

CARTREF YW POPETH HOME IS EVERYTHING



Shelter Cymru's response to the Local Government and Housing Committee consultation on Homelessness and Temporary Accommodation.

Short Written Submission – November 2022

About Shelter Cymru

Shelter Cymru exists to defend the right to a safe home, because **home is everything**. We help thousands of people across all of Wales every year who have been affected by the housing emergency by offering free, confidential and independent advice. When necessary, we constructively challenge on behalf of people to ensure that they are properly assisted and to improve practice and learning.

We work with people who use our services as equals. We provide information, advice and support to help people identify the best options to prevent homelessness, to find and keep a home and to help them take back control of their own lives.

We fight the devastating impact of the housing emergency has on our people and communities with campaigning, advice and support – and we never give up.

Introduction

Shelter Cymru welcomes the opportunity to respond to this consultation regarding the use of temporary accommodation (TA) in Wales. We have prepared this short written submission, as requested, in advance of the evidence giving session on the 24th November.

Our thoughts have been shaped by our extensive housing advice casework across Wales and first-hand experience of working with households who are currently being accommodated in TA by local authorities.

Our response considers TA to include all forms of short-term accommodation used by local authorities to fulfil their homelessness duties. This includes B&Bs, hotels, refuges, hostels, and short term private and social lets. This encompasses a wide range of accommodation settings, some of which are more suitable than others.

Latest available figures show that 8,545 people were living in TA at the end of August 2022, 2,515 of whom were children. We are watching these numbers rise on a month by month basis as the underlying issue of housing supply and affordability is further fuelled by the cost of living crisis.

CARTREF YW POPETH HOME IS EVERYTHING



Homelessness is increasing as a proportion of our casework: between August 2021 and August 2022 we saw a 41% increase in numbers seeking help due to homelessness.

The supply, suitability and quality of temporary accommodation currently being used to house people experiencing homelessness and the support services made available to them.

People will have a vastly different experience of being in TA depending on its nature and the facilities and support provided. Self-contained accommodation with full cooking and washing facilities is what people we help prefer.

We have seen cases that cause us great concern, both in terms of the quality of accommodation provided and its suitability for the needs of that particular household. We have seen evidence of appalling, unsanitary living conditions; heard from pensioners about the practical struggles of having just a kettle to prepare meals with; listened to families with young children telling us how unsafe they feel sharing facilities with strangers; and seen the anguish faced by people accommodated miles away from family and other support networks.

We are extremely concerned about any relaxation of suitability requirements as proposed by the Welsh Government's interim homelessness measures and have responded to this separately. We totally appreciate the extremely difficult circumstances in which local authorities are having to work, and that placements in poor quality accommodation are made as a last resort. We do however think that there are opportunities to do things better.

Suitability of accommodation is not just a result of facilities or location. In our response to the consultation on interim measures we also highlighted the numbers of households falling out of TA, i.e. leaving without a planned move into a more permanent setting, some as a result of eviction. Between April 2021 and March 2022 a total of 14,474 people were placed in TA, joining 6,111 people who were already in TA at the end of March 2021. Over the same period 6,274 people moved into long-term accommodation, while at the end of March 2022 there were 7,779 people in TA. This leaves a gap of 6,532 people who must have left TA for other reasons than move-on into a long-term home. Negative outcomes are not inevitable – some people may be self-solving their homelessness – but our casework clearly tells us that a lack of suitable, person centred support, is a strong contributory factor in many of these cases, with some people being evicted into street homelessness because their support needs have not been met while in TA.

CARTREF YW POPETH HOME IS EVERYTHING



Our biggest worry is the emergence, since the early days of the pandemic, of TA waiting lists being operated by some local authorities. Very much a symptom of the current unprecedented demand against limited supply, we are aware of households who are owed a legal duty by the local authority being told that they will have to wait for their turn on the list. We cannot stress strongly enough our disappointment in this systemic failure to comply with the provisions of the Housing (Wales) Act and the weakening of the rights it results in for households facing homelessness. We know that the Welsh Government shares our concern and has stressed in the new supplementary guidance to local authorities the unlawful nature of such lists, but our concerns remain while they are in operation.

