

Policy briefing: Key trends from six months of Welsh homelessness data

Introduction

At the end of April 2015 the Welsh Government introduced major new homelessness legislation in Part 2 of the Housing (Wales) Act 2014. Among the reforms was the introduction of a statutory duty to help to prevent and relieve homelessness for all eligible households, which drastically increased the rights of households without a priority need to homelessness assistance.

This report summarises key trends in the first six months of homelessness data covering July to December 2015.

For a more in-depth description of the new legislation see [this briefing](#).

Main findings

- Between July and December 3,605 households were assisted under the new prevention duty with a success rate of 64.8 per cent. The success rate for single households was only slightly lower at 57.6 per cent – a significant achievement for Welsh local authorities.
- There were 3,695 homeless households assisted under the relief duty, with a success rate of 43.3 per cent.
- Two in five homeless households who reached the end of the relief stage without a successful outcome had their homelessness successfully resolved via the final duty. This is a 76 per cent reduction on numbers found in priority need during the second half of 2014. A further two in five were found not to be in priority need and were excluded from assistance on that basis.
- Intentional homelessness decisions are down 65 per cent. The majority of Welsh authorities are now using intentionality only rarely.
- Seven per cent of assessed households had their duties brought to an end because of 'unreasonably failing to cooperate', mostly at prevention and relief stages. Including these households, 17.9 per cent of assessed households exited the system for a variety of reasons.
- At the end of December there were 1,830 households in interim accommodation, a 14.9 per cent reduction on the previous year.
- Numbers found not homeless have decreased only slightly from 39 per cent to 31 per cent. There are a number of reasons for this, including some authorities carrying out prevention work outside the Act without accepting a legal duty.

Caseloads

Between July and December Welsh local authorities carried out an estimated total of 9,915 assessments¹, of which 57.2 per cent were for single households. This is a 42.3 per cent increase on the numbers of households recorded as presenting during the second half of 2014.

