

Response to the Welsh Government White Paper consultation: Ending Homelessness in Wales – January 2024

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Introduction

Shelter Cymru welcomes the opportunity to provide evidence to this White Paper consultation. Over four decades, Shelter Cymru has campaigned to end homelessness in Wales and has helped to shape the policy and legislative context in Wales. Specifically **we have long campaigned to end Priority Need and Intentional Homelessness provisions. We strongly support the Welsh Government’s ambition to “end homelessness in Wales. Where an individual’s experience of homelessness cannot be prevented, we are committed to ensuring the experience of homelessness is rare, brief and unrepeated.”**¹

As a charity, we exist to defend the right to a safe home, because **home is everything**. Last year, we helped over 22,000 thousand people across every local authority in Wales who have been affected by the housing emergency by offering free, confidential and independent advice. 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. When necessary, we constructively challenge on behalf of people to ensure that they are properly assisted, and to improve practice and learning. We fight the devastating impact the housing emergency has on people and communities in Wales through our campaigning, advice and support – and we never give up.

¹ https://www.gov.wales/sites/default/files/consultations/2023-10/ending-homelessness-white-paper_0_0.pdf

Due to our established role in providing expert housing advice at scale to people facing homelessness in Wales, Shelter Cymru was a key member of the Independent Expert Review Panel tasked with considering how homelessness in Wales could be ended through legal reform. We are pleased to see that the recommendations and advice of the panel have informed these proposals.

The principles for assessment and support set out reflect a welcome move towards becoming a trauma informed society, and it is encouraging to see acknowledgment that people experiencing homelessness may have complex, ongoing support needs that require nuanced, multi-disciplinary interventions, often in the long term.

Shelter Cymru fully supports the extension of rights proposed and the move from gatekeeping to enabling everyone in Wales to have access to a suitable home. We want to see improved rights in law for people experiencing homelessness. We believe that this extension of rights will help to drive the step change in priorities and resources that are necessary to end homelessness.

However, as the Expert Panel² recognised, housing supply, or rather, undersupply is an ongoing challenge causing “*delays and strains within the homelessness system.*” Whilst the spirit of the proposals being presented reflect Shelter Cymru’s ongoing campaign to end homelessness and strengthen our safety net for those who by exception face homelessness, the key enabler to realising these ambitions is the accelerated delivery of suitable social homes.

We also cannot respond without acknowledging the immense pressure which front line homeless prevention, assessment, advice and support services in the statutory and third sector are facing. **Effectively implementing the proposals in this White Paper requires a good home to be front and centre of cross-government priorities. And more social homes to be available. It requires an explicit strategy to provide the secure homes that people can afford, underpinned by the resources to deliver it, as part of a wider implementation strategy. These are key enablers. A significant potential blocker to implementing the White Paper proposals is being highlighted by the Housing Matters**

² <https://www.crisis.org.uk/media/uqgbuwpp/ending-homelessness-in-wales-a-legislative-review.pdf>

campaign, as any proposed real terms cuts in funding presents risks to our cross-sector commitment to preventing and ending homelessness.

Since 2019, we've campaigned with our Back the Bill ³ partners – Tai Pawb and CIH Cymru – to secure housing as a human right and built the evidence base to support our call for the incorporation of the right to adequate housing in Wales. At Shelter Cymru, we have particularly sought to promote the role of the right to adequate housing in facilitating an end to homelessness. **We believe that establishing a right to adequate housing will set the foundations for a whole system approach, pushing a good home up the policy and budget priority list and enabling us to progressively realise a Wales where everyone can access a suitable home.**

The Back the Bill coalition have provided a joint response to this consultation which considers in greater depth the benefits of the progressive realisation of a good home for all to support the Minister's priorities in relation to ending homelessness and establishing a programme of rapid rehousing.

³ <https://www.taipawb.org/policy-influencing/backthebill/>

Reform of the existing core homelessness legislation

Q1. Do you agree these proposals will lead to increased prevention and relief of homelessness?

