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Welsh Government
Consultation response form

Consultation on the White Paper on Ending Homelessness in Wales

Action required: Responses by 16 January 2024

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Mae'r ddogfen hon ar gael yn Gymraeg hefyd / This document is also available in Welsh
Rydym yn croesawu gohebiaeth a galwadau ffôn yn Gymraeg / We welcome
correspondence and telephone calls in Welsh

Overview

This White Paper sets out a range of proposals for changes to policy and the law, to end homelessness in Wales.

How to respond

Please respond by completing the online form or completing this questionnaire and sending it to HomelessnessLegislationReform@gov.wales

If you intend to respond in writing, please send completed forms to:

Homelessness Prevention Legislation Team
Welsh Government
Cathays Park
Cardiff
CF10 3NQ

When you reply, it would be useful if you confirm whether you are replying as an individual or submitting an official response on behalf of an organisation and include:

- your name
- your position (if applicable), and
- the name of organisation (if applicable).

Further information and related documents

Large print, Braille and alternative language versions of this document are available on request.

Data Protection

The Welsh Government will be data controller for any personal data you provide as part of your response to the consultation. Welsh Ministers have statutory powers they will rely on to process this personal data which will enable them to make informed decisions about how they exercise their public functions. Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about or planning future consultations. Where the Welsh Government undertakes further analysis of consultation responses then this work may be commissioned to be carried out by an accredited third party (e.g., a research organisation or a consultancy company). Any such work will only be undertaken under contract. Welsh Government's standard terms and conditions for such contracts set out strict requirements for the processing and safekeeping of personal data.

In order to show that the consultation was carried out properly, the Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. If you do not want your name or address published, please tell us this in writing when you send your response. We will then redact them before publishing.

You should also be aware of our responsibilities under Freedom of Information legislation.

If your details are published as part of the consultation response then these published reports will be retained indefinitely. Any of your data held otherwise by Welsh Government will be kept for no more than 3 years.

Confidentiality

Responses to consultations may be made public on the internet or in a report.

If you would prefer your response to remain anonymous, please tick here:

Reform of the existing core homelessness legislation

Question 1

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

No. Over the short to medium term, we believe the changes would have a negative impact on the prevention and relief of homelessness. The key to preventing homelessness is the supply of affordable housing, both in the social and public sector, and achieving this is not addressed in the White Paper. Placing additional duties on Local Authorities at the current time is likely to exacerbate the current crisis rather than reduce homelessness.

Cardiff Council agrees with many of the principles and ambitions contained within Chapter 1 of the White Paper, and that, with a significant increase in capital and revenue funding over a long period of time, these will help to increase prevention rates and relief of homelessness. However, we believe that there are many proposals that, although made with good intentions, will lead to unintended consequences, and will increase pressures and demand on an already overstretched system.

We believe that some of the proposals will increase dependency, remove personal responsibility and lead to expectations from applicants that cannot be met by the Local Authority. In this, the proposals move away from the approach that empowers and supports individuals to find their own solutions and which is one of the key factors in the Housing Wales Act.

Responses below will provide more detail about our views on each proposal but in the short term to medium term, we believe that many of the changes are unachievable. Most of the proposed changes could only be achieved with significant revenue and capital investment and over a very long period of time. We believe that some proposals unfortunately are probably not achievable at all, even with considerable investment.

Very high-level estimated costings, based on a number of assumptions have also been detailed in each Chapter under the RIA response.

Question 2

What are your reasons for this?

In the current climate, many of proposed changes are not possible. Cardiff Council declared a Housing Emergency in December 2023 due to the lack of supply of affordable housing in the city and the unprecedented demand on services. Many of the proposed changes will only add more pressures and demand on services that are already significantly overstretched.

Although a small country, Wales is made up of very diverse communities and these proposals do not consider the differences between the local authority areas including different demographics, different communities and different housing need. Local Authorities are best placed to understand local need and how best to address this using local solutions.

The success of the proposed reforms are also dependant on other key policy intervention, some of which are the responsibility of the UK rather than the Welsh Government. These include increasing Local Housing Allowance (LHA) rates and a clearer response to those with No Recourse to Public Funds (NRPF).

Each proposal within Chapter 1 has been fully examined and Cardiff's responses to the each of the proposed changes are outlined below;

1. A person is threatened with homelessness if it is likely that the person will become homeless within six months or they have been issued with a Notice Seeking Possession

Cardiff Council welcomes this proposed change as it will allow Prevention Officers to take a more proactive approach before the point of crisis, with a longer period to support those at risk of homelessness. This will require a significant increase in revenue funding and could only be achieved when the current housing emergency has been stabilised. So, in summary this could only be achieved in the medium term and only if additional resources are provided.

2. Where a person is permitted to reside in an area, but does not have access to clean water, waste facilities and toilet facilities, they should fall within the definition of homeless under section 55 of the HWA 2014

Cardiff Council welcomes this proposed change. The impact of this change on Homelessness Services in Cardiff would be minimal, so could be achieved in the short term.

3. A statutory duty to draw up a Personal Housing Plan (PHP) containing the steps the local housing authority will take to secure accommodation for the applicant.

This is welcomed and will support a person-centred approach but can only be achieved in a comprehensive way if additional revenue funding is provided and

once the exceptional demand on services that is currently being experienced has stabilised.

The use of Personal Housing Plans (PHP) is already in place in Cardiff. Currently PHP's are only completed with those applicants who are threatened with homelessness and are receiving support under a duty to help prevent homelessness.

It should be noted that not all applicants will participate actively in this process due to their complexities, so there needs to be flexibility for this cohort of people. This proposal will require significant revenue funding and the recruitment of additional staff, so could only be achieved in the medium term.

4. Statutory duty to review the needs assessment and PHP with the applicant within a defined timescale of 8 weeks.

The changes proposed require PHPs to be reviewed regularly to reflect the changing needs and circumstances of the applicant. This will involve regular meetings with clients and therefore an increase in staffing and therefore additional revenue will be required.

Whilst regularly reviewing a PHP is welcomed, there needs to be some flexibility for the most complex and chaotic individuals who may not engage with the process. Having repeated reviews of Personal Housing Plans may cause distress in terms of triggering any anxieties / trauma.

Having to review the case every 8 weeks may be too frequent. Review timeframes could be agreed between case officer and client to ensure they are person-centred and not just a tick box exercise. This change could only be achieved in the medium term, once the current housing crisis has stabilised and additional staff have been recruited.

5. Statutory duty to include an applicant's views on their accommodation needs in a PHP.

Cardiff does not agree with this proposal. Whilst in principle an applicant's views on their accommodation needs should be taken into account, it is not realistic to provide any significant choice on type of accommodation at the current time, given the current status of housing supply in Cardiff. This sets unfair and unrealistic expectations for the applicant which are very unlikely to be achieved.