The impact living in temporary accommodation has on individuals and families.

We've already talked about the practical issues of living in poorly equipped accommodation, unable to cook your own food, or wash clothes without a trip to a laundry or relying on the support of family and friends. In some cases we have seen that support is up to 40 miles away and accessible only via sporadic public transport.

It is equally important to consider the ongoing stress of living in this situation and the impact of not knowing what comes next and when. The people we see talk about their life being on hold and a feeling of being in limbo. Employment opportunities, education, relationships, and health and wellbeing are adversely affected.

Many are living without the usual freedom of being an adult citizen, are not allowed to have visits from friends and family, have been separated from beloved pets and may even have to abide by an evening curfew as early as 6pm with any incursion on these rules potentially carrying the threat of eviction. People have told us about their feelings of loneliness and isolation and the limits it places on their ability to socialise, find or keep work, and access services.

Through our casework we've also heard about the financial impact of living in TA. Rents can be expensive and for some the only way to afford them is by claiming the housing element of universal credit. We have worked with people who have had to give up their jobs when they move into TA in order to be eligible for benefit, their own wages being insufficient to cover the rental costs. We have also worked with some people who have got a job while living in TA only to find themselves

CARTREF YW POPETH HOME IS EVERYTHING



unexpectedly hit with a completely unaffordable rent bill. It is deeply wrong that some people are deprived of their ability to be financially independent when they move into TA, making it even harder for them to get back on their own feet. Stuck with no money, no job, and no idea about what the future will hold, it is little wonder that some end up struggling to maintain their mental wellbeing and their accommodation. We do however, recognise the good practice of some authorities who operate accommodation models in which the amount of rent paid can be reduced to ensure that employment can be sustained.

Service charge arrears (for charges such as utilities) are also commonplace and worrying given the potential for any such arrears to build up and prevent people moving on to settled accommodation. We would remind the Welsh Government and local authorities of our [good practice guide](#) on overcoming arrears as a barrier to social housing.

The impact of the ongoing demand for temporary accommodation and support services on local authorities, their partners and communities.

We are very aware of the extreme pressures that local authorities and their partners are facing and can only see these increasing over the coming months as the cost of living crisis takes hold. Our own caseload has seen a 114% increase in 'no fault' section 21 eviction notices since last year and mortgage possession cases are also beginning to rise. We are constantly hearing the message of how difficult it is to find alternative homes, both for individual households and for local authorities seeking to assist them.

The accommodation options available to local authorities are hindered both by what is physically available in their area and also by the funding they have available. Our figures on TA costs are a little out of date now, but it is fair to assume that budget pressures will have only increased since we last did a Freedom Of Information request last year which found that 18 local authorities had spent in excess of £6.3 million net in 2020/21, up from £4.6 million the previous year.

We are concerned that the race to secure accommodation in our pressurised housing market is leading local authorities to take some risks in terms of procurement. We are aware of a recent occasion where a block accommodation provider decided to make their accommodation unavailable at short notice,

CARTREF YW POPETH HOME IS EVERYTHING



leaving the authority with a sizable group of households to be found alternative accommodation at one time. We feel that short-term and insecure contractual arrangements pose a real business and reputational risk for authorities and, critically, upheaval and added uncertainty for residents.

It's important for us to note here the impact of poor placements on our own caseload. Unsuitable placements remains the single highest reason for the homelessness reviews we support people to carry out. We are taking on a growing number of cases where people are challenging the suitability of the accommodation they have been placed in, the fact that they have been evicted from TA, or that they have been placed on a waiting list when there is a clear and immediate duty. This type of casework, as well as being time consuming, is very frustrating for our staff to be representing clients on these matters, often at a point of crisis when they are facing eviction in the next few days.

Options to increase the supply of affordable and appropriate housing in the short to medium term to reduce the use of temporary accommodation.

