

**SOCIAL JUSTICE AND  
REGENERATION COMMITTEE**

**REPORT ON YOUTH HOMELESSNESS**

**“EVERYONE’S BUSINESS – NO-ONE’S  
RESPONSIBILITY”**

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## CHAIR'S INTRODUCTION



In 2003, the Committee conducted its first review on Housing for Older People. I think that it is only fitting that this, our final review of the Second Assembly, looks at the needs of some of the younger members of our society.

Youth homelessness in Wales is a problem that must not be ignored. It affects a significant minority of some of our most vulnerable young people every year. The duty of care that we owe to these young people is great and I believe that they deserve the very best services that we in Wales can provide for them.

We have heard some very harrowing evidence during our review both from young homeless people themselves and from the people who provide services to them. This has strengthened our determination to ensure that, at a time of their lives when they are in crisis, there are organisations and people with the skills and resources to help them.

We were very encouraged by all the examples of good practice and the dedication and hard work of the people working to help homeless young people that we saw during the review. Excellent services are provided by many organisations and individuals and we would like to see this quality of provision available to all homeless young people in Wales. I would like to pay tribute, on behalf of the Committee, to the dedication and commitment of all our witnesses to improving the lives of homeless young people in Wales.

We received many suggestions for recommendations from the people we talked to, for which we are very grateful. We have tried to include many of them in our report, but have concentrated on trying to make strategic recommendations which, we believe, will help to achieve the more specific recommendations that have been suggested to us.

During our evidence sessions, one of our witnesses remarked that she had been researching the literature on youth homelessness to try to find something new to say at our meeting. She was shocked to find that all the issues she recognised today had been raised at least 10 years ago.

I sincerely hope that, in 10 years from now, homeless young people in Wales will have the level and quality of help and support that they deserve. I believe that this review can make a great difference to the lives of homeless young people in Wales and hope that the recommendations we have made will be the catalyst for action.

A handwritten signature in black ink that reads "Janice Gregory". The signature is written in a cursive, flowing style.

**Janice Gregory AM**  
**Chair, Social Justice and Regeneration Committee**

## INTRODUCTION

The true extent of youth homelessness in Wales is difficult to measure. Between July and September 2006, Welsh Assembly Government figures showed that 782 households aged between 16 and 25 in Wales were deemed by local authorities to be eligible, unintentionally homeless and in priority need of housing (out of a total of 1741).

Many voluntary organisations suggest that the real figure could be at least twice the official figure due to the 'hidden homeless' who, for one reason or another, do not appear in the official statistics.

Whatever the true figure, all those involved in providing services for young homeless people in Wales agree, that there are many issues of service provision that need to be addressed urgently.

We decided to focus on youth homelessness for our review and our terms of reference were framed after we considered a scoping paper on the issues. We decided on the following:

To consider the issues surrounding youth homelessness in Wales in particular:

- The provision of services for young homeless people by local authorities and the voluntary sector, including the identification of good practice;
- The role of local authorities in applying relevant legislation to youth homelessness issues, including the identification of good practice;

To make recommendations.

A fuller version of the terms of reference can be found at Annex C

We took evidence from a number of service providers from both the voluntary sector and local authorities. We were also keen to speak to homeless young people which we did through a series of focus groups around Wales.

The reasons for and issues affecting youth homelessness are well known and have been widely discussed. Many familiar themes emerged from the evidence we received and there was general agreement amongst witnesses about the problems they faced.

With this in mind, this report will not revisit all the arguments behind the issues. Instead it contains a series of recommendations based firmly on the evidence we received during our inquiry. We are determined that this report will not just be left on a shelf but that it will be the start of a real and sustained improvement to the services that are so badly needed by our homeless young people in Wales.

We received a large amount of evidence about funding issues, from the withdrawal of funding for small individual projects, to the decrease in funding

available to local authorities. We do not make a large number of specific recommendations about funding as we believe that many of the issues around youth homelessness stem from a lack of strategic direction and planning and joined up working and it is these areas we have concentrated on.

Whilst considering the evidence we were presented with, we realised that there were several recommendations which applied to every area of youth homelessness and that they should underpin all our other, more specific recommendations.

**Recommendation 1: Within the context of the Beecham Review agenda, the Welsh Assembly Government should ensure, through its homelessness strategy and by monitoring the level and extent of service provision, that the extent and quality of service provided to young homeless people is consistent across Wales and that it is available where it is needed.**

**Local authorities should be given support and guidance to establish regional partnerships to deliver effective services for homeless young people.**

**Recommendation 2: The Welsh Assembly Government, local authorities and the voluntary sector should work in partnership to simplify the current complex system of access to and information about the services available to young homeless people.**

**Recommendation 3: The Welsh Assembly Government should assess the need for and, where necessary, provide adequate funding for dedicated homelessness services for young people.**

**Recommendation 4: The Welsh Assembly Government should issue guidance to local authorities on 'joined up' working on all aspects of youth homelessness both within the local authority and with external partners to increase the amount of cross departmental and multi agency working and improve the service provided to young homeless people.**

**Recommendation 5: The Welsh Assembly Government, local authorities and the voluntary sector should involve service users in all aspects of planning and policy making for services for homeless young people.**

## CHAPTER 1 - THE LEGAL AND POLICY FRAMEWORK

1.1 The factors associated with youth homelessness – its causes, the circumstances which contribute to it and the actions which effectively address it – are complex and multi-faceted. The organisations and individuals who provided evidence to the Committee during the course of the policy review, highlighted the significance of both individual and societal factors including:

- family relationships
- substance misuse
- being 'looked after' by the local authority
- education and employment
- access to health and social services
- the availability of affordable housing
- the benefits system
- the transport infra-structure

1.2 This chapter outlines the legislative and policy framework associated with youth homelessness both in terms of how it relates specifically to the state of being homeless and in terms of the areas which have been identified as significant through the course of the policy review.