The White Paper also is not specific enough about the needs that should be considered. More clarity in terms of the actual proposal is required to fully respond to this proposal. However, our overall view is that any increase in choice of accommodation is unrealistic in the current housing situation and will significantly delay move on from temporary accommodation.

6. A right to request a review in relation to the reasonable steps taken to prevent homelessness or secure accommodation outlined in an applicants assessment of housing need and their PIP.

This proposal is agreed. At present if a reasonable step has been agreed, for example “pay outstanding rent arrears” and the applicant has the means to do this but does not adhere to this, the Local Authority can end its legal duty due to unreasonable failure to engage. The proposed change means that the client could now request that this decision is reviewed. This will inevitably lead to more reviews and so there will be increased revenue required. Additional consideration of this proposal is required including what the solution would be if an agreement cannot be reached with a client and how would any unrealistic demands be managed?

7. A right to request a review of the suitability of accommodation at any time during an applicant’s occupation of the accommodation (which should be available beyond 21 days).

Cardiff does not agree with this proposal. A sensible time limit must be in place to request a review of a decision under the homelessness legislation and Cardiff believes that 21 days is sufficient time for a client to decide whether the accommodation is suitable. The proposal appears to allow a client to raise concerns many years later that their property is unsuitable for their current needs.

When a household’s circumstances change the arrangement at the current time is that they can reapply to the Housing Waiting list if their property no longer meets their housing needs. We believe this is the most appropriate approach.

8. A new duty on local housing authorities to help support a person to retain accommodation where the applicant has been helped to secure accommodation (which might be their existing accommodation) or where accommodation has been offered to and accepted by the applicant.

Cardiff Council welcomes this proposal if additional resources are made available and would be able to implement this in the medium term.

Although there is no current statutory duty in place, this already happens in Cardiff in practice for some clients, especially those that have been provided with a rent rescue payment or an offer of PRS accommodation. However, to place this on a statutory footing would involve additional demand and the need for additional resources including the creation of new staff teams.

9. A narrower test which sets out a small number of clearly defined and limited grounds for the unreasonable failure to co-operate test.

Cardiff Council strongly disagrees with this proposal. Should this change be implemented there would be no consequence for a client who deliberately fails to comply with their PHP.

The ‘Unreasonable Failure to Cooperate’ test is never applied to our complex clients. This test is mostly used under the prevention stage of the process and there are often tasks that are set in the PHP which the client is required carry out

and co-operate with to help with their housing situation. Some examples of where it may be deemed that the client has 'unreasonable failed to co-operate would be;

- Failure to pay rent (but has the means to do so) .
- Failure to attend viewings which have been arranged.
- Rude/aggressive conduct in viewings

The proposed change would mean that only when a client displays threatening behaviour towards local housing authority staff or there is consistently no-contact with the housing options services would there be a unreasonable failure to co-operate applied and therefore out duty ended. This will mean that applicants could refuse to engage with support, housing plans, arrears repayments, or landlord mediation without any consequence.

10. Propose to make it clear that local housing authorities must ensure (based on a rigorous assessment of need and a PHP) they communicate with applicants in a way which is accessible and tailored to any individual needs.

Cardiff Council welcomes this proposal, although some additional resource would be required to review, monitor, and then regularly update any digital services. This with increased resources could be achieved in the short term.

11. Setting out in legislation that local housing authorities be required to communicate at regular intervals with applicants on:

- i) Progress of their application for longer-term accommodation and expected time scales.**
- ii) Their rights to request reviews of the suitability of the accommodation and of any other relevant decisions.**
- iii) Support that may be available to the applicant**

This proposal is welcomed by Cardiff Council, as regular ongoing communication is crucial, however additional resources will be required to implement this.

Additional staff would be required to ensure that this work is carried out. This also may result in an increased workload for case officers. However, as there are already good lines of communication within Cardiff's current procedures, we believe that with additional resources this could be achieved in the short term.

Question 3

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

An increase in the Prevention Grant to allow Cardiff to be creative and use local initiatives would be welcomed. An increase in NOLO will also be required to continue to accommodate those who are currently in temporary accommodation as there are no other options in this point of time to provide shelter for these clients.

Legislative changes to improve access to the private rented sector would also be welcomed including:

- New incentives to support private landlords to encourage lets to homeless households. Engagement with private landlords would be crucial to understand the barriers that prevent them from letting to applicants and what incentives they may like to see introduced to help to reduce or remove these barriers. A menu of options may be preferable, where the landlord could pick a number of options from this list to best suit their requirements.

Legislative changes to improve flexibility for Supported Accommodation should also be considered including:

- The removal of Supported Accommodation from The Renting Homes Act, reverting to longer license agreements for those in this type of accommodation. This allows for flexible housing management to ensure we can work with individuals to maintain their accommodation, moving individuals where necessary to alternative accommodation rather than excluding or evicting them. It also allows the service to manage risk and ensure the vulnerable are safeguarded.
- Annex D requirements should only apply to new builds. Conversions of existing accommodation should not need to have separate bedroom from living room if it not sensible to do so (i.e. if there was a loss of space)

Some legislative proposals that Cardiff believes would enable quicker delivery of new housing developments, that would in turn help the relief of homelessness include:

- Extending the allowed period for local authorities to benefit from permitted development rights for the meanwhile use of sites for the delivery of Temporary Housing units to help tackle homelessness. Change the current period of 12 months for permitted development rights specifically for temporary housing to 5 years. This will enable Local Authorities to make more use of existing brownfield sites in their ownership to deliver temporary housing at scale.
- Welsh Government should consider 'softening' the requirements around Temporary Housing on meanwhile use basis around SUDs and other statutory requirements.
- More fundamentally, Welsh Government should consider relaxing some of the strategic pre-construction commencement planning

requirements for 100% social rented housing schemes to enable contractors to begin work on site more quickly to speed up delivery. Things such as allowing Social Housing schemes to start on site without a S104 approval, or without the formal SUDs approval on the basis these agreements will be forthcoming during the construction period. i.e.: reduce the number of barriers to starting on site for 100% social rented schemes.

Question 4

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

No, Cardiff Council strongly objects to this proposal. This will result in the Local Authority having a duty to house anyone who presents to the service.

Learning from the experience in Scotland which removed the priority test and saw demand for Temporary Accommodation triple demonstrates that unless there is a significant increase in the number of Temporary Accommodation units, this is simply not achievable.

Even with the current legislation on priority need, supply cannot meet demand. The current priority list provides the safety net for many vulnerable groups. By not having any priority groups would prevent the prioritisation of the most vulnerable individuals/ households as all cases will be given equal priority.

