

## CYNGOR GWYNEDD – Report to Cyngor Gwynedd Cabinet

<b>Title of item:</b>	Welsh Government Consultation: 'White Paper on ending homelessness in Wales'.
<b>Cabinet Member:</b>	Councillor Craig ab Iago, Cabinet Member for Housing and Property
<b>Relevant officer:</b>	Carys Fôn Williams, Head of Housing and Property
<b>Date of meeting:</b>	20 February 2024

### 1. The Decision sought:

1.1 To approve the content of the draft response to the Government's consultation on ending homelessness in Wales, included in Appendix 1.

### 2. The reason why the Cabinet needs to make the decision:

2.1 Welsh Government has published a white paper on 'ending homelessness in Wales' and a draft response has been prepared on behalf of the Council. The Cabinet is asked to approve the draft response because of the possible side effects by the proposed changes can have on the Councils' resources and budgets.

### 3. Introduction and Rationale

#### 3.1 Background / Introduction

3.2 On 10 October 2023, Welsh Government published a public consultation on the 'White Paper on Ending Homelessness in Wales'.

3.3 The White Paper proposes basic and substantial changes to the Homelessness field, and the Government's intention is to present a Bill in the Senedd in 2024 and pass new legislation before the end of the current Senedd term in 2026.

3.4 A formal consultation period was held by the Government between 10 October 2023 and 16 January 2024. During that period, internal consultations were held with departments including Adults, Health and Wellbeing, Children and Supporting Families, Leadership Team and Corporate Support in order to present a draft response to the Government. The Cabinet is now asked to approve the response in order to confirm the final response to the Government.

### 4. The intention of the consultation on Ending Homeless in Wales

4.1 The consultation is split into 5 parts and is explained by the Government as below:

### **Part 1 – Changes to the main homelessness law**

- a) Councils to create Personal Housing Plans (i.e., a document stating steps taken to help prevent someone from being homeless or help to secure accommodation) for every homeless person or family.
- b) Priority need (i.e., specific categories of people who are accepted as being in priority need for homelessness support) – take away this rule and ensure that everyone is able to receive help when they are homeless.
- c) Remove the intentionality rule (being ‘intentionally homeless’ means that the homeless situation, or the threat of being homeless, has been caused by something the applicant did, or did not do, intentionally).
- ch) Local connection (if an applicant does not have a local connection with Gwynedd, we can decide to send the applicant to another council where they have a connection, on the condition that it is reasonable for them to return to that area) – change this so that councils are able to be more flexible. For example, if someone is in danger if they stay in their own area.
- d) Change the legislation so that councils can decide to stop working with people when, for example, when they threaten staff or persistently miss appointments.

### **Part 2 – Welsh public bodies’ role in terms of homelessness prevention**

- a) More public services, such as social services, to collaborate better with housing services to help someone keep their home. Also, public services need to better understand people’s problems and know what to do about them.

### **Part 3 – Targeted offers to prevent homelessness for the ones disproportionately affected**

- a) Children and young people – They should also not be placed in unsupported, temporary housing.
- b) social services and local authorities need to work together to help children, young people and care experienced young people.
- c) health services and councils need to work together better to help people with mental health problems.
- ch) When someone leaves hospital, the hospital should check if they have a home. The Council should help people who might become homeless when they leave hospital.
- d) Domestic abuse – want to help more people in this area. For example, people who are being controlled or being abused in other ways.
- dd) Councils need to keep a list of accessible housing.
- e) People who are released from prison need to be prevented from being homeless.
- f) Review the guidelines – National Housing Pathway for ex-member of armed forces to make sure the rules are followed across all local authorities.

### **Part 4 – Access to housing**

- a) no one under the age of 25 should be placed in temporary homes that does not have support.
- b) Social Landlords need to work together more to stop homelessness. For example, this would mean housing associations have to do more to find homes for people who are homeless.
- c) councils should be able to take people who do not need a home off waiting lists.

#### Part 5 - Implementation

- a) Extend the structures currently provided through local government scrutiny arrangements and social housing regulation in order to monitor the homeless prevention and the steps needed to implement the proposed legislative changes as well as continuous data collection arrangements in all parts of the housing and homelessness.

### 5. Response to the White Paper

5.1 We know that homelessness is much more than a housing matter, therefore the other Council departments were asked to contribute comments, including Adults, Health and Wellbeing, Children and Supporting Families, Leadership Team, and Corporate Support.

