getting the help they need. Over the years we have heard from countless experts by experience and frontline workers who have described how this test is applied inconsistently, the subjective decisions taken about vulnerability, the ill-informed judgements about the severity of people’s mental health, and how too many people have slipped through the net, despite having multiple vulnerabilities.

The use of priority need was paused during the pandemic and many local authorities have ceased to use this test since. In fact, in 2024/25 there were only 240 priority need [judgements](#) recorded by local authorities in Wales, with 43% of these coming from a single authority and just eight local authorities recorded as utilising this test. This represents only 1.8% of the 13,287 people who were deemed homeless and eligible for help in 2024/25. Given the evidence we received, the Expert Review Panel reached a consensus that abolishing priority need would not represent a major change in approach for local authorities, and most importantly, was the right approach to take.

## Abolition of intentionality (10)

*“I was judged to have been intentionally homeless because I had left my home due to the abuse, and refused refuge due to my son’s health issues. How can you say I’m intentionally homeless, when I got two buses to get here and I’ve waited for two hours? There was no empathy. I was so frustrated.” (Expert by experience)*

*I got out of jail but the council told me I was intentionally homeless. They said ‘it’s your fault’ because I was kicked out of a hostel. But this was because someone hit me.” (Expert by experience)*

*“I was told I was intentionally homeless – but I was escaping violence.” (Expert by experience)*

*“I went through 13 years of hell because of intentionality. I was beat up, stamped on [on the streets].” (Expert by experience)*

*“I think this should be removed because there is always a reason why someone doesn’t pay rent, when someone gets evicted it’s not always their fault, some people need extra support when they get a tenancy but they don’t get it.” (Expert by experience)*

*“I was made intentionally homeless once because I stayed with my sister because my neighbour took drugs. This upset me a lot and I did not know what to do.” (Expert by experience)*

*"It should be removed, there may be a good reason why they had to leave the property they were living in." (Expert by experience)*

*"Intentionality is dressed up judgement." (Expert by experience)*

*"It wasn't a light decision I came up with one morning." (Expert by experience)*

*"I'm being punished for leaving an area that wasn't suitable for me where I'm not safe." (Expert by experience)*

*"It might be deemed as poor decisions, but it's a trauma response." (Frontline worker)*

*"Intentionality can often completely disregard a person's mental health need, certain responses to trauma, a learning difficulty, or their lack of ability to do the right thing. The law can fail to realise that it exists to protect and support vulnerable people in vulnerable situations." (Frontline worker)*

*"With a case like that you have to look at what else is going on, it might have been a decision between rent, or food in their children's mouths. There are very few who would intentionally make themselves homeless. People need help to understand the situation." (Frontline worker)*

*"There needs to be more understanding of why people might end up making themselves homeless, most not know the consequences, need to look at it more compassionately, people need to be listened to and understood, there are reasons why people are in this situation and they need help." (Frontline worker)*

We wholeheartedly, and without hesitation, support the proposal to abolish the intentionality test. For too long we have seen the immediate and long-term damage it does to people's lives, as illustrated by the comments above from experts by experience and frontline workers. This test receives international criticism because it excludes people from getting the help they need, and forces people onto the streets. It is an outdated element of our current legislation, that could not be further from the trauma-informed approaches promoted by the Welsh Government and many other public bodies over the last decade. The health impacts of being homeless, particularly for people on the streets, are widely known, with a higher prevalence of a range of health conditions and a life expectancy or approximately 30 years less than the general population. The human costs are huge and the impact on other public services, such as health and the criminal justice system, should not be overlooked.

Our conversations with both experts by experience and frontline workers exposed the huge problems with the assumption that a person has deliberately made themselves homeless. So often this is a symptom of an unmet support need, unsuitable accommodation, a call for help, fear of abuse, exploitation or criminal activity, and in some cases, people genuinely thinking they are doing the best thing to avoid falling into debt. The threat and use of intentionality should not be the answer to these challenges, particularly as it drives people onto the streets and into unsafe environments. Instead, we should be considering what has caused someone to become homeless, and how to best provide support to alleviate it now and avoid it in the future.

in 2024/25 there were only 87 intentionality [judgements](#) recorded by local authorities in Wales, with just nine local authorities recorded as utilising this test. This represents 0.7% of the 13,287 people who were deemed homeless and eligible for help in 2024/25.