The unintended consequence of this is that this proposal will also increase dependency and expectancy by providing Temporary Accommodation to all who present as homeless. From our experience, many people, with some support, can and should source and maintain their own accommodation. This proposal removes all requirement for individuals to take personal responsibility to find accommodation. It would draw more people into local authority provided temporary accommodation, resulting in a massive increase in demand for this and long delays in move on.

Cardiff believes there should be a balance between the duty of the Local Authority to assist individuals and the individual's responsibility to meet their own housing needs where they are able to do so. Therefore, we do not agree with this proposal.

An alternative proposal that clarifies the duty to Help Secure Accommodation would however be supported, provided his involved further consultation.

Question 5

Do you agree with our proposal to abolish the Intentionality test?

No, Cardiff Council strongly disagrees with this proposed change. This change would mean that the Local Authority has no ability to address cases where evidence shows there has been a deliberate act or omission which has caused the homelessness, increasing demand on the service and resulting in a lack of consequence for an individual's actions.

Cardiff has seen cases recently where individuals have deliberately withheld their rent, despite having the means to pay, so that they can enter homeless services. In many instances, this is to secure social housing as opposed to remaining in the private rented sector. Not applying intentionally decisions sends the wrong message to those who present as homeless and encourages poor behaviour in a minority of homeless applicants.

This behaviour also leads to landlords becoming less likely to work with the Local Authority to prevent this applicant or future applicants from becoming homeless and makes them reluctant to house future homeless applicants.

Question 6

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.

No, Cardiff Council strongly disagrees with this proposal. Cardiff as a Capital city will be disproportionality affected if this proposal is introduced. This is due to the diverse nature of its residents, being a NASS dispersal area, having a number of gypsy/traveller sites, being a busy capital city, and a having prison - all of this will attract clients from out of the area into the city.

HMP Cardiff holds a population of around 800. It is unknown how many of those leaving prison will present to services in Cardiff following this change.

Cardiff already issues 'waivers' to those with no local connection who have special circumstances.

More clarity is required regarding the proposals in terms of the definition of those groups that will be considered as having local connection. For example, the inclusion of veterans and their family does not clarify whether this would apply to a veteran who has recently left the armed forces or one who left 20+ years ago. Clearer definition of 'at risk' is also needed so that any change is proportionate to need.

Initial information from Scotland, who have recently introduced changes on the local connection test, indicates that pressure on support services and social work has increased as people move between authorities, an unintended consequence that must be fully considered.

Cardiff as a capital city would inevitably be disproportionately affected by this change and the city simply does not have the available housing to increase those who are considered as having local connection.

Question 7

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?

When comparing draft costs in the RIA to some initial costings, we believe that Welsh Government have underestimated some cost implications significantly. A high-level estimated summary of costs are below:

Cardiff Additional Revenue costs ranging from £11.63 million to £19.48 million annually

Additional Capital costs are estimated to be £358 million

From the data that was provided on the RIA from the Welsh Government the total revenue is estimated to be £4.8million. There are no recorded capital costs that are easily identifiable in the RIA.

The role of the Welsh Public Service in preventing homelessness

Question 8

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?

Please give your reasons

Yes These proposals are welcomed by Cardiff Council. Intervention at the earliest possible opportunity will maximise outcomes. The proposal will formalise the responsibility for organisations/bodies to participate in actively identifying people who are at risk of homeless; this does not diminish the Local Authority's responsibility; however, it gives greater chance of preventing people before becoming homeless, giving as much time as possible to carry out preventative work.

However, referrals should not be used to pass responsibility for wider support needs of individuals to the Homeless Teams and a robust programme of education and training should be put in place to support those bodies to recognise when to refer.

As this will significantly increase both referrals and therefore housing duties, additional staffing will be required and additional temporary accommodation and settled accommodation will also be required. Also, ensuring appropriate data sharing protocols are in place will be key to the success of this proposal.

Information on the referral must be balanced to ensure that there is enough data captured to ensure that referrals are appropriate but not too onerous that organisations are deterred from referring.

It is anticipated that service users will have to consent to the referrals to ensure they understand the purpose of the referral, and consent to information and contact details being passed on to Housing Teams so they will engage with the process.

Referral mechanisms should be set out in a template for example so there is consistency. A consequence of formalising the approach could be that public bodies refer to several Local Authorities not understanding local connections for example and don't obtain consent but still send a referral.

Given the current demands on the service this proposed change could not be introduced until the medium term and only then with significant resources for both the Local Authority and the organisations that will have the new duty placed on them.

The duty to refer is accompanied by a duty on the specified parts of the public service to take action within their own functions to sustain standard or secure occupation contracts and mitigate the risk of homelessness

This proposed change is welcomed by Cardiff Council and would make sense in terms of ensuring that relevant bodies do not refer cases to the Local Authority where they have the resources to achieve preventative outcomes. This may require additional resources potentially for those specified parts to meet this duty, so this will need to be factored into the overall cost analysis.

Further clarity on this proposal is required so that it can be fully understood who will monitor and, if these organisations were not fulfilling this duty, how this would be enforced. Also, clarity is required on how any inappropriate referrals that were made to the Local Authority, would be resolved.

Question 9

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?

Yes we agree with the proposed bodies, to identify refer and cooperate, provided that additional resources are made available across these bodies to ensure that this duty can be met.

We understand that the Welsh Government can only place a duty on those organisations in their control, for example, social services, local health boards & RSL's, however we believe that representation to UK Government here is crucial if we really want to see a meaningful impact. If for example the Home Office, DWP, Probation Service and Prison Service had a duty to effectively identify, refer and cooperate this would prove invaluable for planning services, making a real difference to the current system which is often reactive rather than preventative. With a duty on these organisations too this would help to support the prevention agenda.

We are aware that educational establishments have not been listed due to commitment to reducing workload for schools, however, Cardiff believes that to be most effective these establishments should be subject to this duty as well and perhaps consideration should be given to removing other workloads to allow for this.

Cardiff also believes that any third sector organisations that are funded by the Housing Support Grant should also have a similar duty.

The list should also, where possible, evolve to include bodies that connects with groups that are recognised as harder to engage with including the WAST.

Training should also be provided to other organisations to help them to identify and refer, although not necessarily place a duty on them to do, but to create more awareness of the issues. These organisations could include Third Sector organisations and charities that have specific links to those who are less likely to seek assistance from the Local Authority e.g. Barnardos, Princes Trust, MIND

The need for closer linkage with health cannot be overestimated. Health colleagues should have a duty to refer to local authorities when there is a risk of actual homelessness. Local authority homeless teams have a duty to refer to health when service users are not registered with a GP or have health problems that need treating.

The commissioning of specialist health inclusion services is linked here, if there are no specialist health inclusion services the above is unlikely to work.

Question 10

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

Yes, although the introduction of this duty will require additional resources and accommodation options to support this proposal as there will be an increase of referrals being received, particularly in light of the coordination of complex cases.