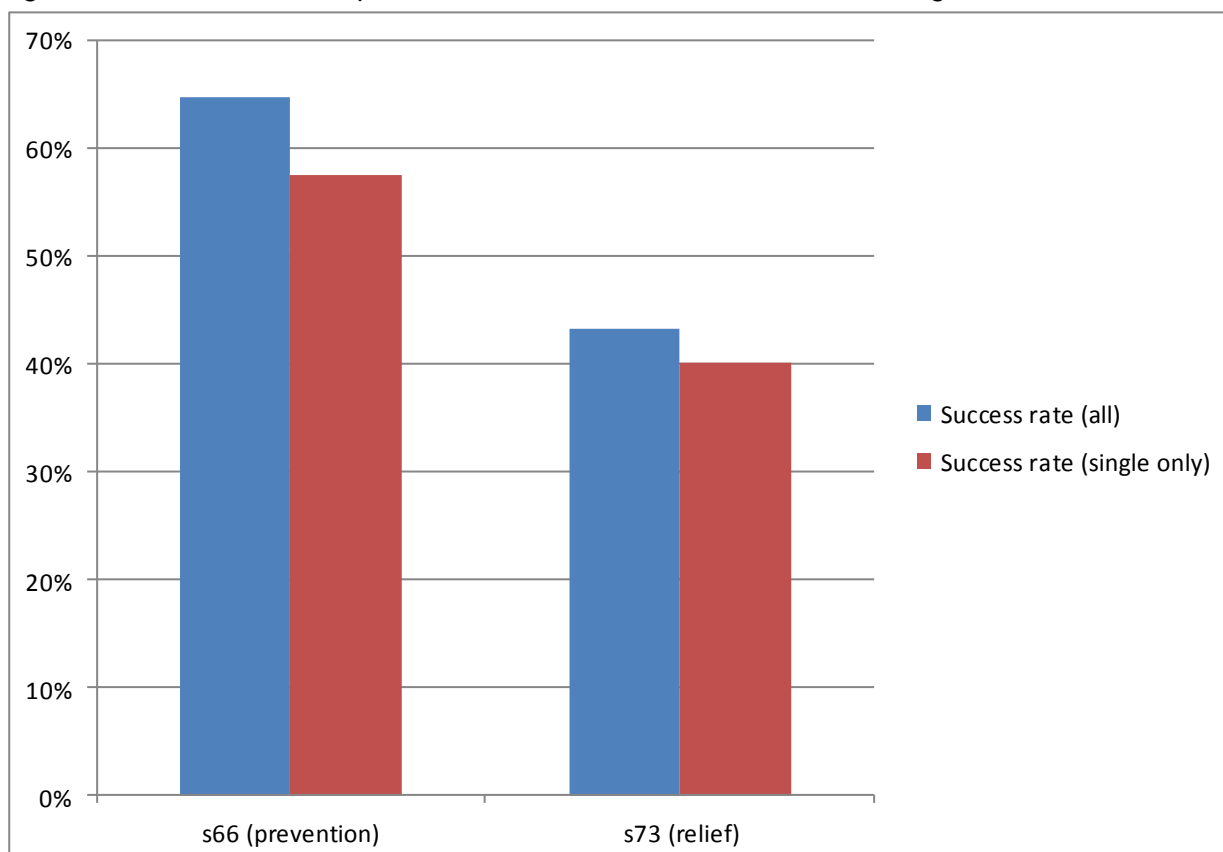
COMMENTARY

These figures do not necessarily mean that authorities are working with more households. Under the old legislation, prevention work was generally recorded under 'not homeless' or went unrecorded. Mackie *et al*^{*} developed a methodology to estimate that the true number of homeless presentations in Wales in 2014/15 was 30,257, including 12,231 prevention cases. This would suggest a 34.5 per cent *reduction* in the numbers of households presenting in the second half of 2015.

Anecdotally, authorities say that while there have not been significant changes in caseload numbers, the intensity and complexity of their casework has increased.

*Mackie, P. *et al* (September 2012) Assessing the impacts of proposed changes to homelessness legislation in Wales

Figure 1: Success rates for prevention and relief: all households and single households



¹ Estimated figure based on number of outcomes at 66 and 73 minus unsuccessful prevention, plus households found not eligible and not homeless. Estimated figure does not capture repeat applications or households whose outcomes fall after December 2015

Success rates under prevention

In total 3,605 households were assisted under the section 66 prevention duty, with homelessness being successfully prevented for 64.8 per cent of those households.

Single households comprised 45.5 per cent of those assisted at prevention stage. For single households success rates were seven percentage points lower (57.6 per cent) than the rate for all households.

Success rates under relief

Households who are homeless, as opposed to threatened with homelessness, are assisted under two duties – the section 73 relief duty and then – only if that is unsuccessful, and the household is in a priority need category, and unintentionally homeless – the section 75 final duty.

In total 3,695 households were assisted under the relief duty, with homelessness being successfully dealt with for 43.3 per cent of those households. Single households comprised 68.5 per cent of those assisted at relief stage, with a success rate of 40.1 per cent.

COMMENTARY

Given the shortage of single accommodation in Wales, the prevention success rate for single households is impressive. These figures suggest that local authorities are working in the spirit of the Housing Act by assisting all households on an equal basis. Bearing in mind that prior to April 2015 single households had few rights to homelessness assistance, it is a significant achievement that nearly a thousand single person households had their homelessness successfully prevented during the second half of 2015.

It's also important to remember that the Welsh standard for homelessness prevention is higher than that in use elsewhere – accommodation must meet strict suitability criteria and be likely to be available for at least the next six months.

Success rates are somewhat lower at relief stage. This is a reflection of the practical difficulties involved in dealing with homelessness that has already occurred. The fact that only households with an apparent priority need have a right to interim accommodation may be a further influencing factor.