### **Youth homelessness: the specific legislative and policy framework**

1.3 The statutory framework relating to homelessness in Wales focuses on the responsibilities of local authorities in respect of both the prevention and addressing of homelessness and is provided for by the following legislation:

#### ***The Housing Act 1996***

1.4 Section 175 of the *Housing Act 1996* provides the following definition of homelessness:

**175.** - (1) A person is homeless if he has no accommodation available for his occupation, in the United Kingdom or elsewhere, which he-

- (a) is entitled to occupy by virtue of an interest in it or by virtue of an order of a court,
- (b) has an express or implied licence to occupy, or
- (c) occupies as a residence by virtue of any enactment or rule of law giving him the right to remain in occupation or restricting the right of another person to recover possession.

(2) A person is also homeless if he has accommodation but-

- (a) he cannot secure entry to it, or
- (b) it consists of a moveable structure, vehicle or vessel designed or adapted for human habitation and there is no place where he is entitled or permitted both to place it and to reside in it.

(3) A person shall not be treated as having accommodation unless it is accommodation which it would be reasonable for him to continue to occupy.

1.5 Under Part VII of the *Housing Act 1996* (the 1996 Act)<sup>1</sup>, local housing authorities have a duty to provide accommodation to those who are homeless, eligible for assistance, and in priority need. Section 189 of the Act sets out descriptions of persons who are in priority need and also gives the National Assembly for Wales power to specify further descriptions.

**189.** - (1) The following have a priority need for accommodation-

- (a) A pregnant woman or a person with whom she resides or might reasonably be expected to reside;
- (b) A person with whom dependent children reside or might reasonably be expected to reside;
- (c) A person who is vulnerable as a result of old age, mental illness or handicap or physical disability or other special reason, or with whom such a person resides or might reasonably be expected to reside;
- (d) A person who is homeless or threatened with homelessness as a result of an emergency such as flood, fire or other disaster.

### ***The Homeless Persons (Priority Need) (Wales) Order 2001***

1.6 The National Assembly used secondary legislative powers to introduce the *Homeless Persons (Priority Need) (Wales) Order 2001*<sup>2</sup> which broadened the categories of people to be considered in priority need. This Order specifies the following further descriptions of persons as having priority need:

- A care leaver or person at particular risk of sexual or financial exploitation, 18 years or over but under the age of 21;
- A 16 or 17 year old;
- A person fleeing domestic violence or threatened domestic violence;
- A person homeless after leaving the armed forces;
- A former prisoner homeless after being released from custody.

### ***The Homelessness Act 2002***

1.7 The *Homelessness Act 2002*<sup>3</sup> introduced:

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<sup>1</sup> The *Housing Act 1996* <http://www.opsi.gov.uk/ACTS/acts1996/1996052.htm#aofs>.

<sup>2</sup> The *Homeless Persons (Priority Need) (Wales) Order 2001*, No. 607 (W.30)

<http://www.opsi.gov.uk/legislation/wales/wsi2001/20010607e.htm>.

<sup>3</sup> The *Homelessness Act 2002*: <http://www.opsi.gov.uk/acts/acts2002/20020007.htm>.

- A duty on local authorities to carry out a review of homelessness in their area;
- A duty on local authorities to publish a strategy to tackle and prevent homelessness;
- A duty to provide settled accommodation for unintentionally homeless people in priority need;
- Reforms to the framework by which councils allocate housing.

### ***The Homelessness (Suitability of Accommodation) (Wales) Order 2006***

1.8 The National Assembly introduced further secondary legislation, the *Homelessness (Suitability of Accommodation) (Wales) Order 2006*, which came into force on 3 April 2006<sup>4</sup>. Part 1 of the Order specifies matters to be taken into account in determining whether accommodation is suitable for a person. These matters relate to the health needs of the person, any disability of the person and the proximity of social services and other support. Parts 2 and 3 of the Order come into force in April 2007 and 2008 and relate to Bed and Breakfast (B&B) accommodation.

1.9 In March 2003, the Welsh Assembly Government issued a *Code of Guidance* for local authorities on how they should discharge their functions and apply the various statutory criteria on the allocation of accommodation and homelessness.<sup>5</sup>

### ***Welsh Assembly Government National Homelessness Strategy 2006-2008***

1.10 The *National Homelessness Strategy for Wales 2006-2008* was published in November 2005<sup>6</sup> and sets out how the Welsh Assembly Government intends to tackle homelessness in Wales and how it intends to work with other public, voluntary and private agencies, and homeless people themselves, to prevent homelessness and alleviate it where it cannot be avoided. The strategy is preventative and remedial in approach and covers both the implementation of local authority duties, which specifically relate to homelessness, and a range of broader policy issues which impact on homelessness. These include:

- the supply of, and access to, housing; the housing benefit system;
- the provision of temporary accommodation and supported housing;
- the needs of specific groups of people, such as women, lesbian and gay people and people from minority ethnic communities;

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<sup>4</sup> The *Homelessness (Suitability of Accommodation) (Wales) Order 2006*, No. 650 (W.71) <http://www.opsi.gov.uk/legislation/wales/wsi2006/20060650e.htm>

<sup>5</sup> Welsh Assembly Government (April 2003) *Code of Guidance for Local Authorities on Allocation of Accommodation and Homelessness*

<http://new.wales.gov.uk/docrepos/40382/sjr/housing/management/allocationlas?lang=en>

<sup>6</sup> Welsh Assembly Government (November 2005) *The National Homelessness Strategy For Wales 2006-2008*

<http://new.wales.gov.uk/docrepos/40382/sjr/housing/homelessness/strategie?lang=en>

- the role of education, training and employment in preventing and addressing homelessness; and,
- the importance of effective cross-sector working, strategic planning and evaluation if the strategy is to be successfully implemented.