There could be more of an emphasis on health and the reality that housing and health needs are difficult to separate in more complex cases, so trying to resolve the issues of homelessness without addressing health needs will not be productive.

Question 11

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.

Additional staffing resources would be required, not just to be able to cope with the increased number of referrals, assessments and preventative work, but also the number of first point of contact officers – responding to enquiries from organisations. A complex case coordinator would also be required, a post which is currently not part of the infrastructure in Cardiff.

A comprehensive training programme would need to be implemented for organisations/bodies under the new duty; a certain level of housing/homelessness knowledge would be required, rather than a 'refer all' approach. Training would need to be refreshed on a regular basis, or when legislative changes are made; learning resources/work instructions would also need to be available.

An online ICT solution would be beneficial for this proposal, to allow organisations to make referrals, receive updates on cases and alleviate duplicated referrals; this would help with coordination but also for customers to access and make updates on their Personal Housing Plan.

From a health perspective, education of all frontline health professionals would be required with an easy way of referring cases developed.

This should tell the story of why the duties need to be in place and what benefit these duties will give to the service user and the services involved.

Commissioning of specialist Health Inclusion Services would also be beneficial. Co-location already occurs in some areas including prison and hospitals. This should be developed further alongside other organisations and settings so that homelessness services have a presence and can provide support to both applicants and staff in a timely manner. Of course, this will require additional resourcing.

There is a good working culture between many of the organisations and Cardiff Council already. However, this relationship can prove problematic on occasions,

often due to lack of resources, with a lack of clarity over who should be responsible for a case. This can result in applicants feeling they are passed from one team to another, with no one seeming to want to take responsibility. To address this, there needs to be adequate planning with resources to match.

Question 12

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?

We think that this proposal will assist in preventing homelessness but will however require significant increase in funding to meet the demand.

The multi-disciplinary style approach has already been trialled in Cardiff and is working well, providing a complete package of support for individuals/individual family, however this model is time intensive and requires a substantial amount of resource from relevant organisations/teams.

Significant progress has been made in Cardiff with the introduction of the Homeless Multi-Disciplinary Team (MDT) in 2019. The MDT was set up to target people who experience repeated instances of homelessness, whereby they move transiently between homeless services, hospital care, the prison system, and periods of sleeping on the streets. They may be engaged in risky behaviours such as sex workers or criminal activity and often have co-occurring mental health and substance misuse issues. The service provides a joined up, case management service that is flexible and a responsive multi-disciplinary approach to a targeted cohort.

This service has grown in strength and numbers of multi-agency professionals involved. The next stage of growth is closer alignment with Cardiff and Vale Health Inclusion Service, the key partner in Cardiff is now Primary Care in the Community PCIC and a range of Area Planning Board services.

The effectiveness of the Multi-agency approach has created a significant increase in the visibility of this vulnerable cohort of our population. This has resulted in more NHS provided services being involved with the MDT including provision of GP outreach services, dietetics, occupational therapy, dentistry, and optometry.

A Young Persons Multi-agency Team was established in Cardiff in 2022 on the same model as the Homelessness MDT, working on a preventative approach with young people with complex housing need, substance use and mental health issues.

A multi-agency health inclusion work stream has been established. Whilst Cardiff has had success this has been down to good partnership working and good will on

the ground, effective leadership, and a willingness to do things differently and taking a chance, using small pots of funding to meet gaps in provision rather than a wider system change. Health Boards and other public bodies providing services to this cohort need to change the way they work together in order to effectively deliver services to this cohort.

The future for this approach in Cardiff is for it to be embedded and become part of mainstream services. The University Health Board is now taking a leading role and looking to establish a core service that is mainstream funded and not reliant on grants. This commitment has been based on the learning and success of the approach.

There is now an Inclusive Health Programme Board in place and this work is led by the UHB, with a jointly funded project manager recruited (LA/UHB). A governance framework/leadership group is in place to take this work forward (Programme Board chaired by the Chief Operating Officer of the UHB).

Planned Action that is needed to take this forward is a change in the way health and social care is provided and funded to vulnerable people that come into Homelessness services.

To address the many health inequalities for the cohorts below services will need to be properly funded to provide holistic General Medical Services (GMS) care for:

- All high needs complex homeless people
- Sex workers
- Asylum Seekers under section 98 and Asylum Seekers under section 95 who are too vulnerable to access traditional care
- Those under IOM/Short term sentencing

This will mean longer-term change is needed to the way General Medical Services are contracted and how Mental Health and Substance Misuse Services are funded and delivered for these cohorts. Integrated health and social care services for people experiencing homelessness is needed to improve access to and engagement with health and social care, and ensure care is coordinated across different services.

NICE guidelines are very clear on the way forward: [Overview | Integrated health and social care for people experiencing homelessness | Guidance | NICE](#)

Cardiff is looking to develop an Inclusive Health Service that provides:

- Specialist GPs (including Mental Health/Substance use) providing services exclusively for patients who are homeless.
- Set up dedicated Health Centres primarily for people who are homeless.
- Mobile Teams providing health care in hostels and day services for vulnerable people identified above facing homelessness.

Question 13

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?

Again, when comparing draft costs in the RIA to some initial costings, we believe that Welsh Government have underestimated some cost implications significantly. A high level estimated summary of costs are below:

Cardiff estimated additional Revenue costs: £3.1 million

Cardiff estimated additional Capital costs: £25,000.

No additional costs are identified in the Welsh Government RIA.

Targeted proposals to prevent homelessness for those disproportionately affected

Question 14

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 (please provide evidence to support your views)?

No, it is our view that the White Paper captures the at-risk groups very well and we have no further groups to add.

Question 15

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

Cardiff Council believes the following additional proposals could improve the prevention and relief of homelessness for the groups captured by the White Paper

- A duty to commission specialist health inclusion services
- A full review of the prisoner pathway to reduce duplication and speed up processes.

Question 16

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?

There are several proposals made and each one has been carefully considered by Cardiff Council. Some are agreed with and the reasons for this are below, however some are not agreed with and will produce unintended consequences. It is worth noting however that Cardiff Council has seen improvements in partnership work between Social Services and housing/homelessness teams in recent years. The PA service is now managed within the Housing and Communities Directorate which will ensure long term partner relationships are strengthened.

Challenges include having buy in from both areas, especially as demand is felt by both Housing and Social Services; also setting a clear line on roles and responsibilities.

Strengthen existing corporate parenting responsibilities to ensure individuals aged 16 and 17 years who are homeless or at risk of homelessness do not fall between services, and social services and homelessness services work in true partnership to secure suitable accommodation and any broader support these young people's need.

