

Experts by Experience: Report to the Expert Review Panel

A summary of views on housing legislation

January 2023

1. Background

The Welsh Government has committed to reforming homelessness legislation in Wales and has established the Expert Review Panel to provide advice and proposals to the Minister for Climate Change. Through a series of online and in-person events and surveys, Cymorth Cymru's Experts by Experience project will provide opportunities for people with experience of homelessness to share their experiences and views on what needs to change.

This paper has been prepared in advance of the fifth panel meeting, which will review the evidence and discussions on the housing-related elements of the legislation. **Thank you to everyone who participated in our surveys or spoke to us about their views and experiences, making valuable contributions to this paper and the Expert Review Panel's work.**

This paper reviews the contributions of over 200 people who have responded to our surveys, attended our engagement events and spoken to us in a variety of settings over the last four months. Additional engagement took place between the fourth and fifth meetings of the Expert Review Panel through two in-person events in Conwy on 17th January and Cardiff on 19th January. These were promoted through Cymorth Cymru's mailing list, social media and the Expert Review Panel webpage.

2. Prevention and relief of homelessness

2.1. Summary of previous engagement (September 2022):

During our engagement events in September, people outlined the causes of their homelessness, including no fault evictions, increased rents, family or relationship breakdown, abuse or exploitation, mental health issues, substance use issues, debt or financial issues, the inadequacy of the welfare system, trauma, adverse childhood experiences, and leaving institutions such as prison. Most had approached their local council for help, but others said they didn't know how to get help, didn't believe the council would help them, were unable to seek help, or wanted to try to resolve the issue themselves.

When asked what the council could do better to help people presenting as homeless or at risk of homelessness, participants called for:

- More social housing
- Bringing empty homes back into use
- Offering the right home in the right place (to avoid repeat homelessness)
- Removing barriers that prevent people from accessing housing and support

- More early intervention and prevention
- More action to prevent evictions
- Greater staff capacity, skills and training
- Accessible, flexible, person-centred help and support from the council
- Non-judgemental, trauma informed responses
- A reduction in stigma and discrimination
- Greater awareness and transparency regarding people's rights
- Housing as a human right
- Expansion of Housing First
- Support for greater digital literacy to navigate systems and solutions

2.2. Most recent engagement (January 2023):

During our most recent engagement events, there were some positive comments about the response people received from their local council, including:

"Support from homeless prevention team is vital."

"The system is better than it was in terms of communication."

"Spend to save schemes are life-savers – they open up doors for people."

However, several people called for more compassionate, person-centred approaches:

"Virtual working has great benefits but can lead to staff forgetting that people are human. Face to face contact is important because it helps to promote low level advocacy and signposting."

"Staff work from a script."

"They don't see the person."

"Housing options staff are a little disconnected."

"There's a lack of human compassion."

"Systems don't realise that they're dealing with people who have been deeply traumatised."

"Housing Options system can be so demoralising."

"When your confidence has been knocked so many times, it becomes difficult to ask for help."

"Councils set people up to fail – they just want to get people off their books."

A number of people talked about how difficult the system is to navigate, and how communication and transparency needs to improve.

"Someone to help you navigate the system early on"

"I had to fight tooth and nail to find out who my Housing Officer was."

"Inaccessibility when accessing forms."

"Forms are inaccessible and letters can be difficult to understand (dyslexia)."

"One website to go to for all information – too many places to go to for advice."

"People who have a specific need have to navigate so many systems."

"Professionals come and go and you get tired of always having to tell your story."

Others talked about the need for better communication, information sharing and partnership working between homelessness and other public services:

“More connecting with other professions – partnership working.”

“Social services and homelessness do not work together.”

“Colleges / schools could do more on education [about homelessness].”

“Health and housing are disjointed.”

“Too reliant on other services – e.g. probation.”

“Had to move to England because there wasn’t an appropriate care package.”

“Don’t have the resources to help people with multiple needs.”

Many also felt that there needed to be a significant improvement with regards to stigma and culture:

“Your name becomes known by the council and they become reluctant to help you.”

“Council offices are intimidating. It feels like you’re being judged straight away.”

“Councils can inherit old cultures.”

“Coming out of prison – so desperate for help but felt like doors were being slammed in my face.”

One participant discussed his experience of racism when trying to access help from the local authority housing options service. They described it as a difficult experience which was tainted with the perception that the staff member dealing with their case was discriminating against them. The person experiencing homelessness said they spoke with kindness to staff who were dealing with their case. However, they felt they were not treated with kindness and respect at a time of great vulnerability.

“As a black man, you understand how racism and discrimination happens in real life. You understand it in a way that white people don’t, and this is how it works. Now, I understood that there was a huge queue of people waiting behind me for their turn and this person is only human and under a lot of pressure. But I looked around and saw that a lot of people behind me were foreign, Muslim or men and I thought, there must be something.”