Outcomes for households who remain homeless after relief stage

Welsh Government figures show that 76.5 per cent of outcomes at the final (section 75) stage were associated with a positive discharge of duty.

However, this does not take account of households who were excluded prior to the final duty stage because they were found intentionally homeless or not priority need. This analysis therefore looks at outcomes for all households who remain homeless after relief stage, including those who do not come under the final duty.

Figure 2: Outcomes for households who remain homeless after relief stage: all households

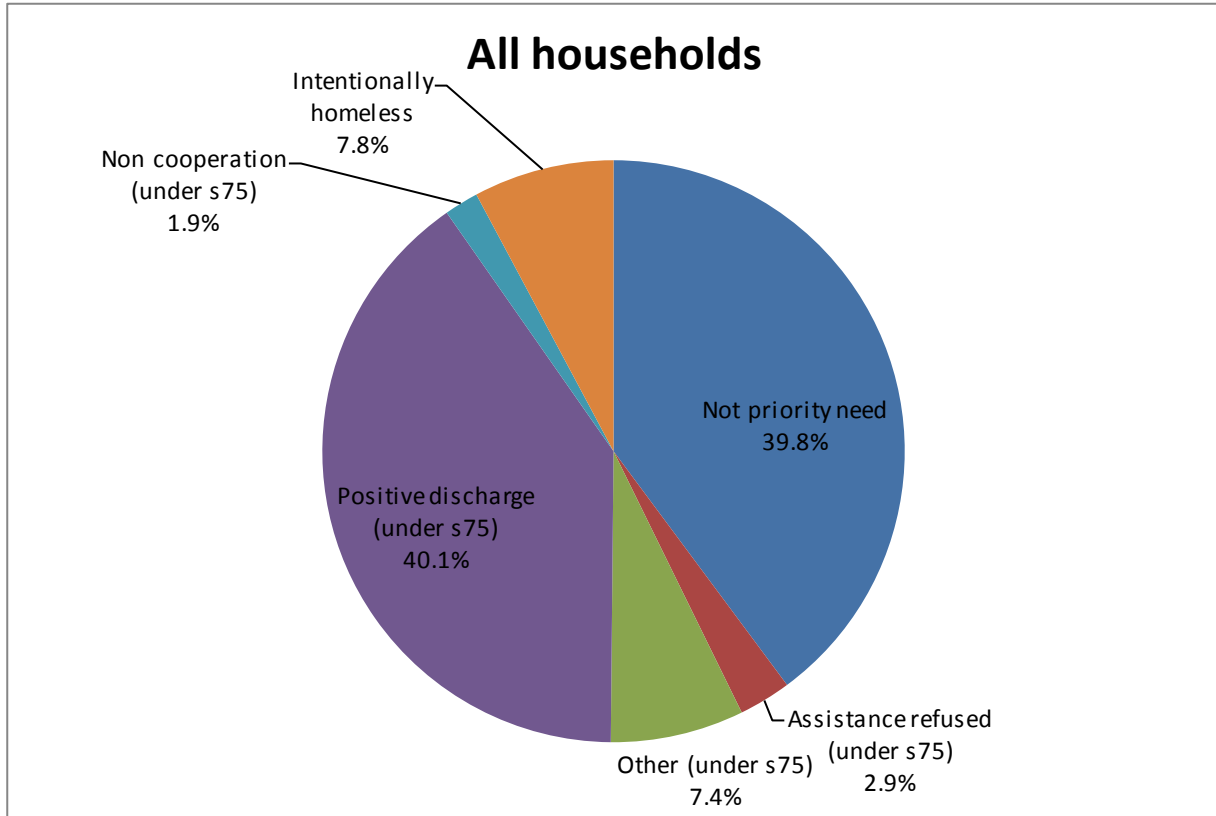


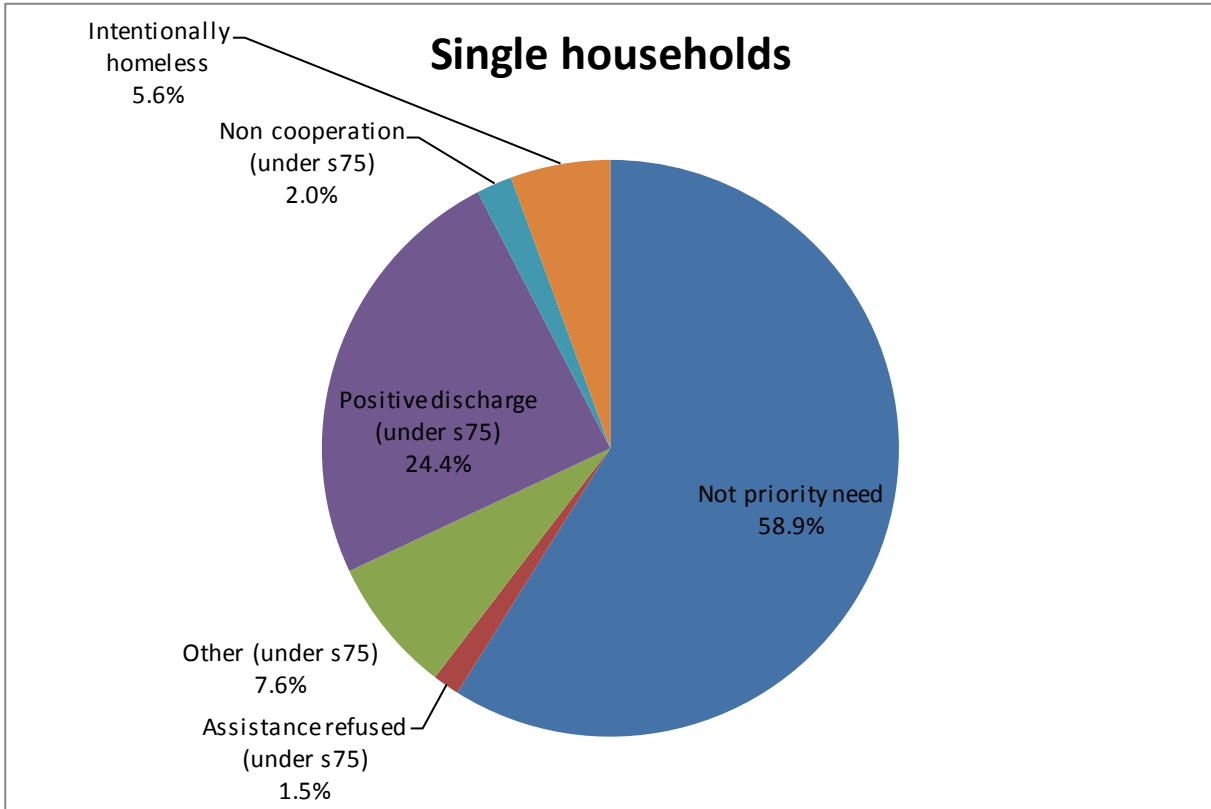
Figure 2 shows that two in five homeless households who reached the end of the relief stage without a successful outcome had their homelessness successfully resolved via the final duty.

This is a massive 76 per cent reduction on numbers found in priority need during the second half of 2014.

A further two in five were found not to be in priority need and were excluded from assistance on that basis. The remaining one-fifth exited the system for a variety of reasons, each of which is explored in more detail below.

Figure 3 demonstrates outcomes for single person households only: three in five were found to be not in priority need, while a further one in four had their homelessness successfully resolved via the final duty.

Figure 3: Outcomes for households who remain homeless after relief stage: single households only



COMMENTARY

With 76 per cent fewer people being found in priority need and owed a final housing duty, the economic value of the prevention-led approach is clear.

However, it is only at this stage that significant differences open up between the success rates for all households and those for single person households. This is due to the priority need test and, to a lesser extent, the intentional homelessness test, which restrict who is eligible for help under the final duty. Further research is needed to understand the impacts of this exclusion and whether it is really more cost-effective to exclude non-priority need households, given the administrative burden of carrying out tests and dealing with subsequent legal challenges.