The scope of the strategy encompasses policy areas in which the Assembly Government has devolved powers, such as housing, and reserved areas such as the benefits system.

1.11 The strategy includes an action plan which states what the Welsh Assembly Government will do and will expect other organisations to do to contribute towards the successful implementation of the strategy. Section 1.7 of the action plan deals with children and young people. The Welsh Assembly Government commits to:

- Introduce legislation to provide better protection for children in homeless families;
- Require all Young Peoples Partnerships (YPPs) to work with housing colleagues in local authorities to identify the particular housing needs of young people;
- Explore the development of a training package for youth workers on dealing with housing issues;
- Establish a consultation mechanism on the National Homelessness Strategy to involve young people in its development;
- Introduce the National Service Framework for Children to promote joint working to support successful transitions for families affected by homelessness in June 2006.

1.12 Many young people will fall into other categories, for example, young parents or pregnant women, those leaving the forces, those who have misused drugs or alcohol and those leaving custody. Shelter Cymru have estimated that around 40% of households seeking help from their local authority were headed by someone under 25 years old. Therefore, many of the other commitments included in the action plan will impact directly on young people.

1.13 In addition to unhypothicated funding made available to local authorities which may be used to address homelessness, the Welsh Assembly Government supports a range of homelessness projects through its Homelessness Grant programme. The programme is funded under the Welsh Assembly Government's Homeless and Rough Sleeping Budget Expenditure Line which is worth £6,333,000 in 2006-07. Examples of projects funded through the programme include:

- Barnardos youth assessment and family mediation service which is part of the multi-agency Bays project in Swansea.
- NACRO Youth Homelessness Prevention project which involves outreach work with young people.



and circumstances by raising awareness of the inter-relationship between different policies, tools, and functions and providing examples of good practice from around Wales. Social Housing Grant (SHG) is an example of a tool which can be utilised to increase the availability of affordable housing. SHG is a capital grant made available by the Welsh Assembly Government to Registered Social Landlords (RSLs) to provide new affordable housing for rent or low cost home ownership that meet local needs and priorities as identified by local authorities.<sup>13</sup>.

1.17 Supporting People is the Welsh Assembly Government's policy and funding framework for delivering housing related support to vulnerable people. The Supporting People Revenue Grant (SPRG) criteria include a category for young homeless people. £7,364,000 was spent in 2005-06 to provide 2401 units of support for young single homeless and young people leaving care. The programme also provides support for young people through other projects, such as those dealing with substance misuse or offending behaviour, which also accommodate young people.

### ***Substance misuse policy***

1.18 The Assembly Government has established a specialist group that includes representation from Shelter Cymru who will look at the inter-related issues of substance misuse and homelessness and access to treatment services as part of a number of modules being developed as part of the *Substance Misuse Strategy for Wales*<sup>14</sup>. The module will set markers of good practice for partnership working arrangements with housing agencies and the provision of the full range of treatment services for homeless people, including the accommodation requirements of young people completing residential detoxification or rehabilitation treatment.<sup>15</sup>.

### ***Youth offending policy***

1.19 The All Wales Youth Offending Strategy<sup>16</sup> contains commitments to:

- evaluate the extent to which the needs of young offenders have been addressed within the local homelessness strategies;
- assess the extent to which the needs of young offenders are addressed within the Supporting People Operational Plans; and,
- to ensure, through the Youth Justice Board and local authorities, that all Youth Offending Teams (YOTs) are working to identify the

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<sup>13</sup> Further information on the Social Housing Grant is available at:

<http://new.wales.gov.uk/topics/housingandcommunity/grants/shg?lang=en>

<sup>14</sup> *Tackling Substance Misuse in Wales: A Partnership Approach*. Welsh Assembly Government. 2000.

<sup>15</sup> See National Assembly for Wales, Social Justice and Regeneration Committee, SJR(2) – 12-06(p2) Annex 1, *Substance Misuse – 4<sup>th</sup> Annual Progress Report*, 21 September 2006: <http://www.wales.gov.uk/cms/2/SocialJusticeAndRegenerationCommittee/N00000000000000000000000000000006/5bd8deed31935e20363803497890b083.htm>

<sup>16</sup> *All Wales Youth Offending Strategy*. Welsh Assembly Government and the Youth Justice Board, 2004: <http://www.ecoliinquirywales.org.uk/docrepos/40382/sjr/crime/youthoffendingstrategy?lang=en>

housing needs of young offenders in their areas and to ensure that this informs their contribution and involvement with local homelessness and Supporting People planning processes.

### **Health care policy**

1.20 Local Health Boards (LHBs) have a statutory duty to improve the health of all local people, plan the development of primary care and purchase health services to address the needs of their populations. LHBs are expected to work closely with local government, the voluntary sector and other partners to improve co-ordination between health and social care. They have a statutory responsibility to develop Health, Social Care and WellBeing Strategies. The Welsh Assembly Government's National Homelessness Strategy requires: Local Authorities and LHBs to:

- Review their Health, Social Care and Well-being Strategies in order to ensure they have arrangements in place which address the specific needs of homeless people;
- LHBs should play a full part in planning for homelessness services; and,
- LHBs and local authorities should work in partnership to ensure health services maintain contact with homeless people and particularly with homeless families with young children, through referral arrangements.<sup>17</sup>

### **Employment and benefits policy**

1.21 Over the last few years, the UK Government has introduced a number of initiatives to help people into work. Although not specifically aimed at homeless people, many of those who come into contact with *Pathways to Work*, *New Deal* and Jobcentre Plus will be homeless, due to the proportion of homeless people who do not have paid employment. In Wales, Jobcentre Plus personal advisers can now award Community Care Grants to homeless people. *The Skills and Employment Action Plan for Wales*<sup>18</sup> recognises homeless people as a group requiring sustained help into employment.

