

## **WEST DUNBARTONSHIRE COUNCIL**

### **Report by the Executive Director of Housing, Environmental and Economic Development**

**Housing, Environment and Economic Development Committee: 6 October 2010**

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**Subject: Achieving the Abolition of Priority Need Target**

#### **1. Purpose**

**1.1** The Scottish Government has made a commitment to abolish the priority need test for homeless people by the end of 2012. Under current homelessness legislation, all local authorities are required to assess homeless applications against four tests:

- Is the household homeless, or likely to be within two months?
- Does the household have a priority need?
- Has the household become homeless intentionally?
- Is there a local connection to the authority?

**1.2** At present the Council has a duty to secure settled accommodation for households which meet all four criteria. The council also has a duty to provide temporary accommodation for these households until permanent housing is secured. In addition, households with no priority need and / or are intentionally homeless have a right to temporary accommodation for a reasonable period of time along with advice and assistance.

**1.3** The Scottish Government's target of 2012 for the abolition of 'priority need' test will give all unintentionally homeless people the right to settled accommodation from that date. As a step towards treating 100% of unintentionally homeless people as in priority need by 2012, the Scottish Government set interim targets for each local authority to achieve by 2009. The interim target for West Dunbartonshire Council of 90% was reached three years in advance of the 2009 target. The Council has made further progress since then (97% in 2008/09, 98% in 2009/10)

**1.4** This report makes recommendations to ensure that the 100% target is met in West Dunbartonshire from 1<sup>st</sup> December 2010, some two years in advance of the Scottish Government's 2012 target.

## **2. Background**

- 2.1** The Homeless etc (Scotland) Act 2003 set in motion a series of changes to homeless legislation. The main legislative change is the abolition of the priority need test on December 31<sup>st</sup> 2012. The Minister for Communities released a Statement in December 2005 which set out measures which local authorities had taken, were currently taken and were still to take in order to ensure that local authorities could reasonably be expected to perform their homelessness duties without having to distinguish between 'priority' and 'non-priority' households.
- 2.2** The statement set out interim objectives to ensure local authorities are in that position by 31 December 2012. The Statement also acknowledged that a phased approach to implementing the outright abolition would be necessary to ensure that local authorities were geared towards providing appropriate temporary and permanent accommodation and support for every household that is assessed as being homeless.
- 2.3** The Priority need test currently ensures that housing preference is given to those whom homelessness would cause a particular hardship (e.g. households with children, pregnant women, older people, young people, people leaving institutional care and other people whose health or personal circumstances make them particularly vulnerable).
- 2.4** From 2012, local authorities will still be required to investigate whether applicants are homeless or threatened with homelessness but will no longer be required to investigate whether they have a priority need. In addition it is still proposed that local authorities will no longer have a duty to investigate 'intentionality' or 'local connection' but have the power to do so if they choose.
- 2.5** However, what is determined is that as of 31<sup>st</sup> December 2012 is that in Scotland all applicants who are found to be unintentionally homeless or threatened with homelessness will have the right to settled accommodation.

## **3. Main Issues**

- 3.1** West Dunbartonshire's Homelessness Strategy 2008-2013 has the vision to 'End homelessness in West Dunbartonshire and is underpinned by the following strategic aims:-
- Prevention
  - Increasing Choice
  - Sustainable Solutions
  - Commitment

**3.2** Our Homelessness Strategy also identified increasing the proportion of unintentionally homeless households assessed as in priority need to meet the 2012 target by developing and adopting a planned phased approach outlined below:

- By April 2009 - Extend priority need groups to include 19-21 year olds, displaced spouses and over 55's.
- By April 2010 - Extend priority need groups to include 21-25 year olds.

**3.3** The number of homeless presentations is levelling off with slight year on year decrease. However, homeless priority need decisions have increased by 258 since 2007/08 as a result of this phased approach outlined in 3.2.