While the Expert Review Panel agreed that intentionality should be abolished, we are aware that some local authorities are opposing its removal. During the panel's discussions, concerns with abolishing intentionality were primarily related to people 'manipulating' the social housing allocation system and frontline staff facing threats and violence. While we agree that frontline staff must be safe in the workplace, intentionality is not the appropriate mechanism to achieve this. Following the White Paper consultation, this issue was discussed further by a reconvened Expert Review Panel. The panel maintained its position that intentionality should be abolished, but agreed that the Welsh Government could explore how to provide protection from violence within another part of the

legislation. This has been addressed in section 36 of the Bill, while the concern relating to ‘manipulation’ of the social housing allocation system has been addressed in section 20 of the Bill.

63. *The abolition of the intentionality test will not come without challenge, and we recognise the concerns of local authorities. The Bill contains a range of additional provisions (including the deliberate manipulation test, the violent and threatening behaviour test and provision for non-response to repeated attempts to make contact), which aim to address the feedback raised. (Homelessness and Social Housing Allocation (Wales) Bill Explanatory Memorandum)*

In light of these proposals, which address local authority concerns, there is no good reason to retain intentionality.

## Local connection (11)

*“Many people want to move out of area as they have connections to drug use or violence in their local area. The current law does not take this into consideration and people are trapped in a cycle of homelessness due to being unable to move away from their past if they don't have local connection outside their area. It's a ridiculous rule that prevents people from getting the help they need.” (Expert by experience)*

*“How can cycles be broken if you can't move somewhere else?” (Expert by experience)*

*“Sometimes you need to leave an area to be safe.” (Expert by experience)*

*“You have to go back to where you're running away from.” (Expert by experience)*

*“Some of us don't want to come back to our home county. Because I was born in [county] I have to come back here. I don't go into town much, there's days when I'm really nervous. I asked if I could go to Bangor or Wrexham but I was told no, you have to go to your own area. I'm nervous about my safety. I want to go somewhere where no-one knows me and get on with my life.” (Expert by experience)*

*“I have worked with a number of vulnerable clients who have wanted to move out of the borough due to risks from others, concerns about drug/alcohol relapse etc, but due to no local connections outside of their current borough, they have not been able to move to a more desirable area.” (Frontline worker)*

During our engagement with experts by experience and frontline workers, we heard numerous examples of people who faced disadvantages as a result of local connection rules. This was particularly relevant to some groups of the population, including LGBTQ young people, veterans, care experienced people, people leaving prison, people who had experienced abuse or exploitation, and people who were trying to recover from addiction or prevent further interaction with the criminal justice system.

During the Expert Review Panel's deliberations, local authorities felt very strongly about the need to retain local connection, due to fears about some areas becoming overwhelmed by presentations if it was removed. While we continue to be concerned about the impact of local connection, especially on people in the groups listed above, this was an area of the legislation that we were willing to compromise on, in order for the Expert Review Panel to reach consensus across all of the recommendations. We understood and sympathised with the concerns raised by our local government colleagues and therefore agreed that local connection would remain, but exemptions or special cases would be considered for groups who were particularly disadvantaged by this test.

We are disappointed that additional exemptions are not included in the Bill. We understand that making law on this issue is complex, particularly with cross-border considerations, but we would have preferred to see greater flexibility for the groups we have identified above. We do, however, welcome the ability for the Welsh Government to make regulations to exempt other groups in the future. Our other concern about this section of the Bill is that it may exclude people without a local connection from receiving help from homelessness services. We would like to see this addressed before the Bill is passed, either through an amendment or statutory guidance.

## Help to retain suitable accommodation (18)

*“Support in community is crucial.” (Expert by experience)*

*“Long term support needed.” (Expert by experience)*

*“Permanent accommodation is the beginning not the end.” (Expert by experience)*

*“Would still want to access support after moving into settled accommodation.” (Expert by experience)*

It is widely recognised that having a place to call home is just one part of preventing or alleviating homelessness. Support services have a critical role to play in ensuring that a person does not lose their existing home, or does not experience repeat homelessness once they find a new home.

[Research](#) conducted by Cardiff Metropolitan University outlined the human and financial benefits of housing support services, with improved outcomes for people receiving support and a net benefit to public services such as health, social care and criminal justice of £1.40 for every £1 invested.