1.22 The benefits system in Wales is a non-devolved area and does not form part of the legislative and policy framework through which youth homelessness is addressed. However, it is worth noting that almost all those who provided evidence to Committee referred to certain aspects of the benefits system as contributory factors to youth homelessness.

1.23 The Single Room Rent Restriction, contained in the *Housing Benefit (General) Amendment Regulations 1996*, means that claimants under the age of 25 receive less housing benefit than those over the age of 25.

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<sup>17</sup> Welsh Assembly Government (November 2005) *The National Homelessness Strategy For Wales 2006-2008* p. 36

<sup>18</sup> *Skills and Employment Action Plan for Wales 2005*. Welsh Assembly Government. 2005: <http://new.wales.gov.uk/docrepos/40382/4038232/4038211/40382121/c5104-seap-report-e.pdf?lang=en>.

1.24 The Housing Benefit system, covered by a raft of legislation also impacts on the abilities of young homeless people to access employment and education.

1.25 The evidence presented to Committee highlighted the potential impact of the regulation-making powers contained within the Welfare Reform Bill, including:

- The roll out of the flat-rate Local Housing Allowance (LHA), whereby tenants are paid directly and required to make their own arrangements with their landlords, in the private rented sector;
- The piloting of the removal of council and housing association tenants' right to ask to have payments made straight to their landlord
- The reduction and withdrawal of housing benefit / LHA from claimants who refuse support following an eviction for antisocial behaviour.

1.26 The legislative and policy framework around youth homelessness is complex and broad ranging, both in terms of policy area and the exercising of powers, with the Welsh Assembly Government, local government and UK Government having different responsibilities and powers over different aspects of the agenda.

## CHAPTER 2 – PREVENTION OF YOUTH HOMELESSNESS

**“Services should be focused toward preventing homelessness first, and then dealing with statutory homeless cases only when there is no alternative.”<sup>19</sup>**

2.1 The Welsh Assembly Government’s National Homelessness Strategy indicates the need to try to prevent homelessness rather than dealing with it as an isolated issue. It acknowledges that many local authorities have not treated prevention as a priority and advocates a ‘spend to save approach’ towards prevention and the use of a ‘housing options’ approach.

2.2 All the organisations who gave us evidence agreed that the prevention of homelessness should be given a higher priority and we received evidence on several different options.

### **Early intervention**

2.3 We heard evidence from many of the witnesses that intervention at an early stage to prevent homelessness was of paramount importance. Stephen Gamgee from The Wallich Clifford Community summed up the importance of early intervention:

It is true that the earlier you can intervene when somebody is in trouble, the more likely it is to prevent a long-term problem. In stressing the importance of early intervention, (and if it falls within the heading of youth homelessness it has already gone too far) one must not forget that services should still be provided to the people for whom life has been a long experience of disadvantage and exclusion.<sup>20</sup>

Unfortunately, the majority of the evidence pointed to the fact that this rarely happens and if it does, it is in an uncoordinated and piecemeal way.

2.4 Pam Clutton of the Merthyr Partnership described how many of the young people who present as homeless are already known to Social Services Departments either through problems with their families, education or offending.<sup>21</sup>

2.5 There appears to be no co-ordinated approach to identifying these young people as potentially vulnerable before they present as homeless. We heard from several witnesses about the problems of establishing a co-ordinated approach between the voluntary sector and local authorities and between local authority departments to those young people who present as homeless (see chapter 3). The issue of establishing this type of approach **before** a young person becomes homeless appears not to have been addressed by many of the organisations and authorities working with young people in

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<sup>19</sup> *National Homelessness Strategy for Wales 2006 – 2008*, Welsh Assembly Government November 2005.

<sup>20</sup> Social Justice and Regeneration Committee SJR(2)-15-06(p3)

<sup>21</sup> Social Justice and Regeneration Committee 6 December 2006

Wales. This was highlighted in the answer to a question at the Committee's evidence session on 6 December:

**Sandy Mewies:** Having listened to what you said, it is clear that intervention has to start early and has to go on for a considerable time, but it does not. At the moment, for the vulnerable young people who we know are in the system—whether with the voluntary or not-for-profit sector, or with social services—are there multi-agency case reviews at various points in their lives that will guide what happens next?

**Ms Uche (Barnardos Cymru) :** 'No' is the answer, but there are some practices that help to address it. Some of the services have a multi-agency problem-solving group of practitioners and resource managers who can make decisions about individual young people, so we present cases to that panel. .... We have developed practice, which needs recognising and maybe even paying for. However, the answer is 'no'.<sup>22</sup>

2.6 We believe that identifying young people who would potentially be vulnerable to homelessness later in life, at an early stage, and taking action to address the problems that may lead to homelessness is of great importance in addressing the issue of youth homelessness. These young people could be helped at an early stage to avoid the crisis point of becoming homeless. We heard evidence that this approach is being taken to children in care in Merthyr Tydfil, who are being assessed at 12 and 13 years old to determine their possible future vulnerabilities.<sup>23</sup>

2.7 We think that the models used in education (Learning pathways<sup>24</sup>) and health (Key transition stages<sup>25</sup>), to develop pathways for individuals to ensure satisfactory outcomes would serve as a useful models to develop strategies for individual young people who come to the attention of Social Services Departments, Youth Offending Teams or the Voluntary sector and who are considered as potentially vulnerable.