While we all recognise the need to build more social housing, this is by no means a quick fix to our housing supply emergency. From initial concept to tenants being moved in, we're aware that in some cases 2 or 3 years can elapse.

It is really encouraging to see the increased use of high-quality modular builds to provide both TA – [such as this example in the Vale of Glamorgan](#) – and permanent social housing units such as the [131 homes being proposed by Cartrefi Conwy](#) on the North Wales coast. While modular build can bring speed in terms of the construction process, such schemes are still unfortunately dependent upon securing land and negotiating lengthy planning discussions. We think it is vitally important that modular and non-standard homes are designed and built to with the needs of future residents in mind and there should be an aspiration for design to be informed by resident consultation, as there is a risk that such accommodation could fall short of people's needs depending on factors such as design, location, tenure etc.

We are also keen to do further work to ensure that social housing is being made available to people who need it most, and that decisions about the types of properties being developed are based upon need rather than ease of future management. Anecdotally, we understand that the low levels of single

CARTREF YW POPETH HOME IS EVERYTHING



and shared accommodation units being developed may have been influenced by an aversion to the perceived higher levels of housing management which may be needed.

The Welsh Government is making commendable efforts to encourage local authorities and social landlords to factor in the needs of homelessness households to supply side planning in a more consistent way. This must be a priority at local level moving forward. We also understand that the Welsh Government is interested in reform around allocations, which is very welcome. Our Housing First project in Gwynedd is giving us an insight into the barriers that people who have experienced chronic homelessness can face when trying to access social housing, even if they have a guaranteed Housing First level of support in place. A minimum percentage for nominations to priority homeless households may be the only way of securing sufficient allocations.

Beyond housebuilding and allocations, our cost of living campaign includes a number of other calls to improve affordability and stability. We are calling on the UK and Welsh Governments to:

- 1. Take urgent action for tenants at risk of eviction**
 - Ban evictions this winter
 - End short-notice evictions for good, as soon as possible
- 2. Make sure tenants can afford their rent**
 - Give tenants a real route to challenge unfair rent rises
 - Bring forward the promised White Paper on rent controls
- 3. Protect homeowners from homelessness**
 - Provide a Welsh mortgage rescue package
- 4. Make housing benefits meet the real cost of renting**
 - Restore housing benefit to cover at least the bottom 30% of local rents
 - Scrap the benefits cap.

We are [calling on the UK Government](#) to work together to restore housing benefit to cover at least the bottom 30% of local rents, and to scrap the benefits cap. At a Welsh Government level, we are pleased that the Welsh Government has decided to extend six month notice periods to no-fault evictions for all existing tenancies from 1st June next year, although we are disappointed that it is not happening from 1st December at a time when need is so high.

We strongly welcome that the Welsh Government has made additional funds available to local authorities to help them prevent homelessness in flexible ways. We suggest that strategic topping up

CARTREF YW POPETH HOME IS EVERYTHING



of Discretionary Housing Payments (DHPs) has considerable further potential for prevention. For example, Scotland boosted DHPs in order to top up benefits to end the Bedroom Tax. With a majority of people currently in TA being single person households, topping up housing benefits to a 2-bed rate would not necessarily be prohibitively expensive: we calculate, using figures for average social rents that this could be around £677.84 per person per year (14% of average 2 bed flat rent for 21/22). There are of course questions around the accessibility of DHPs: help offered is only as good as people's ability to access it, meaning the local DHP policies and application processes need to be simple and accessible.

From a social housing provision point of view, we welcome that the Welsh Government is thinking creatively about the purchase of existing homes by social landlords. While being a much quicker way of increasing the size of the stock, development teams have been dissuaded from exploring this further due to the required standards of WHQS, DQR and the decarbonisation agenda. Where purchases have been made, they have frequently been buy-backs of right-to-buy properties where landlords are familiar with the fabric and location of the property and the strategic benefits to acquisition are clear. Such purchases do need to be managed carefully in order to avoid causing localised house price bubbles, but at a time of such high need, we must consider every tool available to us that will increase the supply of good quality, affordable homes.