3. Priority Need

3.1. Summary of previous engagement (October 2022):

During our engagement in October, people had a range of views about whether priority need should be retained, changed or removed from Welsh law entirely. A number of respondents said that priority need should remain in Welsh law, but their reasons were largely due to the lack of available housing. Many felt that whilst priority need may not always be fair, there was no alternative at the current time due to the severe lack of housing stock, with recognition that accepting everyone as a priority only serves to increase pressure on local authority housing waiting lists. Others felt that certain groups, such as young people and survivors of domestic abuse should be given greater priority. Others highlighted the struggles that people leaving prison were facing because they were not automatically regarded as priority need. Many people felt that everyone should have the right to housing and that anyone experiencing homelessness, regardless of their circumstances, should receive the same levels of support and access to housing.

3.2. Most recent engagement (January 2023):

When asked about priority need, several participants shared how they felt they had been treated when being assessed by the local authority and how the current priority need system failed some people:

“You’re a young fit, healthy, male – you’re suitable for the streets.”

“No matter what I do they’re always bringing up the past.”

“People slip through the net.”

“Feel like you have more of a chance of getting accommodation if someone you know works for the council.”

“Two people can have the same issue but [are given] different priorities.”

In particular, a few participants shared their experiences since leaving prison and how they were treated when being assessed by their local council:

“The system doesn’t treat people equally – professionals are fearful of people with a criminal past.”

“Good stories about prison leavers aren’t shared or promoted enough.”

“There is stigma around people in different situations.”

Some participants discussed who should be classed as priority for temporary accommodation:

“Suicide rate for homeless people and LGBTQ+ people are both high – should this be considered in priority need.”

“I support prioritisation but no one should be on the street.”

One person asked about the success of the removal or priority need in Scotland:

“Sceptical if Scottish Government’s removal of priority need has made a difference. They (the council) can always find a way to fob you off.”

4. Intentionality

4.1. Summary of previous engagement (October 2022):

The responses to our survey questions about intentionality were very mixed. However, most people who thought it should remain in Welsh law were of the view that there should be exceptions or there needed to be some flexibility or understanding of mitigating circumstances. Some comments began by saying that intentionality should remain, but as their answer developed, they often demonstrated an understanding of how mental health, addiction, learning disabilities and trauma could impact on people’s ability to maintain a tenancy, and called for a more flexible and compassionate approach.

The majority of the comments from survey respondents showed empathy and understanding of the challenges that people faced and suggested that intentionality should be removed from Welsh law. Several contributors noted that people could find themselves intentionally homeless for a myriad of reasons including mental health issues, addiction, domestic abuse and learning difficulties (specifically regarding rent arrears). Several people recognised the importance of support for people experiencing challenges and commented that a lack of support could lead to that person becoming homeless. The current cost-of-living crisis was also referenced, with many noting the increased pressure on people’s finances and mental health.

4.2. Most recent engagement (January 2023):

A number of people at our recent engagement events talked about the power dynamic between a person experiencing homelessness and the local authority. There was a sense that the intentionality test invited the local authority to pass judgement on the person's experiences and choices, without fully knowing the circumstances or challenges they had faced.

"Intentionality is dressed up judgement."

"These are used as excuses rather than mechanisms to help."

"It feels like it's used as an excuse to send people back to custody."

"It wasn't a light decision I came up with one morning."

"Inconsistently applied."

"Sets service users back."

"My past affects my future."

"I'm being punished for leaving an area that wasn't suitable for me where I'm not safe."

Some participants reflected on the challenges facing LGBTQ+ young people who needed to leave the family home due to a negative reaction to their sexual orientation or gender identity. They expressed the fear that this could be viewed as making themselves intentionally homeless, and were worried about the possibility of facing stigma or discrimination from the local council as well as their family:

"What if someone is homophobic or transphobic and this impacts service delivery?"

Other comments highlighted how the intentionality test increased their fear of not getting the help they needed, and called for change:

"I've never been in this situation before. I was scared."

"Something needs to change – it has to."

5. Local Connection

5.1. Summary of previous engagement (October 2022):

There were mixed views on local connection, with some expressing the view that local people should have priority access to (temporary and settled) housing and support. However, many respondents recognised the challenges with local connection and the implications it can have on individual circumstances. A number of people referenced the need for people fleeing abuse or violence to be able to relocate to another local authority area. Others talked about people who have been trapped in a 'cycle' of homelessness or addiction and needed to be able to settle in a new area, away from bad influences or problems, to enable them to have a fresh start.