**Recommendation 6: The Welsh Assembly Government should develop a pathways approach for children and young people who are identified by Social Service Departments, Youth Offending Teams or Voluntary sector organisations as being potentially vulnerable as they grow up. These pathways should be designed to try to ensure that the individual child or young person has the best chance possible of leading a fulfilling life in mainstream society.**

**Recommendation 7: The Welsh Assembly Government should issue guidance on the conducting of reviews at key points in the life of a young person identified as vulnerable. These reviews should be multi-agency and should be used to identify potential crisis points in the young person's life as well as the specific support and help needed by the young person.**

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<sup>22</sup> Social Justice and Regeneration Committee 6 December 2006 para 87

<sup>23</sup> Social Justice and Regeneration Committee 6 December 2006 para 86

<sup>24</sup> *Learning Pathways 14-19 Guidance II*, Welsh Assembly Government, May 2006

<sup>25</sup> *National Service Framework for Children, Young People and Maternity Services*, Welsh Assembly Government, September 2005

## Education

2.8 We welcome the evidence we received from several of the organisations, that the education initiatives contained in the Welsh Assembly Government's Homelessness Strategy are being implemented and well received. Shelter Cymru told us about the work they are doing, funded by the Welsh Assembly Government, to provide teachers with educational resources about housing and homelessness.<sup>26</sup>

2.9 We have received evidence during previous policy reviews, especially those on substance misuse, that involving people who have previously been affected by the issues being taught and them speaking directly to students about their experiences has been very effective. We would welcome this approach being encouraged in the teaching of issues surrounding homelessness.

## Mediation

2.10 One of the preventative measures advocated by many of the witnesses was that of mediation. We heard that often, especially where homelessness is occurring or is threatened as a result of being excluded from the family home, the involvement of a third party to mediate the situation can be very beneficial. Mediation between a tenant and their landlord where eviction is threatened can also help to resolve a potential homeless situation.

2.11 In Swansea, the family mediation service provided by Barnardo's as part of the BAYS Youth Homelessness Scheme, prevented homelessness in 149 of the 244 young people presenting as homeless between January and October 2006.<sup>27</sup>

2.12 The Welsh Assembly Government's Homelessness Strategy encourages local authorities and their partners to establish mediation schemes in their areas with a view to preventing homelessness.

2.13 We acknowledge that mediation is not appropriate in all cases, especially where the young person is identified as being at risk, but we believe that the evident success of mediation services must be built on and good practice shared.

**Recommendation 8: The Welsh Assembly Government should require (rather than encourage) all local authorities in Wales to provide high quality, effective mediation services which are readily available to homeless and potentially homeless young people.**

**Recommendation 9: The Welsh Assembly Government should monitor and evaluate the success of mediation services provided for homeless**

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<sup>26</sup> Social Justice and Regeneration Committee 8 November 2006 para 31

<sup>27</sup> Social Justice and Regeneration Committee 6 December 2006 SJR(2)-17-06(p2)

**young people in Wales on an ongoing basis to ensure that the high level of success is being maintained.**

2.14 We asked a group of homeless young people in South Wales what they did when they became homeless<sup>28</sup>. They gave us the following answers:

Phoned the police who called Social Services;  
Ran away from places not in my area;  
Told teacher – who contacted Llamau;  
Most people don't know what to do when they become homeless;  
Went to the council but had to wait for 4 hours to be seen. Then placed outside the local authority area.

2.15 We were shocked to learn that only one of them knew to go to the local authority and concerned about the treatment they received from them. Other groups of homeless young people we spoke to in North Wales told the same stories – they did not know what to do and often found out where to go from other young people.

**Recommendation 10: The Welsh Assembly Government should identify good practice in the dissemination of information about homelessness service for young people and should ensure that this good practice is shared amongst local authorities and the voluntary sector.**

2.16 We heard evidence from several witnesses that the ages used to determine priority need are too arbitrary and that they are seeing young people as young as 14 presenting as homeless. There is also concern that the regulations determining the age at which a young person is in priority need refers only to their chronological age and takes no account of their physical, mental and emotional development.

2.17 In Swansea, where youth homelessness is dealt with through a local authority and voluntary sector partnership project, young people presenting as homeless at the ages of 16 and 17 are dealt with as young people in need under childcare legislation rather than under homelessness legislation. This enables them to access a greater range of services and also enables them to be supported if they are put into bed and breakfast accommodation.

2.18 We welcome innovative solutions such as this one to the issues surrounding youth homelessness.

**Recommendation 11: Local authorities in Wales should explore using innovative solutions for dealing with homeless young people under the age of 18; for example, the Swansea model which uses the Children's Act rather than homelessness legislation.**

**Recommendation 12: Local authorities in Wales should review the application of homelessness legislation to homeless young people aged**

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<sup>28</sup> Social Justice and Regeneration Committee SJR(2)-17-06(p11)

**under 25 and seek to involve as many local authority departments and outside agencies, as is appropriate, in their care.**

### **Local authority responsibilities**

2.19 We heard from the Welsh Local Government Association (WLGA) and several local authorities about the improvements that have been made in the provision of services for homeless young people. Changes in legislation and an increased emphasis from the Welsh Assembly Government on tackling homelessness issues has led to an increase in acceptance rates for homeless young people.<sup>29</sup>

2.20 We also heard from the WLGA that much work still needs to be done to tackle the issues around youth homelessness. This was borne out by many of the voluntary sector organisations who told us that the level and quality of service provided by local authorities across Wales varies widely and is patchy and inconsistent.

2.21 Concerns were expressed about the use of the housings options approach and the issues of 'intentional homelessness'.