The Council will need to increase its Young Persons accommodation offer and ensure that the accommodation is set up to manage the range of different support needs. The Young Persons MDT has brought together many of the services that work in a targeted way to ensure the Young Persons needs are met. Consideration should be given to expanding and strengthening this approach. Cardiff Council welcome this proposal. However, significant additional resources will be required to ensure that there is sufficient additional capacity in the Young Persons Gateway including a review of the Supported Lodgings Scheme.

In addition to strengthening practise under existing legislation, it is proposed to clarify with legislation that no 16 or 17 year old should be accommodated in unsupported temporary accommodation and for those leaving social care or the youth justice system, it is expressly prohibited to use the homelessness system as a route out of care or youth justice. Instead planning should be done and arrangements made for accommodation in advance.

All 16/17-year-olds that become homeless or who are moving on from care in Cardiff are accommodated in supported accommodation via the Young Person's Gateway. There are currently no under 18's accommodated in any unsupported accommodation in Cardiff. However, there may be rare and exceptional cases when a 16 or 17 year old may need to move due to an emergency or an alternative, housing route is required. Whilst Cardiff Council makes every effort to

accommodate those who are 16 or 17 years old appropriately, there are concerns that legislating that no 16 or 17 year old should be accommodated in unsupported temporary accommodation will remove flexibility for rare and exceptional cases where alternative accommodation may need to be sought in an emergency, even if very briefly.

It is Cardiff Council's opinion that rather than legislating, the proposal is set out within a Code of Guidance.

When referring to those children 'leaving the youth justice system', it is unclear what is being referred to? Is this Prevention, Diversion, Statutory court intervention, or custody? Further clarification is needed to understand the scope – particularly with the drive to not criminalise young people wherever possible.

There should also be explicit reference made to multi-agency planning which would include Children Services, the Youth Justice Service and Housing.

Question 17

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?

The homelessness duty for 16/17 year olds should be exactly the same as if the service was meeting their needs through the young person becoming voluntarily looked after (Southwark Judgement), the support should be the same.

Cardiff has carried out a lot of work in to joining up social services and housing teams, through joint meetings and realignment of teams within the local authority – to allocating responsibilities and removing duplication of support to ensure young people are supported quickly and with the correct information first time, every time. However, lack of suitable and affordable accommodation and lack of move on accommodation has impacted young people in general.

In line with corporate parenting responsibility, and in order to prevent any care leavers or care experienced young people getting lost in the system, local housing authorities be required to make inquiries into whether an applicant is care-experienced, as they complete the assessment of housing need and Personal Housing Plan

Cardiff Council already makes a number of enquiries at assessment stage to determine an applicant's history. This proposal will have no impact on current service delivery/ finance.

New Key Performance Measures and other performance tools would be implemented to ensure data is captured.

In response to recommendation 25 in the Children, Young People and Education Committee report, we propose care-experienced people should be considered priority need.

Cardiff Council welcomes this proposal and already carries this out in practice. However, demand cannot always be met currently so there would be a requirement for additional temporary and settled accommodation.

For young people leaving the secure estate, we propose legislation and guidance should be clear 16 and 17 year olds, who are expected to be released from the youth justice system within six months, are the responsibility of the local authority as part of their corporate parenting responsibility. Similarly, for young people in youth detention, who are or were care leavers aged 18 to 21 (or 18 to 24 if in education or training) should also benefit from joint work between social services and the local housing authority to support and accommodate.

The council already has existing services to deal with this proposal. There is currently a Youth Justice Board Key Performance Measure that monitors 'suitable accommodation' and the expected timeframes at least 4 weeks prior to release. However, additional temporary and settled accommodation would be required.

Question 18

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?

Cardiff would agree to this proposal in exceptional circumstances and only when the young person has been assessed as being ready to live independently.

Cardiff Council manages a tenancy training scheme in Cardiff for young people and only when they have demonstrated they are ready to live independently can they access this scheme. Until then they remain in supported accommodation.

The scheme has a 99% tenancy sustainment rate which we believe is a result of pre-tenancy checks as well as the 12-month resettlement support offered after they have moved on to independence.

Expanding housing options for young people is a positive, however consideration to the ongoing support offered to a Young Person is required. Cardiff has already progressed this thinking through the development of the Young Persons Housing First scheme.

There are also concerns around County Lines, cuckooing and safeguarding that need to be considered. A possible solution would be for the Social Worker to have an input into whether an occupation contract is appropriate with a process for extending licenses in place, replicating the existing process.

Question 19

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?

Again, when comparing draft costs in the RIA to some initial costings, we believe that Welsh Government have underestimated some cost implications significantly. A summary of costs are below

Cardiff Estimated Additional Revenue costs: £5 million.

Cardiff Estimated Additional Capital costs: £110million.

The Welsh Government RIA recognises that there will be some additional costs, which it states may be too difficult to estimate currently. There is reference to one element which suggests an £8,000 increase in revenue.

Access to accommodation

Question 20

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?

Overall Cardiff disagrees with these proposals. No further duties should be placed on Local Authorities until the chronic shortage of affordable accommodation has been addressed as a national issue.

Each proposal within Chapter 4 regarding the suitability of accommodation has been fully examined and responses to the proposed changes are outlined below:

The existing legislation be strengthened to prohibit accommodation which has Category 1 Hazards as being deemed suitable.

We agree with this proposal. At the point a property becomes void all relevant checks are carried out. Tenants need to be fully aware of how to raise issues. Families making an application where a Category 1 hazard exists in their accommodation are awarded priority on the general waiting list.

We understand shared sleeping space is rarely used but we propose to make clear in legislation, shared sleeping space is never permitted, regardless of the temporary or emergency nature of accommodation Exceptions in law, which provide that accommodation that does not meet the higher standard will be suitable for up to 6 weeks if the accommodation is owned or managed by a local housing authority or registered social landlord, should be removed.

It would be impossible to commit to no shared spaces in the short to medium term and therefore we strongly oppose this proposal. This would require a review and remodelling of accommodation.

It is agreed that shared spaces are far from ideal, however, current demand means that this option is a must to be able to place those in urgent need of temporary accommodation.

Currently and over recent years a lot of work has been done in Cardiff to increase the number of good quality units of temporary accommodation for single people, so that they have their own bedroom and facilities. However, shared spaces are still used as emergency accommodation due to high and unpredictable levels of demand. This increases in the winter months to provide accommodation to all individuals in need during the cold weather. There must be flexibility in the system especially in the winter when we house people, even though we may not have no duty to so do, to prevent them from harm. Even during severe weather some rough sleepers will only come into open access spaces and would not access more formal style accommodation. For some of our clients the night shelter model actually works. This is linked to the informality of the service. Clients come in sleep, eat and have a wash and are not required to enter a formal housing situation with responsibilities that they do not feel they can manage.

We must also be able to respond rapidly to peaks in demand which can be erratic. Shared space allows us to do this. Hotel type accommodation is unlikely to be secured for single people quickly, and shared space is better than no space. The use of shared spaces is closely monitored with the aim to move people on as quickly as possible.