Q2. What are your reasons for this?

Q3. Are there additional legislative proposals you think we should consider to improve the prevention and relief of homelessness?

The proposals to reform the existing statutory homelessness framework are focused upon strengthening and simplifying the safety net provided by local authority services, broadening eligibility, improving communication with the applicant and providing support to avoid a revolving door of homelessness. These are all measures which Shelter Cymru fully support.

In particular, we welcome the extension (to six months) of the time period in which a person should be considered as threatened with homelessness. This is practical in terms of the longer notice periods introduced by the Renting Homes Wales Act. It is also helpful in giving a wider time window for homeless prevention activities to take place, given the likely difficulties in securing alternative accommodation in our current housing system.

Proposals to improve the consistency of the reasonable steps taken to secure accommodation and how these are communicated through Personal Housing Plans (PHP) are also positive. We consulted with people with lived experience of the current system who described a “*faceless service*” with little or no direct contact with an advisor, where their PHP was considered “*the piece of paper I was given*”.

We welcome recognition of the need for communication methods to be tailored to an applicant's needs. Whilst standardised letters and forms can bring efficiencies to the service at a time of high demand, a person-centred approach is far more effective in helping someone to navigate their journey through the assessment process.

We would welcome clear, robust expectations around what PHPs should look like, and contain under the statutory duty to provide them. We would like to see a best practice template which has been designed through consultation with those who have

experienced homelessness, Shelter Cymru's Take Notice Project would be well placed to assist with this.

A further area of concern for Shelter Cymru is how a much-welcomed new duty to provide support to help a person retain accommodation where they have been helped to secure it, will be resourced in practice. This is an important step towards ensuring tenancy sustainability, but will require significant revenue funding and stabilisation of the support sector at a time when the Housing Support Grant has been frozen, resulting in a real terms decrease. To be truly person-centred the time period for receiving support should not be limited. For some people, support will be necessary in the longer term to ensure that homelessness does not reoccur.

Q4. Do you agree with our proposal to abolish the priority need test?

We support the proposal to abolish the priority need test. Welsh Government also needs to set out a clear plan for successful implementation, set against the wider agenda of increasing the supply of social homes and ensuring the allocation of social homes helps end homelessness.

It is a long-held campaign ambition of ours to see the removal of the priority need test from the statutory framework and to mirror the legal reforms already seen in Scotland. We see the test being implemented inconsistently and it contributes towards a culture of process and determining gatekeeping which can be traced back to the '*deserving*' and '*undeserving*' ethos of historic homelessness policies.

Shelter Cymru has successfully campaigned for a legislative amendment to the priority need categories to include people who are sleeping rough and valued the "nobody left out approach" adopted during the pandemic. We recognise that, as the consultation paper acknowledges, many local authorities have continued to operate in a "*priority need neutral*" way⁴ however as participants in the 2020 Welsh Government review of priority

⁴ https://www.gov.wales/sites/default/files/consultations/2023-10/ending-homelessness-white-paper_0_0.pdf

need recognised, current resource limitations result in a “*need for some form of rationing and prioritisation*”⁵.

We have heard clear concern from local authorities about the removal of the priority need test and the fact that it would “*break the system*” if it was adopted today due to the lack of accommodation options available to them. In a stakeholder consultation event held by Welsh Government for this consultation, local authority representatives stated that “*not having priority need feels like not having a process*”. These comments reflect a significant culture change project such as this will require careful planning to be effective and also a lack confidence in the ability to make this shift without a commitment to clear implementation plans that consider the supply of suitable homes. **However, we fully support the proposals in relation to priority need reflecting a move away from gatekeeping to enabling everyone to have access to the fundamental right of a suitable home. We believe that this change will also help drive the necessary prioritisation of resources.**

Q5. Do you agree with our proposal to abolish the intentionality test?