We therefore warmly welcome the proposed duty to help retain suitable accommodation and believe this to be an element of the Bill that has widespread support from all stakeholders. In particular, the provision of support is a key factor in encouraging housing associations to allocate more of their properties to people within the homelessness system. While many people do not require any support, the legal duty to provide support to people with an assessed need will be vital in giving social landlords the confidence to do this.

The guidance that accompanies this part of the legislation will be important, as will the need to ensure that local authorities have sufficient resources to commission and provide support to applicants. The only element that causes us concern is that the support will be restricted to a period of twelve months. Some people may require longer term support and we would like local authorities to have the discretion to extend the period of support.

## Unacceptable behaviour that brings duties to an end (20)

**Threatening and violent behaviour:** As the organisation that runs the Frontline Network Wales, we frequently hear about the risks and challenges facing frontline homelessness and housing support staff in Wales. Their jobs expose them to a huge amount of vicarious and first-hand trauma, and they have reported increased complexity of needs within services over the last few years. These workers must feel safe when undertaking their roles and should not be subject to the threats or reality of violence in the workplace.

We therefore support the principle of protecting staff from “threatening and violent behaviour”. However, we want to emphasise the importance of ensuring the guidance sets out how local authorities should approach this decision, and the need to take a trauma-informed approach. We know that many people in the homelessness system have experienced significant trauma, often since childhood, and this can have a significant impact on their emotional regulation and ability to trust people and services. The guidance should carefully consider the thresholds that are applied to this decision, the training and seniority of staff taking and signing off this decision, the steps that are taken before the decision, what unmet support needs have contributed to violent or threatening behaviour, and whether alternative routes to meeting unmet support needs (particularly via the provision of support services and co-operation / case coordination by other agencies) could result in a more positive outcome for the person and the authority. We must ensure that people who do not pose threat to staff are not shut out of a system that is supposed to help them.

**Destruction or serious damage to property:** We have a number of concerns about the clause relating to the destruction or serious damage to property. As outlined in the previous paragraph, traumatic experiences, including adverse childhood experiences, are very common in the among the homeless population and can have a significant impact on emotional regulation. While we do not condone the damage of property, we know this can occur when a person is traumatised, feels

under threat, is having a mental health crisis, or is experiencing an adverse reaction to substances. We are concerned that this could lead to someone losing their ability to access accommodation and help, further traumatising them and reducing their ability to engage positively with support services. Secondly, we are concerned that this could disproportionately affect people experiencing domestic abuse, as it is not uncommon for perpetrators to cause damage to belongings and property as part of their abusive behaviour. It would be unacceptable for a victim / survivor of domestic abuse to be excluded from the homelessness system due to the actions of their abuser. While we would not expect a local authority to do this intentionally, we know that domestic abuse can be complex, is not always disclosed, and can be hidden due to fear and coercion.

**Impact of ending the duty:** In all of the circumstances in which the duty can be ended, serious thought should be given to the impact of this decision. Ending a duty in its entirety means that the person will not be able to access any accommodation or support within the statutory homelessness system, which is a significant punishment. While protecting staff should be of upmost importance, the guidance in relation to the approach taken by local authorities, considerations of trauma and abuse, and the interpretation of 'special circumstances' and 'reasonable excuses' should be carefully considered in the context of a trauma-informed approach.

Another key consideration is how long a person would be excluded from the statutory homelessness system, as this is not clear in the legislation. The guidance should set out how people can request a re-assessment and be able to demonstrate that they no longer pose a threat to frontline staff. Again, ensuring that people have access to the support they need to overcome challenges and deal with trauma will be critical. Ending a duty does not make the person or their needs disappear, but it does make it more likely that people will be on the streets and in need of more acute, emergency services from a range of public services in the future.

## The role of public services

---

### Duty to ask and act (21)

*"One of the biggest things that could happen is for all services to play their part." (Expert by experience)*

*"Help. Understand, support, not assume." (Expert by experience)*

*"Other services could have got involved sooner." (Expert by experience)*

*"In my situation, I feel like social services could have done more to prevent me from being homeless. They knew what problems I had going on at home and how much it all was affecting me I had to live between friends because I didn't want to go home due to what I was going through but social services forced me to go back home. If social services had done something sooner rather than later, I think I would be in a different position now." (Expert by experience)*

*"I was engaged with the GP and substance misuse services before I became homeless. They were fully aware of my circumstances but didn't do anything to prevent it. They waited for it to happen. I could have been referred on for help [to prevent homelessness]." (Expert by experience)*