### **Housings Options**

2.22 Viewed as part of the prevention toolkit, the housing options approach aims at exploring options with clients at an early stage to identify suitable alternatives for a person who presents as being homeless or potentially homeless. The Welsh Assembly Government's National Homelessness Strategy suggests that the solutions will often lie in the private rented sector.

2.23 Several of the voluntary sector organisations we spoke to indicated their reservations about the housing options approach.

2.24 Shelter Cymru expressed concerns that the housing options approach meant that many people who presented to local authorities as homeless or potentially homeless were not being included in the homelessness statistics and are being dealt with outside the formal homelessness structures. They also suggested that the approach may put off young people from approaching local authorities as they were concerned about being forced to return home or to take unsuitable tenancies.<sup>30</sup>

2.25 Many of the witnesses expressed concern that the private rented sector is also often inappropriate for young people. The benefits system often does not allow people under 25 to receive sufficient benefit to pay rent (see the discussion below). Many young people who find themselves threatened with homelessness lack the life skills to live on their own unsupported and to deal with tenancy agreements and financial dealings. Entry into the private rented

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<sup>29</sup> Social Justice and Housing Committee SJR(2)-17-06(p5)

<sup>30</sup> Social Justice and Housing Committee 8 November 2006 para 12

sector can often lead to a cycle of homelessness as they are unable to cope financially and with unsupported living.

2.26 We heard that in some local authorities, such as Carmarthenshire and Swansea, Housing Departments work in partnership with Social and Children's Services when working with potentially homeless young people. This enables them to identify a range of problems, not only homelessness, and to devise individual action plans for each young person.

**Recommendation 13: The Welsh Assembly Government should review the application of the housing options approach to people under the age of 25 and require local authorities to have a cross-sectoral approach to dealing with them.**

**Recommendation 14: The Welsh Assembly Government should revise their Homelessness Strategy and guidance to local authorities to reflect the evidence that the private rented sector is not always an appropriate housing option for homeless young people. They should work closely with private landlords to ensure that any accommodation used to house homeless young people is appropriate.**

### **Intentional Homelessness**

2.27 A local authority may decide that it will not house a homeless young person if they consider that they have made themselves intentionally homeless. Guidance to local authorities issued by the Welsh Assembly Government emphasises the need for local authorities to judge each case of homelessness individually when determining if someone has made themselves deliberately homeless or not and says that:

Housing authorities must not adopt general policies which seek to pre-define circumstances that do or do not amount to intentional homelessness or threatened homelessness.<sup>31</sup>

2.28 We heard from several witnesses that they were concerned about the level of determinations of intentionality amongst local authorities in Wales, especially in respect of young people. We heard evidence from Shelter Cymru of young people being deemed to be intentionally homeless because of 'not being home by a certain time'<sup>32</sup>. The Wallich Clifford Community said that, in some local authorities, young people were being deemed as intentionally homeless if they had refused to have mediation.<sup>33</sup>

2.29 If a person is deemed to have made themselves intentionally homeless, the local authority only has a responsibility to house them for 28 days, after which, they have to find their own accommodation.

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<sup>31</sup> Code of Guidance for local authorities on allocation of accommodation and homelessness. Welsh Assembly Government, April 2003.

<sup>32</sup> Social Justice and Regeneration Committee 8 November 2006 para 23

<sup>33</sup> Social Justice and Regeneration Committee 8 November 2006 para 205

2.30 We heard several suggestions about how intentionality should be handled. In Scotland, local authorities have a power to help ‘intentionally’ homeless people rather than a duty to investigate whether a person has made themselves intentionally homeless. Intentionally homeless households in Scotland are helped to find alternative accommodation and are offered a short Scottish Secure Tenancy (SST) with housing support services for up to 12 months.<sup>34</sup>

2.31 Barnardo’s Cymru suggested that the term intentionality should not be used for young and vulnerable people who were often not aware of the consequences of their actions.

2.32 In their evidence, the WLGA stated that the level of intentional homeless decisions have remained stable at around 5% of applications across Wales in recent years. As the levels of applications increased every year up to 2005, this will have resulted in increasing numbers of homeless applicants being deemed as being intentionally homeless.

**Recommendation 15: The Welsh Assembly Government should examine the principles by which young people are declared intentionally homeless and issue guidance to local authorities to ensure that unfairness and inequalities do not occur.**

**Recommendation 16: The Welsh Assembly Government should explore with its colleagues in Westminster, gaining the powers to change legislation in Wales as regards intentionality to enable Welsh local authorities to have the same requirement as those in Scotland in relation to people aged under 25 (i.e. not to have to test for intentional homelessness).**

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<sup>34</sup> The Homelessness etc (Scotland) Act 2003

## CHAPTER 3 – HOUSING AND BENEFITS ISSUES

3.1 We heard from all our witnesses about the problems caused by the lack of suitable accommodation available to young people. The lack of accommodation was caused by a number of issues including:

- Lack of local authority and Registered Social Landlord housing stock;
- Lack of affordable private rented housing;
- Lack of provision of night shelters;
- Lack of provision of hostel accommodation;
- Lack of provision of supported housing;
- Lack of accommodation dedicated to young people;
- Lack of suitable accommodation for disabled homeless young people;
- Lack of 'move on' accommodation

3.2 The lack of suitable housing can be a cause of youth homelessness as young people are often unable to afford rented accommodation or to buy their own home. It is also an important barrier to providing a good, high quality service to young people when they become homeless. We heard from many witnesses that hostels and supported housing are becoming 'jammed' with people who wish to move into other accommodation but cannot because of the lack of suitable 'move on' accommodation. This reduces the number of short term accommodation places available and can lead to increased pressure on night shelters and more young people living on the streets.