A number of people we spoke to thought that demonstrating positive and sustained engagement with support services should negate the need for a local connection. This included people who had long histories of sleeping rough and substance use problems. They told us they had been unable to remain sober where they had a local connection, but had accessed support and made huge strides forward in a different local authority. They knew that housing was critical for their future wellbeing and abstinence from substances, but felt strongly that they needed to remain in their current location to continue to receive support and stay sober.

5.2. Most recent engagement (January 2023):

A number of people talked about the importance of being able to access temporary accommodation and support in an area where they do not have a local connection. This included people who felt that they would be in danger of discrimination, abuse, violence or exploitation if they were required to stay in a particular local authority or were more likely to fall into old habits such as addiction or offending.

“How can cycles be broken if you can’t move somewhere else?”

“Sometimes you need to leave an area to be safe.”

“I’m worried about bumping into family – it negatively affects my mental health.”

“Living in a small town is hard – everyone knows everyone.” [LGBTQ+ participant]

“It’s an unintended consequence of prison discharge.”

“You have to go back to where you’re running away from”

Some people also talked about the benefits of people being able to have a fresh start or move to areas where there are more services. This is particularly relevant for marginalised groups who may be able to access more specialised accommodation and support in urban centres with a greater range of services. Others talked about the importance of belonging to a community, which can sometimes be in an area where you don’t have a formal local connection. This was especially true for some LGBTQ+ people who wanted to be close to their ‘chosen family’ and for people with addiction issues who had developed important connections with sponsors and support groups.

“People need to go where other resources are - cities.”

“You should be able to move between local authorities.”

“Being aware of a community helps to build strength in community.”

“Starting from scratch in a new area can be exciting.”

“Share resources – don’t take choices away from people.”

Some people also felt that stigma and discrimination affected the local authority’s judgements about local connection, intentionality and priority need:

“Stigma feeds the way that you’re treated by staff.”

“I’m concerned that councils are not making objective decisions – they’re clouded by their judgement of a person.”

“All used as excuses rather than mechanisms to help.”

6. Temporary accommodation

6.1. Summary of previous engagement (November 2022):

On the whole, people had very few positive views or experiences of temporary accommodation. Some spoke very highly of the support they had received but most felt that even the highest quality temporary accommodation did not feel like a home, often due to the rules, level of security, and lack of agency that people had over the space. People were unhappy about the length of time they were having to stay in temporary accommodation, the lack of communication about when they might be able to move on, and the quality or standard of the accommodation. Several people talked about being placed in inappropriate temporary accommodation, where they felt unsafe or were at risk of losing their sobriety.

The people who engaged with us said that temporary accommodation could be improved in the following ways:

- Better communication from the council regarding progress towards securing a settled home and likely timescales for this.
- A time limit on how long people are in temporary accommodation before they get a settled home.
- Self-contained temporary accommodation with own kitchen, bathroom and laundry facilities.
- Larger rooms or more than one room when an adult has more than one child.
- A variety of temporary accommodation that can enable people to feel safe and meet people's different characteristics and support needs – particularly for young women, families, VAWDASV survivors and people recovering from addiction.
- Better quality temporary accommodation.
- Being placed in temporary accommodation in an appropriate location, ensuring access to support networks, schools, and employment – and also recognising the need for some people to move away from the area where they have a local connection.
- More mental health support for people in temporary accommodation.
- Having more activities for children in temporary accommodation, including older children.
- Well-trained, high-quality support workers to help people to understand and navigate processes and systems, and to advocate for them.
- Reduction in service charges.

6.2. Most recent engagement (January 2023):

Many participants talked about the length of time they had stayed in temporary accommodation and the uncertainty or lack of communication about when they might be able to move in to a settled home. Others talked about constantly moving to different types of accommodation and the uncertainty and anxiety this created. One participant said they had been told by a council member that they should prepare to stay in their temporary accommodation for anywhere between 6 months to 16 years:

"What is temporary accommodation? 6 months? One year? 16 years?"

"You never really know how long it's going to last."

"It's like the M25 – I can't get off."

"Constantly being moved – no stability."

"Moving people without telling them where they're going."

"Make the process clearer."

"Homelessness department needs to communicate better."

"Process takes too long."

Lots of the discussions focused on standards and the quality of temporary accommodation:

"Better standards – bedroom properly furnished, private bathroom."

"Better regulation."

"More focus on housing need, rather than the background of the person who needs help."

"Sharing facilities is challenging."

"Basics should include: keep and cook food safely; washing facilities, better period care."

"Given floorspace - 'if you do well there, you'll get a room.'"

“Moved from a hotel (stayed for 3 months), no cooking facilities, recently starting using a wheelchair and put on top floor, lack of notice to move.”

“Conflicting messaging - ‘our office is your home’ but then locked doors/can’t wash my own clothes.”