*"If there is a legal duty, it can hopefully play a really good part, even if it's just statutory services. We're willing to go for anything that works more positively for the individuals we are supporting." (Frontline worker)*

*"Being connected with those services can make such a difference. It's so important we work together. We're all here for the good of the person, we need to remember that." (Frontline worker)*

*"It's a headache on times when we feel we up against closed doors, fighting against mental health and housing needs, with the trauma the person has gone, is going through." (Frontline worker)*

*"It is really hard to get interaction with them, they don't want to take people on, they do not accept that these people need help. Maybe this is due to a lack of staff or resources?" (Frontline worker)*

It is widely accepted that homelessness is not simply a housing issue, and requires action from a wide range of public services. The Homelessness and Social Housing Allocation (Wales) Bill marks a significant step in ensuring that a wider range of public services play their part, rather than relying predominantly on local housing authorities. We strongly welcome the ‘ask and act’ duty within the Bill and believe this will be key to earlier intervention and improved prevention of homelessness. If a wider range of public bodies are able to identify people experiencing or at risk of homelessness, and act upon it, then far fewer people should become homeless. This should reduce the pressure on local authority homelessness teams and reduce the demand for costly, and often unsuitable, temporary accommodation. This, in our view, is one of the most important parts of the Bill.

However, we have a small concern that the legislation, as currently drafted, does not include a specific requirement to inquire whether a person is experiencing or at risk of homelessness, which we view as a critical part of the ‘ask’ part of this duty. It appears as though this step is assumed, rather than spelled out in the text of the Bill. We are worried that this could result in services not being proactive in inquiring about homelessness, which means that the other elements of this part of the Bill (i.e. to act) will only happen if it is very obvious that the person is homeless or at risk of homelessness. We believe this can be resolved with a small amendment to the legislation, or at the very least a clear instruction within statutory guidance to address our concern.

Implementation will require training for the public services listed in the Bill, and resources to ensure that it is effective, but this section of the Bill is a huge step towards ensuring that a wide range of services play their part in preventing homelessness.

## Specified public authorities (21)

### Co-operation (32)

*“Siloed work – each service acting separately. I would have wanted my notes shared with other agencies. There is a lack of joining up the dots.” (Expert by experience)*

*“Substance misuse services need to work better with housing.” (Expert by experience)*

*“Mental health support in prison is useful but waiting lists in the community are really long. By the time you get to see them your mental health has deteriorated too much.” (Expert by experience)*

We are extremely pleased to see both devolved and non-devolved public services listed in section 21 and section 32 of the Bill, and welcome the positive work between the Welsh and UK Governments to agree that key parts of the criminal justice system are part of this list, as well as Jobcentre Plus and the Secretary of State for Defence. The ‘ask and act’ duty, alongside the expanded list of bodies subject to the co-operation duty, will significantly improve the approach to preventing and alleviating homelessness in Wales, and we strongly support these elements of the Bill.

However, there are some key services and agencies missing from the lists of public bodies in section 21 and section 32.

**Primary care:** While we are delighted that health is included in the list of public bodies, we are very disappointed that primary care is excluded. We appreciate that general practice is a contracted service and therefore operates differently to most parts of the NHS in Wales. However, primary care is the part of the health system that people most frequently come into contact with, and therefore provides the biggest opportunity for the early identification and prevention of homelessness. We are not convinced that these concerns can be addressed by assurances about plans for the GP contracting process, and instead strongly believe that primary care should be included in the list of bodies subject to the ‘ask and act’ and co-operation duties.

**Education:** We are extremely disappointed that education is not included in the list of public bodies subject to the ‘ask and act’ and co-operation duties, despite this being in the Expert Review Panel’s recommendations. While we do not hold a particular view on which organisation – whether that be schools and colleges, or the local education authority – should be listed, we strongly believe that education should be included in some form. We understand the Welsh Government believes that existing legal requirements related to safeguarding and the welfare of children are sufficient, but we are concerned that these are not specific to homelessness. We also appreciate that there is very good practice taking place in some schools, but as with all good practice, this is likely to be variable and often reliant on passionate and committed individuals, rather than being systemic. We therefore believe that a nationally applied duty would ensure that this issue is given the prominence and importance in all parts of Wales.

**Police:** The police are one of the key agencies that interact with people experiencing and at risk of homelessness, as well as with homelessness and housing support projects across Wales. We would therefore urge the Welsh and UK Governments to reach an agreement for the inclusion of police in the list of public bodies in section 21 and section 32.