3.3 Much of the housing provision for homeless young people is supplied by the voluntary sector and is accessed both through the local authority, working in partnership with the voluntary sector and through the voluntary sector itself.

3.4 We heard from Denbighshire County Council about their grave concern about the lack of council accommodation for homeless people. During 2006, they had 20 local authority flats suitable for letting to single people between the ages of 16 and 60. During the year they had a duty to house 32 single young people under the age of 25 who presented as homeless.

3.5 Several witnesses argued that the Right to Buy scheme should be either suspended or the proceeds used to build dedicated, appropriate housing to be used to house homeless people.

3.6 Many of the voluntary sector organisations we heard from provided a large proportion of housing for homeless young people. These ranged from hostels, through supported living units to housing associations.

3.7 We were concerned that, as the categories of homeless people that local authorities have a duty to house had increased, as had the number of people presenting as homeless, the amount of local authority accommodation available has reduced through the Right to Buy scheme without sufficient alternative social housing being provided.

**The following recommendation represents the views of the majority of the Committee. Two members of the Committee did not accept the recommendation in this form and would have preferred an alternative form of wording.**

**Recommendation 17: The Welsh Assembly Government should continue to pursue with the UK Government the granting of powers to suspend the Right to Buy scheme in Wales.**

3.8 Concern was also expressed to us about the issue of stock transfer. There were examples from England of both good and poor outcomes for the provision of accommodation for homeless people after stock transfer schemes had been used.

3.9 We were urged by several witnesses to ensure that any stock transfer schemes in Wales have water tight contracts which tie the new landlords into provision of housing for vulnerable groups.

**Recommendation 18: The Welsh Assembly Government should provide full support and guidance to local authorities to ensure that any stock transfer agreements include a contractual obligation to the provision of housing for vulnerable groups.**

3.10 The use of Bed and Breakfast (B&B) accommodation to house homeless people has declined in recent months, due to specific Welsh Assembly Government policy. The *Homelessness (Suitability of Accommodation) (Wales) Order 2006* limits its use even further to between 2 and 6 weeks for certain groups (including 16 and 17 year olds and those deemed as being in need because of their vulnerability). Whilst the use of Bed and Breakfast accommodation for young homeless people may be acceptable as a short term solution, it is widely accepted that Bed and Breakfast accommodation is unsuitable for many homeless young people as they are provided with few facilities and little support.

3.11 We are concerned that B&B accommodation is still an option being used in the long term for some homeless young people in some circumstances.

**Recommendation 19: The Welsh Assembly Government should support and encourage all local authorities in Wales to phase out the practice of using bed and breakfast accommodation for all homeless people under the age of 25 for more than 2 to 6 weeks.**

3.12 All the witnesses expressed concern about the availability of night shelter and hostel accommodation. Not only was this seen as being insufficient in many cities and towns but was also absent altogether in many rural areas. Additional pressure was put on bed spaces and resources in urban areas as people from rural areas with no homeless facilities move into them. At the Committee meeting on 8 November, we asked Cymorth Cymru to estimate the additional bed spaces needed in night shelter, hostel and supported accommodation. They estimate the shortfall to be between 150 and 170 beds.

**Recommendation 20: The Welsh Assembly Government should carry out research into the number and availability of bed spaces for homeless young people in Wales and consider ways of funding the creation of additional bed spaces.**

3.13 We heard that much of the accommodation into which homeless young people are first placed is provided for people from all age groups. Young people can be particularly vulnerable and impressionable when housed with older people. This can lead to young people becoming involved in substance misuse and sexual and financial exploitation.

3.14 In the areas where dedicated accommodation for young homeless people does exist, it is provided almost exclusively by the voluntary sector, often with additional funding from the local authority and the Welsh Assembly Government.

3.15 We are concerned that accommodation and facilities for the exclusive use of young people are not available or in adequate numbers in all areas of Wales.

**Recommendation 21: That the Welsh Assembly Government, in partnership with local authorities and the voluntary sector, examines the number of places available exclusively for the use of homeless young people and produces a strategy for increasing these places as and where needed.**

3.16 Whilst many of our witnesses agreed that the issues homeless young people have are broadly similar to those of adult homeless people, a strong theme emerged of the need of homeless young people for supported living and help with what often can be multiple problems.

3.17 We were very encouraged by the evidence of good practice we received about the provision of supported living accommodation for homeless young people. Organisations such as GISDA in North Wales, Llamau in South East Wales and The Wallich Clifford Community throughout Wales offer supported housing and support for young people in private rented housing. Not only do they address the issue of homelessness but they work with the young people to support them in all aspects of their tenancies, build life skills and confidence and explore options with them for the future.

**Recommendation 22: The Welsh Assembly Government should work with the voluntary sector to identify good practice in the provision of supported accommodation for young homeless people. It should use that good practice to produce a strategic model for the provision of supported accommodation for young homeless people across Wales.**

3.18 As discussed in the previous chapter, private rented accommodation is often viewed as a solution to homelessness. Many of the witnesses pointed to this being a less acceptable option for young people for a number of reasons:

- Private landlords are often unwilling to accept young homeless people as tenants as they fear anti-social behaviour and defaults on rent payments;
- Private rented accommodation is often too expensive for young people to afford, the housing benefit system is discussed below;
- Young homeless people often lack the skill to manage their finances and terms of tenancy agreements;
- There can be a lack of support for young people in private rented accommodation;
- The majority of homeless young people do not have sufficient funds for payment of rental in advance to secure a tenancy;
- There is a lack of private rented accommodation in rural areas and popular holiday areas.