Intentional homelessness

Overall there were 90 households found intentionally homeless – a 65 per cent reduction on the second half of 2014.

Local figures reveal that the majority of authorities are not using their powers to find households intentionally homeless, or are only doing so in limited circumstances.

COMMENTARY

The reduction in intentional homelessness decisions in Wales is remarkable. When the Housing Act gave local authorities the option to 'opt in' to assessing intentionality, every authority opted to retain the power for all, or nearly all, priority groups.

But despite wanting to keep the option – or the threat – of intentionality, it appears that authorities are for the most part choosing not to use it. And evidence from Shelter Cymru casework suggests that at least some households found intentionally homeless are still being assisted to access accommodation and support.

These changes suggest that intentional homelessness is on its way out in Wales. Most local authorities are well on their way to making intentionality a thing of the past. Given the Welsh Government's target of ending family homelessness by 2019, in our view authorities should be putting themselves ahead of the curve by revisiting their decisions to 'opt in' and applying it to fewer categories.

Failure to cooperate

The Housing Act introduced a new power for local authorities to end their duties towards a household for 'unreasonably failing to cooperate'.

In total, 690 households – 7 per cent of all assessed households² – had their homelessness duties ended for this reason. These outcomes are unevenly distributed through the three stages, comprising 8.5 per cent of outcomes at prevention stage, 9.6 per cent at relief stage, and 3.7 per cent at final stage.

Single households are over-represented among households deemed to have failed to cooperate. In total, 515 single households – 9.1 per cent of all single assessed households³ – had their homelessness duties ended for this reason, comprising 11.6 per cent of outcomes for single households at prevention stage, 12.1 per cent at relief stage, and 5.8 per cent at final stage.

COMMENTARY

These stats suggest that the power is being invoked more often than was originally envisaged by the Welsh Government. The Homelessness Code of Guidance is clear that '*authorities should not invoke s.79(5) until they have made every effort to obtain the co-operation of the applicant and explained the consequence of not doing so*', and also that '*the local authority must be satisfied that the applicant is not failing to cooperate because they are vulnerable, have an unmet support need or have difficulty communicating, perhaps as a result of ASD.*'