	<b>07/08</b>	<b>08/09</b>	<b>09/10</b>
No. homeless applications	2278	2144	2096
No. of homeless decisions	1027	1256	1278
No. in priority need	981	1221	1247
% in priority need	<b>96%</b>	<b>97%</b>	<b>98%</b>

**3.4** The table below shows the priority need status of applicants in 2009/10 and what is proposed as of 1<sup>st</sup> December 2010:

<b>Number assessed as in priority need 09/10</b>	<b>Age Range</b>	<b>Number assessed as non priority need 09/10</b>	<b>Priority need entitlement as of 1<sup>st</sup> December 2010</b>
<b>131</b>	<b>16-18 years</b>	<b>0</b>	Yes
<b>337</b>	<b>18-24 years</b>	<b>0</b>	Yes
<b>330</b>	<b>25-34 years</b>	<b>14</b>	Yes
<b>235</b>	<b>35-44 years</b>	<b>9</b>	Yes
<b>129</b>	<b>45-54 years</b>	<b>8</b>	Yes
<b>66</b>	<b>55-64 years</b>	<b>0</b>	Yes
<b>19</b>	<b>65 + years</b>	<b>0</b>	Yes

**3.5** The Council currently has a duty to provide temporary accommodation for a minimum period of 28 days for all homeless applicants, regardless of priority need status. It is unlikely that the take up of temporary accommodation will increase as a result of abolishing the priority need assessment, as these applicants are already entitled to temporary accommodation. However, the length of stay in temporary accommodation may increase as there will be more households in the homeless system awaiting settled accommodation.

- 3.6** The Council having eradicated the use of bed and breakfast accommodation has recently had to make use of that type of accommodation due to capacity levels within current temporary accommodation provision. It is therefore proposed that a review of current temporary accommodation provision and the development of a temporary accommodation strategy be undertaken in advance of December 2010.
- 3.7** The Council increased its target for lets to homeless applicants to 50% in 2009/2010 and joint work is in progress with RSLs to increase the proportion of RSLs lets to homeless people through Section 5 referrals. The Council also has an agreed lettings target of 50% of lets to homeless households for 2010/11. This target will continue to be revised on an annual basis.
- 3.8** The Council implemented a 'Homelessness Prevention Project' in March of this year. The project has specific aims including:-
- Improving Advice and Information provision
  - Making greater use of the private rented sector as a sustainable housing solution; and
  - Reducing the number of homeless presentations and assessments within West Dunbartonshire
- 3.9** These three specific aims of the 'Homelessness Prevention Project' are consistent with making greater use of a Housing Options approach to preventing and alleviating homelessness in West Dunbartonshire. A Housing Options Guide has been developed and the next step would be the introduction of Housing Option interviews and the possible introduction of personal housing plans.
- 3.10** The impact of the policy changes recommended in this report will be monitored, including any impact on staffing and other resource requirements and the outcomes reported within existing governance arrangements. However it is anticipated that if the changes are to be introduced they will be met within existing resources.

#### **4. People Implications**

- 4.1** The removal of the priority need test will free up staff time which can be better utilised in ensuring sustainable positive solutions for individuals experiencing homelessness.

#### **5. Financial Implications**

- 5.1** There are no financial issues relating to this report.

## **6. Risk Analysis**

- 6.1** The Homeless etc (Scotland) Act 2003 has determined that the test of priority need be ended by 2012 and that everyone assessed as unintentionally homeless will be entitled to settled accommodation. This report contains measures to achieve this in advance of the prescribed date. Failure to comply would be in breach of legislation and would attract an adverse reaction from all regulatory agencies.

## **7. Equalities Impact**

- 7.1** West Dunbartonshire's Homelessness Strategy has been subject to an Equalities Impact Assessment.

## **8. Conclusions and Recommendations**

- 8.1** The proposal contained within this report have been developed in consultation with staff, service users and partner agencies working in tackling homelessness within West Dunbartonshire.

- 8.2** It is recommended that the Committee:

- i) note the progress to date towards achieving the Scottish Government's 2012 homelessness target.
- ii) agrees that from December 1<sup>st</sup> 2010, all applicants who are assessed as homeless, regardless of age and vulnerability will be considered to be in priority need.
- iii) notes that by implementing this proposal West Dunbartonshire will have achieved the Scottish Government's 2012 homelessness target some two years in advance of the prescribed date.

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**Date: 24 August 2010**

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**Appendix:** None  
**Background Papers:** West Dunbartonshire Homelessness Strategy 2008-2013

**Wards Affected:** All