**Home Office:** There continues to be a significant risk of homelessness for people who are asylum seekers and refugees, particularly given the recent shortening of the notice period to leave Home Office accommodation when someone has been granted refugee status. We therefore believe it would be extremely helpful for the Home Office to be on the list of public services subject to the ‘ask and act’ and co-operation duties.

## Targeted prevention

---

### Young people leaving care (23, 24)

| *“Young people are being bounced between social services and housing.” (Frontline worker)*

Care experienced people are at a far higher risk of homelessness compared to the general population and we strongly support all of the elements of the Bill that seek to address this inequality. During our engagement with experts by experience we heard from several people who felt that they had been ‘bounced’ between homelessness services and children’s services, with neither addressing their housing needs. We therefore warmly welcome the clarification offered by this part of the Bill that social services should take the lead in ensuring young people leaving care have a safe place to call home. We also welcome the duty on social services and housing to develop joint protocols, with the hope that this will ensure that young care-experienced people get the help and support they need to access and maintain a safe and secure home.

### Persons in particular need of support (25)

| *“GPs should have the right to intervene with a support package prior to evictions using a multi-agency approach such as is used with safeguarding. This would effectively raise a safeguarding issue for an individual at risk of homelessness, and in an ideal world would trigger a response from a future ‘Homeless Prevention & Mental Health Taskforce’ who could then step in on behalf of the patient.” (Expert by experience)*

| *“They didn’t make any plans for mental health or substance use services on release.” (Expert by experience)*

| *“I’ve got instances where it has worked really well, where agencies have come together and formed wrap around support – mental health, substance misuse services, probation - and it has worked really well. But on the other hand, it depends who is working within those organisations. Some individuals who are multi-agency oriented, where people understand importance of working together. Then come up against others who don’t work together as well.” (Frontline worker)*

*“Recently had an individual who was very, very complex. She was on the street, put back into prison, but there was contact within prison, probation, and the council, so when she was released we were there to go and pick her up to do wrap around support immediately which worked so well. It was amazing and what it should look like. Another time she went to prison but was released without them telling anyone, with nothing in place, no input from services, so it broke down very quickly.” (Frontline worker)*

As illustrated by the quotes above, there was huge support among experts by experience and frontline workers for better partnership working between agencies when people had multiple and often complex support needs, or were in touch with a number of different public services. There was a strong sense that agencies are often poor at communicating with each other, and this led to support being uncoordinated and people slipping through the net. Experts by experience and frontline workers also felt that this resulted in people having to repeat traumatic experiences unnecessarily, and missed opportunities to provide joined-up support and address people’s needs holistically.

We were given many examples of where housing or homelessness services had asked other public services to step in to avoid a crisis from developing, but didn’t get the response they needed. Sometimes this was due to capacity and sometimes it was because the housing or homelessness professional wasn’t taken seriously, despite them seeing people daily and being able to spot the signs of a crisis. On some occasions this led to people not getting the help they need and being at far greater risk of homelessness and/or hospitalisation.

However, there are some fantastic examples of partnership working in some parts of Wales, where people’s needs are met holistically and crises are avoided. However, this is too often dependent on individuals who are passionate and dedicated to partnership working, and is too rarely built into the system. We therefore strongly support this section of the Bill and its aims to better coordinate support for people who need the support of multiple agencies.

Our only feedback on this particular section of the Bill is that the emphasis is on the local housing authority to ‘make arrangements to promote co-operation’ including the development of a protocol for handling cases of people in particular need of other support services. While it may be entirely appropriate for the local housing authority to be the lead agency, we question whether this section of the Bill should compel other public services to respond and contribute positively to the coordination and development of a protocol for people in particular need of support.