5.2 Generally, most recommendations in the White Paper are welcomed, and the policy direction the Government is following by introducing these recommendations. However, we believe we need to present the Government with comments regarding those recommendations that we do not agree with, or where we believe implementing the recommendations will create concerns for us in Gwynedd. Below is a summary of our response:

<p><b>Proposed change to the definition of 'under threat of being homeless' from 56 days to 6 months</b></p>	<p>We are supportive of this proposal, however we are concerned about the possible effects on recourses needed to implement. Increasing the time threshold that someone is eligible to receive homeless support from 56 days before being homeless to 6 months will lead to significant increase in demand on the service, specifically the duty to prevent homelessness. It could possibly have an effect on homelessness prevention services funded currently through the Housing Support Grant because of the increase in the timescales in which the Council needs to act. The effect of this will need to be monitored carefully.</p>
<p><b>Proposed removal of the 'intentionality test'</b></p>	<p>We do not agree with this proposal as it is essential in some circumstances to end a homelessness duty, without it we risk facing keeping homeless cases open much longer than needed with obligations in terms of resources and costs.</p>

<p><b>Proposing to keep the 'local connection' test but extend the eligible categories</b></p>	<p>We agree with keeping the local connection test, but disagree with the intention to extend those who would be eligible due to the likely consequences on local services and resources. We accept numerous homelessness referrals from outside Gwynedd as it is, but we do not have to accept them, except in exceptional circumstances. Extending the eligible categories will lead to weakening our ability to refuse some of those referrals on the basis that they do not have a local connection. For example, a possibility could exist that a person without a local connection with Gwynedd who has left prison could express a desire to come to Gwynedd for a fresh start, and we would be duty-bound to accommodate them.</p> <p>This could have a significant effect on our ability to reduce the number of homelessness in the county. This is also seen as a risk in terms of resources, capacity and associated costs, for example providing emergency/temporary accommodation. This will lead to Gwynedd having a duty to accommodate more people than is currently housed.</p>
<p><b>Proposed strengthening of the duty on public bodies to work together on homelessness</b></p>	<p>We agree that this is a positive direction as it acknowledges that homelessness is not just a housing matter, and that close collaboration is needed between public organisations to tackle the situation. However we are concerned whether public organisations have the appropriate resources needed to collaborate in a time of budgetary constraints in the public sector, and furthermore what motivations will be provided to working together in cases where this is not happening at present.</p>
<p><b>Short-term proposals to make temporary accommodation more suitable</b></p>	<p>We agree with the general principle of providing quality accommodation to our clients. However, we are concerned that finding temporary accommodation of suitable quality is a challenge at present, and if standards increase further, it's very possible that the supply will decrease. There is also a possibility that more support will be needed for more people in temporary accommodation, as well as providing alternative support to what has been historically provided, leading to an obvious effect on our resources.</p>
<p><b>Proposed change regarding social housing allocations</b></p>	<p>We generally agree with the proposals, especially the proposal to introduce new legislative provision which would mean that Housing Associations would not be able to refuse a homeless person nomination from the Council for social housing except in exceptional and specific circumstances. This would lead to strengthening the arrangements already in place.</p>

	<p>We do not agree with the proposal to give additional priority to homeless people over other groups of people in urgent housing need e.g., a family needing an accessible property because due to a child's disability. However, we would welcome this as a power to be used (as opposed to a duty), in order to provide use with more flexibility and control locally.</p>
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5.3 As many of the recommendations are likely to have an effect on the resource levels needed to realise the changes, we have consulted with the Finance Department, and have received the following comments:

5.4 The intention to move away from being reactive to offering preventive is a principle which has been in place for several years, and in financial terms, we acknowledge fully that this is a direction which must be followed if spending in this field is to be kept under control.

5.5 However, we are concerned about a lack of necessary resources within public sector budgets in Wales to deal with the challenges and additional pressures which are proposed in the consultation document.

5.6 We are concerned that the Government has no comprehension of the size of many of the additional costs. Although estimated costs (and even savings) are proposed in places within the document, these types of studies tend to underestimate costs, or overstate savings. Furthermore, there is a risk that additional costs will fall upon us as a Council, and that no grants will be available, or not sufficient, to meet these costs.

5.7 Impact assessments on equality characteristics and the Welsh Language, and a Regulatory Impact Assessment attached with the White Paper have been prepared by the Government and have been included as appendices with the Report.

## **6. Next steps**

6.1 Receive the Cabinet's approval on the response to the consultation on the White Paper included in Appendix 1.

6.2 Upon receiving the Cabinet's approval, the Council's response will be confirmed to the Government.

## **4. Statutory Officers' Comments**

### **4.1 Chief Finance Officer**

“I was given an opportunity to give input to the Council’s response to this consultation, and my comments have been included in paragraphs 5.3 to 5.6 above.”

#### **4.2 Monitoring Officer**

“No observations in relation to propriety.”

#### **Appendices:**

Appendix 1 – The Council’s response to the White Paper

Appendix 2 – Welsh Government’s Integrated Impact Assessment

Appendix 3 – Welsh Government’s Draft Regulatory Impact Assessment