Exceptions in law, which provide that accommodation that does not meet the higher standard will be suitable for up to 6 weeks if the accommodation is owned or managed by a local housing authority or registered social landlord, should be removed.

The Homelessness (Suitability of Accommodation) (Wales) Order 2015 sets out that in the case of larger B&B establishments (more than 6 bedrooms) for families with children, pregnant women and 16 & 17 year old's, the use of this type of accommodation is restricted to 6 weeks provided the establishment reaches the higher standard.

A 2 week restriction applies where establishments do not reach the higher standard. However, where the property is owned and managed by a Local Authority or housing association, the Authority may currently offer the household a choice of remaining in the accommodation up to six weeks, subject to an offer of suitable alternative accommodation which meets the Higher Standard.

The proposed change would mean removing this exception, so that families with children, pregnant women and 16 & 17 year old's can only reside for 2 weeks in

B&B accommodation that does not meet the higher standard, regardless of the owner of the establishment

Cardiff was proud not to have to utilise B&B type accommodation for many years. In the current housing climate however, it would be impossible to accommodate all that require it in accommodation that meets the higher standard in the short to medium term.

A significant increase in both temporary accommodation and settled accommodation is essential before any higher requirements are placed on local authorities .

Introduce a requirement that personal circumstances must be given consideration in assessing suitability of accommodation, even if it is not possible at the time of the assessment to meet all of those needs through accommodation placement.

We do not agree with this proposal as it may set unrealistic expectations for clients. Although some needs (for example, pets) can be taken into account there needs to be clear advice that personal requirements cannot always be met.

Strengthening legislation to make clear, when determining the suitability of accommodation at the point the main housing duty is owed, placement in overcrowded accommodation is never permitted.

Cardiff objects to this proposal until action has been taken to address the current homeless crisis and to make more larger affordable accommodation available. . It would currently be impossible with the current available stock to offer all families the correct bedroom size, either on a temporary or permanent basis.

Demand for larger accommodation in Cardiff is high with families presenting with 10 or more members. The ethnically diverse nature of the city means there are a number of multi-generational families and families with 6+ children requiring larger properties and we do not currently have the stock to accommodate this.

Cardiff's temporary accommodation stock does not meet the demand for large families and families who are under a Duty to Help Secure or full Homeless duty are currently placed in overcrowded temporary accommodation.

This is also the case for settled move on for those with 5 or 6 bed+ need. Providing accommodation that is larger than the home the applicant is currently residing in, and thereby meeting some of their need, is preferable to waiting for a property of the correct size to become available, which could take several years or, due to current stock levels may never happen.

Some clients moving into PRS also ask for assistance to move into a property that is a bedroom size less than their needs require. Support is given on the basis that the family wish to take this offer despite them being overcrowded – this is only

done in exceptional circumstances again due to the impossibility of meeting their full need due to lack of available accommodation.

In the immediate term we believe that financial resources to support downsizing and mutual exchanges should be provided to help better balance accommodation suitability. Welsh Government should make additional funding available specifically to develop larger homes, these may be less financially viable than developing one or two bedroom flats. Practical solutions to problems should be supported and funded rather than placing additional duties on Local Authorities.

For people aged under 25, the use of unsuitable temporary accommodation, including Bed and Breakfasts and shared accommodation, should not be permitted for any time period.

We do not agree that shared accommodation should not be used for those under 25. It is also not realistic for those under 25 to reside in self-contained accommodation in the Private Rented Sector when the benefit system does not support this. Under 25 is also a wide age range, with many under 25's being mature enough to be able to support themselves.

Our Young Persons accommodation uses shared houses with 24/7 support on site. Discussions with young people actually show that some prefer to live in shared accommodation as this reduces social isolation, helps to share bills and they can support one another.

The unintended consequence of this proposal is that it will be difficult to move people on if they are used to living in self-contained accommodation. The Local Housing Allowance in the Private Rented Sector only pays for a shared accommodation rate for those under 35 years old (exemption for care leavers), making it unaffordable for many young people to live in a self-contained flat / house.

At this time, it would be impossible to manage demand without utilising shared accommodation, although young people are prioritised for move on out of emergency accommodation into more appropriate accommodation, this might be shared accommodation.

We propose to make it clear through legislation that where people of this age group are to be housed in temporary accommodation it must be supported accommodation. Therefore, the accommodation should be combined with support (which is tailored to the individual or household and their needs) and should be made available until the individual is ready to move on to an independent living setting.

This cannot be achieved given the current demand and supply. We would also expect a more thorough assessment based on more than just age, and for those under 25 who required supported accommodation to be able to access it. Just because an individual is under 25 would not necessarily mean that they require

supported accommodation. This should be based on assessed need and not a one size fits all based on age. It is also unclear what is expected to happen when the client turns 26? Would they then move from supported accommodation to temporary accommodation? This proposal needs further clarification and consideration.

Make clear in legislation those aged 16-17 must never be accommodated in adult focussed, unsupported temporary accommodation in Wales.

Whilst Cardiff Council makes every effort to accommodate those who are 16 or 17 years old appropriately, there are concerns that legislating that no 16 or 17 year old should be accommodated in unsupported temporary accommodation will remove flexibility for rare and exceptional cases where alternative accommodation may need to be sought in an emergency, even if very briefly. It is Cardiff Council's opinion that rather than legislating, the proposal is set out within a Code of Guidance.

Question 21

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?

Overall Cardiff disagrees with these proposals.

Each proposal within Chapter 4 regarding the allocation of social housing and management of housing waiting lists has been examined and responses to the proposed changes are outlined below:

Accommodation cannot be deemed suitable unless it is located within reasonable travelling distance of existing or new educational facilities, employment, caring responsibilities and medical facilities, unless the applicant wishes to move beyond a reasonable travelling distance from those facilities.

Cardiff Council strongly disagrees with this proposal - it cannot always be guaranteed that a placement will be in an area of choice due to very limited availability.

In terms of Temporary Accommodation, we cannot always guarantee placement in an area of choice due to availability but do note the need for good transport links to support education and employment.

Stays in Temporary Accommodation would become longer if people 'waited' for their ideal property and location to become available. In some cases, children may need to move school once settled accommodation has been allocated, as would often be the case when anyone moves home. Consideration needs to be given to

each client's circumstances to determine whether, on balance, the offered property is suitable.

The local housing authority be required to take into account, in relation to both the applicant and any member of the applicant's household, any specific health needs, any impairment, where the accommodation is situated outside of the area of the authority, the distance of the accommodation from the authority's area, the significance of any disruption caused by the location of the accommodation to the employment, caring responsibilities or education of the person and the proximity of alleged perpetrators and victims of domestic or other abuse.