## **People in the secure estate (26, 27)**

*“On the day of release, you don’t know where I’m going to be.” (Expert by experience)*

*“Coming out of prison – so desperate for help but felt like doors were being slammed in my face.” (Expert by experience)*

*“Prison told me everything was in order, that I’d have somewhere to go. I had an end date for my BASS hostel stay. But the day before no one knows what is happening. Couldn’t get hold of the council or probation. No one knew what was happening. Do I pack, do I not? Then the BASS accommodation got extended.” (Expert by experience)*

*“When I got out of prison the local authority gave me a tent and I lived in it for three weeks. It’s stressful getting out of prison as it is. I felt vulnerable, it’s embarrassing. I should have a roof over my head. I’m worried the same thing is going to happen when I get released this time. They are setting you up to fail. Should be able to register in advance with the council [for housing].” (Expert by experience)*

*“Lost my property when I went to prison. My property wasn’t stored properly, I lost photos of my children and the only photo I had of my child who died.” (Expert by experience)*

*“I had half an hour to pack. I took a suitcase and my mum’s ashes. I lost everything else. There’s no compassion. Your belongings are your life. Without them you feel like just another number.” (Expert by experience)*

*"I was only in jail a year and would have liked to put my property in storage. I lost my cooker, fridge, everything. When I came out of all I had nothing." (Expert by experience)*

We know that people in the criminal justice system are disproportionately affected by homelessness, with many people entering prison without a home, and others losing their home during their sentence. We undertook two visits to a prison and two visits to probation support services during our engagement with experts by experience for the Expert Review Panel, and accommodation was the most pressing issue raised by the people we spoke to and the professionals working with them.

We therefore welcome the clarification provided in this section of the Bill that information, advice and assistance should be provided to people within the secure estate, not just people leaving the secure estate. We also welcome the amendment related to the protection of people's belongings during their time in prison. As illustrated by the quotes above, we spoke to several people who lost incredibly important personal belongings when they entered prison, which had a significant impact on their wellbeing, as well as people who felt that their loss of belongings set them up to fail when they were released back into the community.

It is also worth highlighting that other parts of the Bill will benefit people in the secure estate, namely the increase in the prevention period to six months, the duty to ask and act, the expanded list of organisations subject to the co-operation duty, and section 25 (persons in particular need of support). The Welsh Government's Post Custody Accommodation Working Group, involving stakeholders from devolved and non-devolved bodies, is also focused at delivering improvements to partnership working and practice in this area.

### **Definition of abuse (28)**

We warmly welcome the expansion of definition of domestic abuse to include controlling or coercive behaviour, economic and psychological abuse. We also welcome specific references to Modern Slavery Act 2015 and Protection from Harassment Act 1997 to ensure that people who experience exploitation, stalking and harassment are able to access the help they need.

### **Duty to seek the views of homeless persons (29)**

As the organisation that led the work to engage with over three hundred experts by experience in the development of the Expert Review Panel's report and recommendations, we are delighted to see section 29 in the Bill, which places duties on both the Welsh Government and local government to seek the views of people with lived experience.

### **Temporary accommodation (31)**

---

*"There were no cooking facilities in TA, how was I going to feed the kids?" (Expert by experience)*

*"We shared one bedroom, four of us, youngest was only 9 months." (Expert by experience)*

*"Placed into accommodation with no support, no food, more stress added as don't know how long to stay there. Other clients staying caused more issues." (Expert by experience)*

*"Out of borough - no cooking & washing clothes facilities no respect no privacy nowhere to store my belongings after losing my last tenancy no support no empathy didn't know where I was going until the day before no time for making arrangements to move." (Expert by experience)*

*"Doesn't feel safe. I don't feel stable (like I can relax). Can be noisy or chaotic with other tenants." (Expert by experience)*

*"[There's] no kitchen, no laundry and people are there for a long time, 18 months unable to cook and wash laundry on site, a client with a Learning Disability, it has set him back a lot." (Frontline worker)*

*"Travel lodge, all in one room, then they were evicted [from the hotel] due to the rugby, moved to another travel lodge, one room, no fridge, no cooking facilities." (Frontline worker)*

It was clear from our engagement with experts by experience that people's experiences of temporary accommodation can be very poor and it is often unsuitable for their needs. While this is a symptom of the current crisis in our housing market, and local authorities are working extremely hard to improve the quality of temporary accommodation and increase the supply of permanent homes, this will continue to be a challenge for the foreseeable future. We therefore welcome the duty on the Welsh Government to provide regular reports on the use and condition of temporary accommodation. The Expert Review Panel recommended a period of three years, yet the Bill requires the report to be produced every five years. We would have preferred a shorter period to ensure it is scrutinised more frequently, but we also appreciate the Welsh Government's desire to align these reports with other housing-related assessment, planning and reporting timeframes.