Abolishing the intentionality test is another important step in broadening eligibility, moving away from concepts of deserving and undeserving applicants and acknowledging that what might be perceived as deliberate acts to cause homelessness may be symptoms of wider support needs.

Our recent 2023 report Reframing Anti-Social Behaviour⁶ evidenced this, finding that a significant number of people who were going through eviction procedures due to ASB had a long history of trauma and significant unmet support needs. We are pleased to see the White Paper making positive statements around recognising the link between ASB and trauma.

Whilst numbers to benefit from the removal of the test will be relatively small, the impact on those individual households will be significant. Our consultation with people with lived

⁵ <https://www.gov.wales/review-priority-need-wales-summary-html>

⁶ https://sheltercymru.org.uk/policy_and_research/reframing-anti-social-behaviour-a-review-of-homelessness-prevention-good-practice-in-wales/

experience highlighted that while current instances of the use of the intentionality test may be low, conversations about its existence appear to be more common. People spoke of feeling pressured to accept offers of permanent accommodation, and even feeling pressured to accept spaces in temporary accommodation (TA), so as not to be appear to be *“making themselves intentionally homeless”*. This area of the proposals would require a potentially significant shift in culture for some local authorities.

This is an example of where it is important that the homelessness framework and allocation policies are aligned to support vulnerable households. The introduction of a deliberate manipulation test in the allocations process provides an improved position compared to the current test for unacceptable behaviour, but it presents risks in its implementation. It may undermine the formative shift to trauma-informed approaches, and risks perpetuating a focus on investigating, rather than solving, a person’s homelessness. If implemented, Welsh Government will need to be assured that local authorities are well equipped to identify and understand the support needs of applicants. If wider support needs are identified through the homelessness assessment process then these should be taken into account in any deliberate manipulation test, and we would like to see checks and balances, informed by lived experience included in any proposals.

Q6. Do you agree with our proposal to keep the local connection test but add additional groups of people to the list of exemptions to allow for non-familial connections with communities and to better take account of the reasons why someone is unable to return to their home authority?

If the wider aspiration is to remove any barriers in the homelessness assessment process, then the local connection test should also be abolished. We do however recognise the concern expressed by local authorities about this, which again is influenced by continued pressures and limited resources. We recognise that there may be some concern from local authorities about the free movement of homeless presentations across Wales. **We do however fully support the proposals to add additional groups to the list of exemptions and the acknowledgment that support and community networks exist across administrative boundaries.**

Q7. The accompanying Regulatory Impact Assessment sets out our early consideration of the costs and benefits of these proposals. Are there any costs and benefits we have not accounted for?

The most significant cost associated with these proposals is the inevitable rise in demand for TA if the priority need test is removed. The Regulatory Impact Assessment refers to cost analysis from research conducted in 2020⁷ and an estimated additional cost of approximately £3 million by 2028/29 if the test was abolished over a 5 and 10 year period. We believe that this is a significant underestimate.

A dramatic rise in TA usage has been seen over recent years, without any legislative change, fuelled by the pandemic, “nobody left out” policy, the cost of living crisis and turbulence in the private rented sector – and ultimately by the lack of affordable social homes. BBC research ⁸ recently reported a spend of nearly £43 million last year across Wales (20 out of 22 authorities), a 7-fold increase in the last 5 years (£5.6 million in 2018). **We would like to see more work done in this area to understand the resources required to successfully implement a “priority need neutral” framework, both for TA provision and an increased supply of permanent homes.**

⁷ <https://www.gov.wales/sites/default/files/consultations/2023-10/ending-homelessness-integrated-draft-regulatory-impact-assessment.pdf>

⁸ <https://www.bbc.co.uk/news/uk-wales-67637352>

The role of the Welsh Public Service in preventing homelessness

Q8. Do you agree with the proposals to apply a duty to identify, refer and co-operate on a set of relevant bodies in order to prevent homelessness?