Cardiff Council does not currently place out of area, however proposals are being considered to offer private accommodation outside of Cardiff. Changes in protocol and policy will be carried out only following careful consideration and following a full impact assessment. It is accepted that a range of factors should be considered before any individual is placed outside Cardiff, however there is a need to balance the importance of achieving a settled home within a reasonable amount of time, with the range of needs and wishes that an individual has. Until there is far more affordable accommodation available then compromises will need to be made where appropriate.

Legislation provides for sites (rather than bricks and mortar accommodation) to be generally considered the most suitable accommodation for an applicant from the travelling community (Gypsy, Roma and Travellers) and the local housing authority should be obliged to ask an applicant from the Gypsy, Roma and Travelling Community whether or not they are culturally averse to bricks and mortar and to ensure suitability of accommodation is culturally appropriate for the applicant.

Cardiff Council disagrees with this proposal. While committed to providing appropriate accommodation for the Gypsy Traveller community, that meets its cultural needs, the current demand for settled pitches, means that it is not possible to deliver Temporary Accommodation pitches on gypsy sites in Cardiff. It is also felt that Welsh Government have a role to play in supporting this, by making appropriate land available for additional gypsy traveller sites and additional funding to support the operation of these sites which can be complex and costly to operate.

Formalise a Homeless at Home Scheme on a national basis.

Further clarification is required on this proposal. We need to understand what a nationwide Homeless at Home Scheme would look like.

Cardiff would need to review the offer under homeless from home and see how it could be made a viable option which would make a difference in numbers needing

Temporary Accommodation. We would also need to be sure that this approach would not draw more people into homelessness services.

New legislative provision which will make clear an RSL cannot unreasonably refuse a referral from a local housing authority, within a specified timeframe, except in specified circumstances.

We welcome this proposal, however this would require closer monitoring of RSLs and any refusals to offer accommodation. This may lead to an increased workload for allocations staff.

The current test for unacceptable behaviour, which permits a local housing authority to exclude applicants from their allocation scheme, or to remove any reasonable preference from them, should only apply where: a. an applicant (or a member of their household) has been guilty of unacceptable behaviour, serious enough to breach section 55 of the Renting Homes (Wales) Act 2016 so as to result in an outright possession order; and b. at the time of consideration of the application, the applicant remains unsuitable to be a tenant by reason of that behaviour (sections 160A(7) and (8) and 167(2B) and (2C) of the Housing Act 1996).

Cardiff Council welcomes this proposal. This proposal does not require change to existing arrangements for inclusion to the allocation scheme based on unacceptable behaviour. An Exclusion Panel process is in place to assess this.

Provide local authorities the power to remove people with no housing need from the waiting list in their areas.

We agree that Local Authorities should have discretion to continue to admit all applicants or not.

Assign additional preference to those who are homeless and owed a statutory homelessness duty over other priority groups who are deemed to have an 'urgent housing need'.

We do not agree with this proposal. We do agree that a high percentage of allocations should be made to homeless clients, however there are other clients on the waiting list that have exceptional need and these needs have to be balanced to ensure fair allocation across the waiting list. By only prioritising those that are homeless would result in no other groups of people being allocated housing. Given the current shortage of housing this is just not achievable.

Introduce amendments to legislation to allow for care leavers who are homeless, to be provided with additional preference over other priority groups defined as having an urgent housing need. This will allow for greater prioritisation of care leavers within existing allocation systems, with the intention of increasing their access to affordable accommodation and mitigating the additional risk of homelessness they face. We propose a

similar change so local housing authorities are permitted to specify in their allocation schemes people who are homeless as a result of fleeing abuse should be awarded greater priority.

Cardiff agrees with this proposal and already gives the highest priority to these groups. However further clarification is required on the definition of those fleeing violence (and the associated risk level/assessment) and the definition of a care leaver to fully understand the impacts.

Introduce legislation to require the use of CHRs and common allocations policies across all local authorities in Wales.

We agree with this proposal. Cardiff Council already operates a Common Housing List with its partner RSL's in the city. From managing a CHR, we have also built good relationships with our RSLs and generally do not have concerns about the way in which they manage their allocations.

Introduce a 'deliberate manipulation test' to be applied at the allocations stage of the homelessness process.

We agree with this proposal, however a screening process would need to be considered at point of allocation. Checks are currently taken to determine if the client is still homeless. This would lead to an increased workload and a significant resource implication. There may be an impact on offer turnaround times for councils and RSL allocations staff and the time of responses may need extending.

Question 22

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 this proposal. It would seem sensible to have the same flexibility of housing options as under a prevention duty but only if we are able to discharge duty in the same way.

If clients refused to accept in writing (as recommended) the offer of accommodation but left the Temporary Accommodation placement (to go back home for example) the recommendation is that the Section 75 duty still remains – there are concerns as to whether this would be treated as a withdrawn application or whether the clients would then be considered to be homeless from home.

Question 23

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?

Again, when comparing draft costs in the RIA to some initial costings, we believe that Welsh Government have underestimated some cost implications significantly. A summary of costs are below:

Cardiff estimated additional Revenue costs: £3.1 million

Cardiff estimated additional Capital costs: £42 million

The Welsh Government RIA suggests there will be a marginal increase in costs. There are also elements of additional costs recognised which include additional review staff required of approximately £43,000 per officer but other than these there are no specific costs laid out.

Implementation

Question 24

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

The Implementation chapter does not lay out timescales for when proposed changes are expected to be implemented or funded and therefore does not provide an effective implementation plan. With regard to the content of the chapter which largely focuses on Welsh Government will support the implementation of the reforms and enforce future legislation, we believe that the proposals will help to support and implement the reforms suggested. Each proposal has been answered fully below.

We propose to use and extend the existing structures provided through local government scrutiny and social housing regulation in order to monitor homelessness provision and the implementation of the proposed legislative reform.

Cardiff agrees with this proposal and would use internal governance structures (for example, Scrutiny Committee, the Housing Partnership Board) to monitor implementation of the proposed legislative reforms. We also agree that the introduction of a new regulator would not be appropriate and that existing mechanisms would be most effective in ensuring the reforms are implemented.

We will consider whether it is appropriate to make changes to the Regulatory Standards that apply to Registered Social Landlords to encourage an even greater commitment to ending homelessness and to monitor performance and delivery.

We agree with this proposal.

We propose to consider the functions of existing inspectorates in Wales, such as Care Inspectorate Wales and Healthcare Inspectorate Wales to identify the role these organisations can play in ensuring delivery of the aims outlined in this White Paper to achieve broader responsibility for homelessness prevention across the Welsh public service.

We agree with this proposal but this must be done in partnership with these other organisations.

We will review and consider whether additional powers for Welsh Ministers are necessary in order to ensure the proposed legislation meets its aims, including possible direction making powers to compel a local authority to meet the requirements within the proposed new legislation.