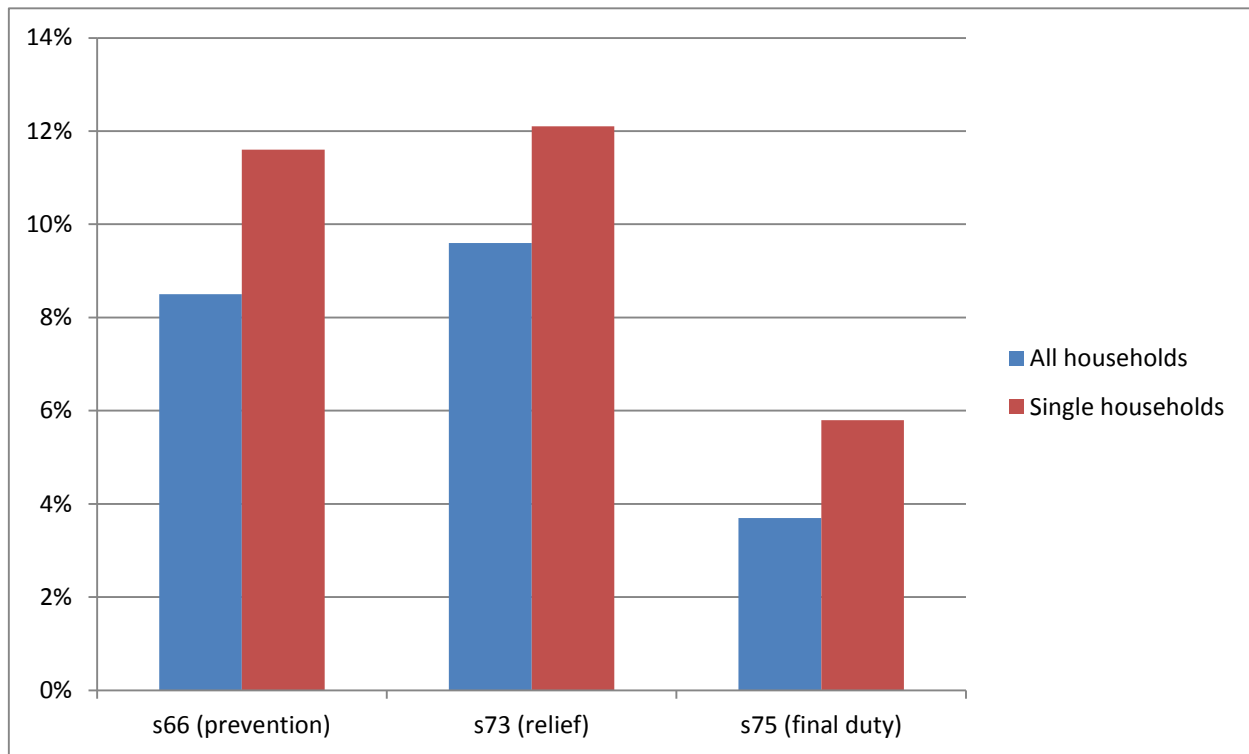
It is likely that some authorities are recording failure to cooperate inappropriately when they ought to be recording a withdrawn application or other outcome. There's an urgent need to understand what's really happening here, who's being affected and what the outcomes for those households are. Shelter Cymru casework suggests that in at least some cases, decisions are stemming from a failure to correctly identify vulnerable people's communication needs.

The logic behind 'failure to cooperate' was to incentivise priority need households to engage with relief work and not hold back for the final stage, when they may be entitled to more help. The fact that it is being applied to so many single households is a warning sign that the provision may not be working as intended.

² Estimated figure

³ Estimated figure

Figure 4: Failure to cooperate at prevention, relief and final stages: all households and single households



Exiting the system

Between July and December a total of 1,085 households exited the system – 10.9 per cent of assessed households⁴. These were for a variety of reasons: 210 households were recorded as refusing an offer, and 875 either withdrew their application, ceased to be eligible, or had their duties ended due to a mistake of fact (recorded as 'other').