Shelter Cymru is pleased to see the proposal to introduce a new legal duty across the public sector to work together where a person is experiencing homelessness, or the risk of homelessness is identified. It is only by working in partnership that person-centred support can be co-ordinated across a variety of organisations. The benefits have been known for some time, but a legal duty is needed to make it a reality.

In order to be a trauma-informed society, our essential public services need to understand the inherent links between homelessness and issues such as mental health and substance misuse. It is also vital that we do not see a home as the ultimate solution to all of a person's previous support needs but as the essential foundation on which a longer process of support can be built

Whilst the spirit of cooperation has been long discussed and is not contentious, we have to acknowledge that all public services are stretched. A statutory duty would provide a framework to define roles and expectations, allow responses to be monitored and enable consistency in co-operation.

Our consultation with people who have experience of being homeless and navigating the current system showed cautious optimism on this area of the proposals. They were positive about the aims of the duty but felt that the concept of *'identify and refer'* was vague and that without clarity this could undermine the aim of this proposal.

Q9. Do you agree with the proposed relevant bodies, to which the duties to identify, refer and co-operate would apply? Would you add or remove any services from the list?

We are disappointed to see that education is not included in the proposed relevant bodies although its role is recognised elsewhere in the White Paper and was clearly highlighted by the Expert Review Panel. Alongside health and the criminal justice system, education services will come into contact with groups at heightened risk of 'multiple exclusion homelessness' well in advance of any contact they have with housing and homelessness services.

The Panel report⁹ recommended that head teachers of schools, pupil referral units, principals of further education colleges and higher education organisations should be included among the organisation with a duty to identify and refer. Schools and the wider education system in general could be vital in helping identify children and young people who are at risk of homelessness, as well as supporting children who may be living in TA. Not only does this affect a pupil's ability to focus and do well in school, but teachers are well placed to recognise signs of abuse or a breakdown in a child's family.

We note that this is subject to further testing and impact assessments and set against a recent commitment made by the Welsh Government in relation to reducing workload and bureaucracy for school staff. It would be disappointing if this cannot be resolved.

We recognise the additional challenge of applying this duty to non-devolved bodies, such as policing or the asylum seeking process. We hope to see Welsh Government achieve agreements with these bodies to ensure a consistent approach across Wales.

Although not a public body, this also feels the most appropriate place in our response to note our disappointment that the Expert Review Panel's recommendations to create a duty for private landlords to refer tenants at risk of homelessness to a local authority has not be taken forward. As the White Paper recognises, a pre-action protocol could require referral when a possession notice is served and give authorities the earliest possible notice of a potential eviction. We note that this will be considered as part of policy development in relation to the private rented sector but would not want its potential in aiding homeless prevention be lost.

⁹ <https://www.crisis.org.uk/media/uqgbuwpp/ending-homelessness-in-wales-a-legislative-review.pdf>

Q10. In your view have we struck the right balance between legislative requirements and operational practice, particularly in relation to health?

Q11. What practical measures will need to be in place for the proposed duties to identify, refer and co-operate to work effectively? Please consider learning and development needs, resources, staffing, location and culture.

It is good to see that Welsh Government are mindful of how the proposals will work in practice and that there is consideration of how they will sit against existing systems and processes.

It will be essential to ensure that specified public bodies know what signs and circumstances should trigger a referral to a local housing authority homelessness service. Culturally, it is important that we help the wider services being included in the new duty to understand the complex socio-economic factors that contribute to homelessness, and tie this into the drive to make Wales a trauma-informed society.

Shelter Cymru have recently worked with Public Health Wales¹⁰ on a mapping exercise of homelessness services to raise awareness of where stronger links could be made. This flagged to us a general lack of understanding around the concept of homelessness, its causes and the statutory framework. We learnt that other sectors are not as knowledgeable as we would often assume them to be. **Any new duties must be supported by training and awareness raising to ensure there is a shared baseline understanding across staff employed by all relevant bodies.** This should be regarded as an ongoing requirement, consistently implemented as new staff join organisations, and to provide updates on policy developments.