We are currently exploring this further in terms of rescuing tenancies and mortgages in the private sector market. We feel that there is a real opportunity to re-establish a Welsh Mortgage Rescue scheme, similar to the one that had dedicated capital funding in 2008-2010. Homeowners facing repossession would have the option of staying in the property through full acquisition by a social landlord or releasing an equity share. They would become social tenants or part owners depending on the arrangement. While this scheme has continued at a low level in some local authority areas, without dedicated funding it has been operating at local discretion.

We also believe that this model could be used to rescue tenancies where a landlord has served notice due to a wish to sell the property. The tenancy would be rescued through acquisition by a social landlord with the tenure again flipping to social housing or low-cost home ownership depending upon the circumstances of the tenants. We understand that this has been successfully undertaken in specific circumstances, i.e. where the property has been adapted for the household's individual needs. Our

CARTREF YW POPETH HOME IS EVERYTHING



Oak Foundation-sponsored [homelessness prevention seminar](#) on the 23rd November will explore the opportunities for this with practitioners.

Progress implementing Ending Homelessness in Wales: A high level action plan 2021-2026, and in particular the move towards a rapid rehousing approach.

We went to take this opportunity to recognise the Welsh Government for their continued commitment to ending homelessness. Last November, when the high level action plan was finalised we were catching our breath after the height of the pandemic, reflecting on what had been achieved under the most challenging circumstances, and looking afresh at how we do things.

Little did we know that our challenges would not end there, and that recovery would be hindered by a cost of living crisis, itself adding fuel to the ongoing housing emergency. While it is Shelter Cymru's role to constructively challenge on behalf of people in housing need across Wales, we also recognise the extremely difficult economic and market conditions in which local authorities are currently operating. We have, for example, just seen the highest quarter on record for accelerated possession actions in Wales, and the numbers of people seeking assistance must feel overwhelming for statutory services.

We are aware that most authorities have, or are working towards having their Rapid Rehousing Plans in place. They have also told us however, that the aspirations set out in their plans are becoming less and less achievable due to the sheer weight of cases coming through their doors.

We recognise that authorities face challenges of retaining a prevention focus given the current pressures they face. There are some interesting service reconfiguration models coming forward involving specialist officers, some embedded from other service areas, and the management of more complex cases. We understand that there is also a good deal of creativity around the use of funding streams.

Although it has only been in place for 12 months, given our quickly changing environment, it feels appropriate to pause and reflect upon the priorities of the action plan and their deliverability on the ground. The original timescale of 5 years for implementation does not feel realistic in the current

CARTREF YW POPETH HOME IS EVERYTHING



environment. We are unclear on progress to date towards building the 20,000 low carbon social homes within the Programme for Government. It's vital that we identify those priorities that will have greatest impact on prevention, meeting the needs of people who are homeless today and driving longer term planning so that the supply and demand for homes, particularly social homes, is better aligned in the future.

In this context we consider that the proposed Right to Adequate Housing provides an important overarching umbrella, and driver, for hardwiring steps towards the progressive realisation of a Wales where everyone has a good home they can afford.

This is a good opportunity to note our concerns about the Homelessness and Supporting People Officer networks. These were a vital mechanism for the Welsh Government to connect with frontline services and to directly hear about the challenges they face. We understand that local authority officers highly valued the networks as a supportive space to share learning and concerns. We understand that the Welsh Government's Relationship Manager structure provides a new way for bilateral relationships to be maintained, but as a national homelessness charity, we feel there is a gap left by the Network as a way for us to engage with authorities in a collective way. It is our understanding the Welsh Government plans to put new engagement mechanisms in place. We suggest that new mechanisms that work for local authorities are a priority to pool expertise, learning and mutual support, but also to facilitate engagement with third sector agencies, such as Shelter Cymru, as we all seek in our different roles to support unprecedented numbers of people through the housing and cost of living crisis.

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