## Access to social housing

---

### Cooperation between social landlords and local housing authorities (33)

*"To find a permanent place to call home is everything." (Expert by experience)*

*"People need security in their lives." (Expert by experience)*

*"I'm 20 years old and I've spent a year with two kids in a hostel. That's a 20th of my life." (Expert by experience)*

*"Temporary accommodation is like a prison but you don't know when you're going to be released." (Expert by experience)*

*"Takes far too long to be housed, more social housing needed, more support for vulnerable people." (Expert by experience)*

*"My clients are now being told to go private (when the PRS is also unaffordable and saturated) as the waiting list is 2+ years. We also have people in hostels/supported accommodation who have been there for over two years and still without any hope of being offered housing." (Frontline worker)*

We welcome this section of the Bill, as the majority of experts by experience described how difficult it has been to access social housing, often resulting in very lengthy stays in temporary accommodation. While building a significant number of new social homes should continue to be a priority, the allocation of existing and new social homes to meet the needs of people experiencing homelessness is just as important. The recent [Homeless Monitor Wales](#), published by Crisis, also shows that increasing social housing allocations could make the biggest difference to homelessness in Wales.

We want to make it clear that many social landlords are already doing excellent work in this area and contributing a huge amount to the prevention and alleviation of homelessness. They are allocating a high proportion of their properties to people experiencing homelessness, delivering trauma-informed, person-centred support to people who need it, and providing properties for supported housing and Housing First.

However, we know that this is not the case in all parts of Wales. While the data on allocations is poor and should be improved, where it is available, it often highlights a huge variation in practice across different social landlords. The [research](#) commissioned by the Community Housing Cymru, the Welsh Government and the Welsh Local Government Association as part of the Expert Review Panel's work showed that allocation rates varied between 23% and 60%.

In an ideal world, this element of the legislation would not need to be utilised. In fact, we do not expect it to be used very often, as we know that most social landlords are making a huge contribution already and have excellent relationships with local authorities. However, we believe it is a useful tool for local authorities to be able to call on, if they are not getting a reasonable response when trying to secure a home for someone experiencing homelessness.

### Qualifying persons for allocation of social housing (35)

While we understand the rationale behind this section of the Bill, we are concerned that it could lead to some people being taken off the social housing waiting list when they have a genuine need for social housing. It provides an opportunity for people to slip through the net, and we know that this can often disadvantage people who are marginalised and feel less confident to challenge the decisions of public services. An alternative approach to better understanding urgent social housing need could be analysis of the different priority groups or banding within a social housing waiting list, rather than removing people from it. We are also concerned that this provision opens up the possibility for particular groups to be discriminated against in the provision of social housing.

### Deliberate manipulation (36)

We are uncomfortable with the deliberate manipulation test, but we accept this as one of the compromises associated with the worries that local authorities have about the abolition of intentionality. We are concerned about how the deliberate manipulation test will impact people with experience of trauma, and would argue that people who are perceived to have made themselves homeless may well be in distress and/or have an unmet support need.

However, we view the deliberate manipulation test at the allocations stage as a preferable option to intentionality, which shuts people out of the statutory homelessness system, stops them from getting the help they need and often forces people onto the streets.

We urge the committee to seek clarification about how this will operate in practice, particularly with regards to whether this will shut people out of social housing indefinitely, or for a specified period of time. We also believe that clarity is required about whether this only affects the preference associated with homelessness, and does not affect the reasonable preference associated with other categories, such as medical or welfare needs (or the proposed new reasonable preference category for people leaving care). Finally, the guidance should ensure that a trauma-informed approach is taken to the decision-making process and unmet support needs are identified.

### Preference for young people leaving care (37)

We strongly support this section of the Bill, given the increased risk of homelessness and lack of support systems associated with people leaving care. We would have preferred this to apply to care-experienced people for the whole of their lives, as they often face life-long disadvantage, however we are happy to support this proposal in its current form.

### Housing registers (38)

*“Nobody seems to know how the allocations work [...]. It’s a lucky dip.” (Expert by experience)*

*“There’s a lack of transparency on what accommodation is being offered.” (Expert by experience)*

We strongly support this section of the Bill. While the majority of local authority areas in Wales have common housing registers, we heard evidence that people in the other three areas face unnecessary complexity and a lack of transparency when they are trying to navigate the social housing system. We therefore welcome the move to ensure all twenty-two areas adopt this approach.

We also welcome the requirement for accessible housing registers, as we heard from a number of experts by experience who had particular access requirements, and found themselves waiting a long time for social housing, as the local authority was unable to identify appropriate provision in the local area.