Other practicalities in terms of the duties to identify refer and co-operate that we would like to highlight include:

- Consent - Involvement of primary services is key, particularly in relation to mental health support, but this is normally dependent upon clear consent from the person needing help. We are unsure how referrals could be made in a situation

¹⁰ Not yet published

where someone does not acknowledge a support need around mental health but is identified as at risk of homelessness.

- Data sharing - Successful referral mechanisms are dependent upon the ability to be able to share data across organisations. This is a complex area and will require support from Welsh Government.
- Co-ordination - The referral process itself needs to be effectively managed to avoid duplication and ensure that action is taken. It may be beneficial to see a case co-ordinator role within the homelessness service to facilitate this. Consideration also needs to be given to systems which can track individuals across services, so as to avoid duplication of work and confusion over who is doing what and when.
- Staff resources - Staffing levels are an issue across the public sector and may be a practical barrier to fulfilment of the duty. As one person with lived experience who talked to us about the proposals highlighted, *"How can you ask GPs to add another job on top of what they already do? How much more can we expect of services that are already stretched to breaking point, and ask them to navigate through yet another system."*

Q12. In addition to the broad duties to identify, refer and co-operate, this chapter contains proposals to provide enhanced case co-ordination for those with multiple and complex needs. To what extent will the proposals assist in preventing homelessness amongst this group?

Shelter Cymru recognise the clear benefits of a multi-agency approach and the success that can be achieved through case-coordination for those with particularly complex support needs. We welcome the recognition of good practice taking place across Wales through multi-disciplinary teams (MDTs) and panels and feel that these should be required in every local authority area, rather than "where appropriate", as stated in the White Paper.

Co-located services would enhance understanding of different professional responsibilities and promote better communication. MDTs should be a service standard across Wales, so that support is maintained beyond the initial homelessness duty, particularly in areas where support services are more disparate. Where MDTs are already

in operation, good practice sharing and reflective assessments of successes and failures would be invaluable to others.

In addition to the practical benefits of greater multi-agency co-ordination for people with complex support needs, we would support the reinforcement of a culture focused on successful outcomes to counter the too common practice of statutory homelessness duties being discharged and the safety net removed because someone's needs are greater than can be met by the immediate housing provision and support available.

In relation to a multi-disciplinary approach our engagement with people who have experienced homelessness highlighted concern about the need to remain person centred: *"People need help just to navigate the system. Who is going to advocate for them in this multi-disciplinary set up? How will they know what help they can get?"*

We are also concerned about the subtle difference between the White Paper and Expert Review Panel recommendations, i.e. that this approach should be adopted for people requiring input from three or more public services, rather than two or more, significantly reduces the scope of this proposal and the number of people who would benefit. We would like to see adoption of the two or more approach.

Q13. The accompanying Regulatory Impact Assessment sets out our early consideration of the costs and benefits of these proposals. Are there any costs and benefits we have not accounted for?

We feel that for this area of the proposals, the Regulatory Impact Assessment should reflect more fully on the shared financial benefits across the public sector that would be realised from greater co-operation around homelessness cases. We would ask Welsh Government to consider the cost benefit analysis¹¹ for incorporating the right to adequate housing as a human right. This clearly indicated the beneficial impact on health spend and other public sector services.

¹¹ https://sheltercymru.org.uk/policy_and_research/right-to-adequate-housing-report/

Targeted proposals to prevent homelessness for those disproportionately affected

Q14. Are there other groups of people, not captured within this section, which you believe to be disproportionately impacted by homelessness and in need of additional targeted activity to prevent and relieve this homelessness?

The White Paper is fairly comprehensive in its recognition of groups who would be disproportionately impacted by homelessness. We cannot stress enough however the importance of engaging with all groups with protected characteristics with lived experience of homelessness to ensure that their specific needs are taken into consideration.