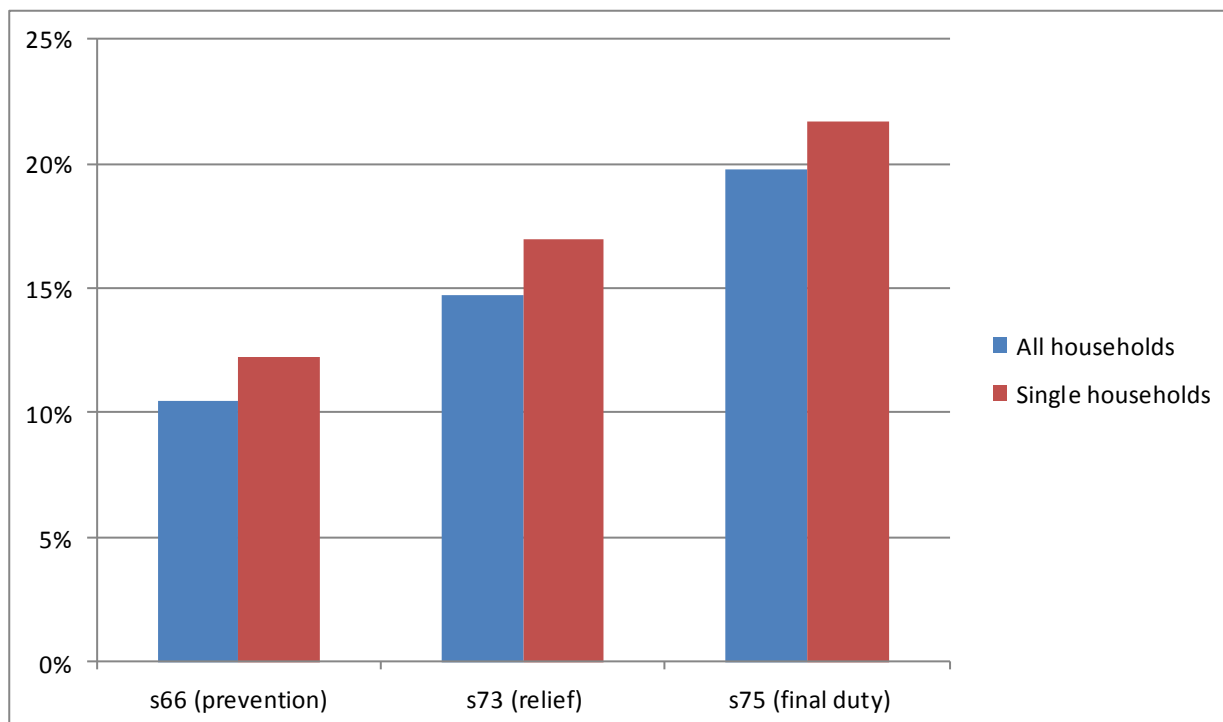
Again, there are significant differences between the three stages, with 10.5 per cent exiting at prevention stage, 14.7 per cent exiting at relief stage, and 19.8 per cent exiting at final stage.

Again, single households are over-represented with 12.4 per cent of assessed single households⁵ exiting the system.

⁴ Estimated figure

⁵ Estimated figure

Figure 5: Exiting the system due to refusing offer or other reason: all households and single households



COMMENTARY

Taking these figures together with failure to cooperate (at least some of whom are likely to have withdrawn their applications) between July and December a total of 1,775 applicants – comprising 17.9 per cent of all assessed households – exited the system for a variety of reasons.

More work is needed to understand the reasons why these households exited the system. It's likely that many of them will have resolved their own homelessness without intervention from the council. It's also likely that some of them will have remained homeless.

Households in interim accommodation

At the end of December 2015 there were 1,830 households in interim accommodation, a 14.9 per cent reduction on the previous year. Among these households were 680 families with children.

Homelessness status

A total of 3,075 households were found to be not homeless, comprising 31 per cent of assessed households⁶. This is only eight percentage points lower than the proportion of households found not homeless during the same six months in 2014 (39 per cent of recorded presentations).

There are some very large differences between local authorities, ranging from zero per cent to 60.5 per cent of assessed households⁷.

⁶ Estimated figure

⁷ Estimated figure

COMMENTARY

Under the old legislation, numbers found 'not homeless' were traditionally high because many authorities recorded prevention work under this category. With the implementation of the Housing Act, and the doubling of the definition of 'threatened with homelessness' to 56 days, many were expecting to see dramatic reductions in numbers found not homeless. These figures show that the drop has been much more modest than anticipated.

The vast differences between authorities are a sign of inconsistent practices. Anecdotally, we understand there are a number of different factors at play: a proportion are genuinely not homeless and are looking for general advice; some represent incorrect recording of withdrawn applications; some are the result of inflexible local authority systems which require every application to the housing register to go via Housing Options.

We also know that some authorities have been conducting rapid prevention work while the initial assessment is underway and then, having resolved someone's homelessness problem, are recording this activity under 'not homeless' rather than formally accepting a duty to assist. This practice is persisting from the days of the old legislation and is a concern, since there is no legal duty for prevention work to meet the high standard required by the Act, and households assisted in this way don't have access to legal redress.

Welsh Government has recently tightened up guidance to speed up assessments to ensure that prevention work is carried out within the context of a legal duty being accepted. This may help to bring numbers of 'not homeless' within more realistic levels.

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