A number of people advocated for a greater variety of temporary accommodation to be available, with a person-centred approach to determining which type of accommodation was better suited to that person:

“More focus on what the culture at different types of accommodation is like.”

“Better range of accommodation needed.”

“Housing many people with chaotic lifestyles in one place is not good.”

Some participants talked about the importance of inclusive temporary accommodation schemes and the need to protect people from marginalised groups from exploitation and abuse.

“It’s hard to (keep) coming out / share pronouns with new arrivals”

“More specialist focus – LGBTQ+ clubs / mental health days / counselling)”

“Women have different needs to men and need tailored care.”

“Sexual favours often used as a way for women to get a roof over their head.”

Others talked about the importance of high-quality support services to help them to deal with trauma and cope with their time in temporary accommodation. People also highlighted the benefits of organised activities within the accommodation, which focused on people’s strengths and creativity, enabled them to build social connections and gave them a sense of purpose.

“Continuity in support is critical.”

“Staff presence is so important.”

“Activities are really important – they get me out of bed.”

“More focus on the social element of accommodation.”

Some people talked about the importance of peer support within accommodation. One participant described how losing the support of a peer was extremely detrimental to their wellbeing and recovery. They told us that their relationship with another hostel resident had been deemed ‘bad’ by hostel staff members, with seemingly no basis for this judgement. The two individuals were subsequently separated and sent to unsuitable accommodation away from one another. The individual said that they had been close to relapsing on numerous occasions since.

Many of the participants shared the emotional impact of being in temporary accommodation:

“That feeling of not feeling welcome in the house you live in.”

“The only way to leave is often in a body bag.”

“It can retraumatise you.”

“Isolation.”

“Lack of empathy.”

“People would be better off in prison.”

“Supported accommodation can feel like a cell.”

“You’ve got to be able to start afresh each time. You’ve got to be able to say, right, let’s start again.”

7. Access to settled housing

7.1. Summary of previous engagement (November 2022):

The people we engaged with during November 2022 felt that access to housing could be improved in the following ways:

- A reduction in the amount of time it takes to apply for and access housing
- An increase in empathy and understanding demonstrated by staff
- As simpler process, more information about how the process works and expected timescales
- Guidance about what information people can provide to assist with their application
- Regular communication / updates for applicants
- Support to navigate the system and/or using computers or the internet
- Increasing the amount of affordable properties
- Increasing Local Housing Allowance rates
- Better information and communication about how the allocations process works
- Allocations policies that prioritise people experiencing homelessness
- Allocations policies that don't prevent people with previous rent arrears from being able to access social housing

7.2. Most recent engagement (January 2023):

Lots of the people we spoke to at our engagement events were in some form of temporary accommodation or had moved between lots of forms of accommodation over recent years. Most talked about the importance of finding somewhere to call home, where they could feel safe and secure.

"To find a permanent place to call home is everything."

"People need security in their lives."

People were acutely aware of the lack of affordable housing in both the social and private rented sectors. They called for more investment in social housing, particularly one-bedroom properties, and also referenced the need to bring empty properties back into use.

"PRS – too expensive even when working."

"UC is just not enough."

"Shortage of single person accommodation."

"More investment in social housing."

"I was just told 'there aren't any (homes).'"

"Properties taking too long to turn over."

"Buildings rotting away that could be used as supported accommodation."

"Want to see empty properties brought back to life."

Some people expressed sheer desperation for a settled home, lowering their expectations but still struggling to find somewhere affordable and suitable to live.

"Just want a roof over our heads – I'm willing to take on properties of any standard."

"I just wanted something of my own."

Several participants questioned the transparency of the system for allocating or offering accommodation and described how the lack of choice of accommodation and limited consideration regarding their individual needs had affected them:

“There’s a lack of transparency on what accommodation is being offered.”

“Not shown accommodation – there’s a very clear expectation versus reality e.g. told accommodation was a furnished bungalow and when I arrived it was an unfurnished bedsit.”

“Trying to get a person to sign paperwork before viewing the property.”

“Being moved away from my support network – I felt like I had to invent a ‘better’ reason to say no to what was on offer.”

“Moved somewhere with no support network – causes isolation.”

“Individual need is not taken into account - i.e. a father with share childcare responsibilities. I wasn’t allowed a place with a second bedroom for my children.”

“Trying to find somewhere appropriate to stay with your children – especially as a single man.”

Many participants discussed the importance of ongoing support after they had moved into a settled home, to help them to maintain their tenancy and avoid repeat homelessness.

“Would still want to access support after moving into settled accommodation.”

“How do you move people with high support needs into more independent living?”

“Support in community is crucial.”

“Long term support needed.”

“Permanent accommodation is the beginning not the end.”