Q15. What additional legislative or policy actions could be taken to prevent or relieve homelessness for the groups captured by this White Paper?

The White Paper describes the well-established pathways for young people and those leaving the criminal justice service and others will be better placed to discuss the detail around these. These pathways have been clearly advocated for and promoted over time and, to reiterate our earlier point, **we would welcome a position where multi-disciplinary approaches to complex needs, mental health issues and substance misuse are clearly embedded in service responses.**

Q16. Our proposals related to children, young people and care experience seek to improve and clarify links between homelessness legislation and the Social Services and Wellbeing Act. Significant policy development is required to assess the practicality of this. What, in your views are the benefits and challenges of our approach and what unintended consequences should we prepare to mitigate?

Q17. Do our proposals go far enough to ensure that 16 and 17 year olds who are homeless or at risk of homelessness receive joint support from social services and local housing authorities? What more could be done to strengthen practice and deliver the broader corporate parenting responsibilities?

Q18. Do you agree or disagree that the Renting Homes (Wales) Act 2016 should be amended to allow 16 and 17 year olds to be able to hold occupation contracts?

Again, we feel that other organisations are in a stronger position than us to comment in detail on the proposal related to children, young people and those with care experience but we would be willing to contribute where we can to any proposals that might be developed.

Our only thoughts in this area are that it is important to remain person-centred and not assume a particular level of support is required based upon a person's age or experience alone. For example, it is very much the case that some 19 year olds may be better able to manage a tenancy than some 25 year olds. Equally, the suitability of accommodation settings will be based on individual circumstances.

Q19. The accompanying Regulatory Impact Assessment sets out our early consideration of the costs and benefits of these proposals. Are there any costs and benefits we have not accounted for?

We are not aware of any further costs or benefits which have not been considered.

Access to accommodation

Q20. To what extent do you agree or disagree with the short-term proposals to increase the suitability of accommodation? Are there additional immediate actions you believe should be taken for this purpose?

We are very pleased to see that Welsh Government have agreed with the recommendations of the Expert Review Panel to set minimum thresholds for TA standards.

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

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

We are pleased that the White Paper not only acknowledges the need for quality accommodation with appropriate facilities, but also the impact on support networks. 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 support 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.

We do believe however that there are two elements which are not covered by the proposals which also need consideration in relation to the suitability of TA:

- Rules and restrictions - We've heard how many people living in TA 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.
- Rent and service charges - We're also very concerned about the financial impact of living in TA, informed by a recent review of our casework. 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. 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 note the inclusion of Homeless at Home in the proposals. We would hope that attention will be given to ensuring a person-centred approach that maximises choice for people who are homeless, consistency in the approach being taken by local authorities and to ensure that Homeless at Home doesn't in reality become a waiting list for TA.

Q21. To what extent do you agree or disagree with the proposals around the allocation of social housing and management of housing waiting lists? What do you believe will be the consequences of these proposals?

In the light of our housing emergency and the record number of people living in TA it feels only right for the scarce resource which is social housing to be allocated to those in the greatest need, i.e. those who are homeless and owed a statutory duty. We welcome both the proposal to assign additional priority to those who are homeless over other priority groups and the provision to ensure that an RSL landlord cannot unreasonably refuse an allocation referral.

We appreciate that some social landlords are concerned that this will result in allocations only being made to people with support needs, and how to provide the support and management resources required to sustain tenancies. However, we must not make blanket assumptions about homeless households. Ultimately, we believe that Welsh Government needs to lead a wider debate about who social housing in Wales is for. The housing emergency is fuelling this debate.

Whilst our homelessness framework has seen significant change over recent years, allocation policies and systems are governed by the Part 6 Housing Act 1996 legislation from nearly 30 years ago. **We feel that if the door is again being opened to legislative reform then this should be across both homelessness assessment and social housing allocations so that the two systems can become more integrated and cohesive.** Tests of unacceptable behaviour, deliberate manipulation and local connection are all examples where there are separate but related hurdles in each system which can be contradictory.