As we develop these proposed reforms our policy intention will be to ensure, should it become clear (via a complaint, stakeholder/service user feedback or through Welsh Government oversight) a local authority is failing to deliver the requirements of the proposed Bill or not delivering a service to the standard we expect, the Welsh Government is able intervene to support and, if necessary, to challenge and direct improvement.

We would want to fully understand the outcomes of the review and what the powers would mean to a Local Authority that was failing to deliver the outcomes required. If duties are placed on a Local Authority without the required funding or which exacerbate the housing crisis, it would be inappropriate to use any powers to enforce the changes.

We will also consider how we can ensure the views of people with lived experience of homelessness can continue to inform our understanding of how homelessness systems work and ensure this feedback influences ongoing development of services and prompts action from Welsh Ministers where appropriate. We will work closely with expert partners to undertake such work and design methodology in partnership with them.

Cardiff already undertakes some work to ensure the views of those with experience and with those who access homelessness services. We are keen to increase this engagement and consultation is ongoing.

In line with recommendations by the Homelessness Advisory Group and the recent Ending Homelessness National Advisory Board Annual Report, the Welsh Government will work to improve continuous data collation across the housing and homelessness sector.

Cardiff also agrees that improved data collection, as long as it is not too onerous and is actually being collated for a purpose. This will enable a greater understanding of those who experience homelessness, however this may require an updating of current IT systems and increased staff resources.

We also propose the creation of a power by which the Welsh Government could ‘call-in’ data collected by a local housing authority when undertaking its homelessness functions.

We would agree with this as long as sufficient time is provided to collate the data required and again this was not too onerous.

Question 25

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?

In considering if social landlords are meeting their homeless duties, the number/percentage of homeless applicants housed needs to be supplemented with the number housed who have complex needs or are moving on from hostel/ specialist provision. It is significantly more difficult to move on single homeless people with support needs. This will be vital if rapid rehousing is to be achieved.

Question 26

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?

There are no costs outlined in the RIA for the Implementation Chapter. However, it references that staff are already embedded in Local Authorities that collate data.

Depending on any additional requirements there may be additional resources that are needed. Until this is determined it is difficult to estimate any cost of this. IT systems would need to be upgraded, these additional costs have already been accounted for in earlier chapters of the response.

Question 27

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?

There may be an increase in use of the Welsh language with greater numbers accessing services. There will therefore be a need to provide information in the Welsh language (in person, calls, written information). Cardiff would always review the needs of users of the Welsh Language whenever implementing any change and ensure that the needs are met.

It should be noted that a review would also be needed for the many languages spoken in the city, given the diverse nature of our communities in Cardiff or those choosing to present in Cardiff.

Question 28

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:

Overall, this paper is ambitious and has good intentions. However, as we have repeated throughout our response, we do not feel that much of this is achievable in the short to medium term. Some proposals we believe will also create unintended consequences which will not only add demand and pressures but create a dependency and lack of personal responsibility, with little or no requirement for people to find their own housing solution if they are able. The costs associated with these changes are also significant and cannot be underestimated.

Just to address current social housing need for people on the waiting list who are in immediate need, homeless or need to urgently downsize would require 2,787 new homes of various size at a total cost of £418,969,005.00. In addition to this, the total funding required to address these proposals are estimated to range from approximately £22.8 million to £30.7 million revenue annually and £510 million capital.

Throughout the Paper there is little to no mention of the Private Rented Sector and its part in the solution to homelessness. PRS gives people choice about where they live and should not be dismissed as a real housing solution for single people and families who do not require significant amounts of support. Private landlords make up a very significant proportion of the housing in Cardiff and anything that deters private landlords from letting their accommodation as settled accommodation will impact significantly on homelessness in the city.

We believe that the Welsh Government Leasing Scheme for example, which is an excellent way of translating PRS properties into longer term settled accommodation, could be expanded further and improvements to this scheme should be considered.

We also believe that a review should be carried out of the impact of recent legislation on private landlords and positive incentives should be considered to encourage landlords to let their properties as settled accommodation.

The improvement work with regards to strengthening MDT practice between homelessness, mental health and substance misuse services would benefit from

having specialist health inclusion primary care as part of the model, to complete it. Without primary care there is a large gap, if these services were jointly commissioned it would ensure all remained sustainable and linked. Preventing discharge into homelessness would be well serviced by specialist health inclusion services (local authority/health together) who could have staff who “in reach” into EU/Secondary care to help with discharge planning and liaison – this is currently being trialled/mapped in Cardiff by CAVHIS.

A new tenancy sustainment / community response team needs to be introduced that can quickly provide wrap around support to those with complex needs and are struggling to maintain their tenancy, this would help to prevent homelessness and avoid evictions. This approach would require low caseloads for support officers and flexibility in the Renting Homes Act to move tenants from their current accommodation into other accommodation for a period of time to make them safe. For example, a tenant may need to be moved into supported accommodation for a period of time to help them if perhaps they are experiencing cuckooing, or if they have relapsed in alcohol or drugs rehabilitation. Once they have been stabilised, they would then be supported to move back to their own home. This would help to remove the requirement for them to start all over again in the process as is often the case currently. By temporarily taking the client out of the environment that is causing them harm and then returning them back to their own home when it is safe to do so will ensure tenancy sustainment.

Step down beds could be a really positive addition to this but would need specialist health inclusion teams resourced and in formal partnership with Local Authority colleagues to be able to manage. Funding would be needed to pilot this type of scheme.

Overall Comments

In terms of the provision of suitable accommodation, regrettably the proposals take no account of the reality of the available housing options in the city. There is a clear risk that the perfect will become the enemy of the good, with standards for both temporary and settled accommodation set so high as to be unachievable in the short to medium term and opportunities to provide decent accommodation will be lost as a result.

There needs to be a renewed focus on the private rented sector to ensure landlords remain in the market and a review of property requirements that are used to determine which properties are supported for purchase or development should be carried out urgently, to ensure these are realistic and achievable.

The proposals also work to increase dependency rather than to empower and support individuals to resolve their own housing issues. As such many of the proposals are out of alignment with the ethos of the Housing Wales Act. This needs to be reviewed and the proposals need to focus first and foremost on supporting independence, not encouraging dependence.

A realistic review of the proposals should be carried out to identify what are the priorities and what can be achieved with current resources and the actual housing that is really available.

A sense of urgency is needed to address the crisis that homeless services are facing. Currently the Welsh Government and its proposals seem far removed from the reality of what is happening on the ground.

And finally, no additional responsibilities should be put on Local Authorities that are not properly funded and achievable given the current realities of the housing market and pressures that are being currently being faced by homeless services due to the cost-of-living crisis and the decision around the National Asylum System.

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