When considering proposals concerning social housing waiting lists, we must be mindful that they are not only a source of tenants for vacant properties, but also the most reliable data source we have to assess housing need, to inform planning processes and future housing development.

Common Housing Registers not only streamline the process for applications, they also improve our data knowledge by removing the duplication of applications made across

a number of local landlords. **We agree that common registers should now be a statutory requirement across all local authorities in Wales.**

We do not support the proposed power to remove people with no housing need from the waiting list in their areas. An open waiting list can provide a fuller picture of both need and demand. The process of applying for accommodation also provides an opportunity for advice about housing options in the area to be given, housing advice itself being something that should be available to everyone. We firmly believe that this is the very earliest point in the homeless prevention process. Although someone may not currently be in housing need, let alone homeless, this enables them to be informed about the realities of their local housing market and the assistance which may be available to them if needed.

Q22. To what extent do you agree or disagree with the proposal for additional housing options for discharge of the main homelessness duty? What do you foresee as the possible consequences (intended or unintended) of this proposal?

We agree with the proposals to include supported lodgings, supported accommodation and remaining or returning to previous accommodation, including the family home to allow flexibility for individual circumstances.

As the Expert Review Panel¹² recognised, while 'additional option' accommodation will be appropriate for some people in certain situations, the 'standard options' of social housing or a tenancy in the private rented sector are more secure and should remain the default.

We strongly view social homes as the only option which provides the security that households seek at a more affordable cost, helping prevent homelessness recurring. Whilst we appreciate social homes are in short supply, to meet the needs of homeless households in the future, we continue to call for more homes to be provided by social landlords and would not want this proposal to detract from this ambition.

¹² <https://www.crisis.org.uk/media/uqgbuwpp/ending-homelessness-in-wales-a-legislative-review.pdf>

The development of clear guidance and mechanisms to monitor of the use of maximal housing options will be essential to ensure that this increased flexibility for local authorities is used appropriately. Equally important is the need for the ending of the duty to be dependent upon receiving independent housing advice.

Q23. The accompanying Regulatory Impact Assessment sets out our early consideration of the costs and benefits of these proposals in relation to access to housing. Are there any costs and benefits we have not accounted for?

We are not aware of any costs or benefits that have not been accounted for in relation to access to housing.

Implementation

Q24. To what extent do you think the proposals outlined above will support the implementation and enforcement of the proposed reforms?

Q25. What other levers/functions/mechanisms could be used to hold local housing authorities and other public bodies accountable for their role in achieving homelessness prevention?

The White Paper proposals will need to be supported by an implementation strategy published by Welsh Government in order to ensure accountability.

Data is also key to understanding the profile of homelessness in Wales, planning policy responses, ensuring adequate resources and monitoring implementation. We are particularly pleased to see this being clearly recognised in the White Paper. Whilst we appreciate that there is a need to ensure that data collection does not burden already stretched services, it is vital to ensure that officials can fully assess how policy direction is being implemented at a service level, and also to enable Welsh Government to be held to account.

Q26. The accompanying Regulatory Impact Assessment sets out our early consideration of the costs and benefits of these proposals. Are there any costs and benefits we have not accounted for?

We feel that all costs and benefits have been accounted for.

Q27. What, in your opinion, would be the likely effects of the proposed reforms in this White Paper on the Welsh language? We are particularly interested in any likely effects on opportunities to use the Welsh language and on not treating the Welsh language less favourably than English.

Do you think that there are opportunities to promote any positive effects?

Do you think that there are opportunities to mitigate any adverse effects?

We do not believe that these proposals are likely to have any specific impact on the Welsh Language. Local Authorities and other public sector bodies are under a duty to ensure

that services are made available bilingually and any policy or service developments would be subject to an equalities impact assessment.

Q28. We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

Shelter Cymru has no further points to raise at this time.