3.19 Various solutions to these issues are being used across Wales:

- The Welsh Assembly Government provides funding for local authorities to provide bond schemes for homeless people to secure tenancies for them;
- The National Homelessness Strategy expects local authorities to explore the use of rent in advance and deposit schemes to increase access to the private rented sector;
- Many of the voluntary sector organisations offer bond schemes and support for homeless young people in private rented accommodation;
- The supported living units provided by many of the voluntary organisations seek to equip homeless young people with the skills they need to manage their finances and tenancy agreements;
- Many local authorities and voluntary organisations work in partnership with Housing Associations to provide supported tenancies for homeless young people;
- The current 6 month protected tenancy is often seen as too short to provide stable accommodation.

Although the bond schemes are used by many local authorities and voluntary sector agencies, we received evidence that the use of rent in advance and deposits is not widely used. Homeless young people cited the inability to pay rent in advance as a barrier to them securing private tenancies. We were told that, where rent in advance schemes are used, they are well received by landlords and homeless young people.

3.20 It was suggested to us that a landlord accreditation scheme could be used to ensure that private rented accommodation was of a good standard for young homeless people, in return for landlords in the scheme receiving bonds and/or direct rent payments.<sup>35</sup>

3.21 Shelter Cymru suggested that the current proposals for tenure reform i.e. the removal of short term leases and the ability for a tenant to be given 2 months' notice to quit at any time during their tenancy would make the

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<sup>35</sup> Social Justice and Housing Committee SJR(2)-17-06(p7)

situation worse. They suggested to us that a year long short term lease could be introduced in Wales.<sup>36</sup>

**Recommendation 23: The Welsh Assembly Government to investigate the use of its new powers after May 2007 to introduce a Welsh short tenancy system, similar to the Scottish system of shorthold tenancies.**

3.22 We recognise that there is still much work to be done to open up the private rented sector to homeless young people. One of the biggest barriers to this is caused by the benefits system.

### **Housing Benefit**

3.23 Although the benefits system is a non-devolved issue, it became clear throughout the course of our review, that this was one of the main barriers to young homeless people accessing suitable accommodation.

3.24 The reduced rates of income support for 16 and 17 year olds and the Single Room Rent Restriction<sup>37</sup> which means that claimants under the age of 25, without dependent children, qualify for lower levels of Housing Benefit than those aged 25 and over were described as being unfair and discriminatory.

3.25 A coalition of voluntary sector organisations, including Shelter, Crisis and Citizens Advice, have called on the Government to use the *Welfare Reform Bill*<sup>38</sup> to end the single (or shared) room rent restriction rule which applies to single persons under the age of 25 who claim housing benefit. They argue that this distinction, being based on age and marital status is unjustified discrimination against young people, arguing that the restriction puts young people at greater risk of social and financial exclusion, making it more difficult for them to move into work.<sup>39</sup>

3.26 We agree wholeheartedly with this view and were shocked to be told that the Department of Work and Pensions (DWP) made the following statement to Cymorth Cymru:

“We have no plans to abolish this (Single Room Rent Restriction), as while we recognise your concerns we believe that its abolition could result in single, young people on benefits being able to afford a level of housing that their working peers could not.”<sup>40</sup>

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<sup>36</sup> Social Justice and Housing Committee 8 November 2006 para 62

<sup>37</sup> The SRR was introduced in October 1996 under the *Housing Benefit (General) Amendment Regulations 1996*. It applies to single childless claimants below 25 years of age and originally restricted the eligible rent to that deemed to be appropriate to single-room accommodation with a shared kitchen and toilet in the locality. In July 2001, the UK Government extended its scope to include a shared living room.

<sup>38</sup> The Welfare Reform Bill was carried over from the previous Session 2005/06 under House of Commons Standing Order 80A on the 16th November 2006:

<http://www.publications.parliament.uk/pa/cm200607/cmbills/001/07001.i-iv.html>

<sup>39</sup> *Single Room Rent – The Case for Abolition*, October 2006. Available from [http://www.citizensadvice.org.uk/singleroomrent4\\_final.pdf](http://www.citizensadvice.org.uk/singleroomrent4_final.pdf)

<sup>40</sup> Social Justice and Regeneration Committee SJR(2)-15-06(p2)

We feel strongly that this restriction is deeply discriminatory and were shocked to be told that the Single Room Rent Restriction is exempt from the recently introduced age discrimination regulations<sup>41</sup>.

**Recommendation 24: The Welsh Assembly Government should continue to make the strongest representations to the UK Government to end the Single Room Rent Restriction.**

**Recommendation 25: The Welsh Assembly Government to investigate the use of its new powers from May 2007 to provide additional funding to young people under the age of 25 to supplement the Single Room Rent. This should be seen as an interim measure and the Welsh Assembly Government should continue to strongly urge their colleagues in Westminster to amend primary legislation.**

3.27 The current Welfare Reform Bill was also raised by several of our witnesses. Under proposals in the Bill, a flat rate Local Housing Allowance will replace Housing Benefit for those in the private rented sector. This would be paid directly to the tenant rather than to the landlord as Housing Benefit now is. Concern was expressed that this would reduce the number of landlords willing to house homeless young people and could lead to an increase in evictions because of rent arrears.

3.28 We also heard concerns expressed about the limitations of the benefits system for homeless young people who gain employment or become students. In each case, changes to their Housing Benefit entitlement severely hinder their ability to pay rental, charges in hostels or student accommodation and have enough money to live on. We have heard of several cases where young people have had to give up places at college or the prospect of employment because they could not afford the drop in benefits.

**Recommendation 26: That the Welsh Assembly Government continues discussions with their colleagues at the Department of Work and Pensions on ways to address the anomalies in the benefits system which affect homeless young people in Wales.**

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<sup>41</sup> The Employment Equality (Age) Regulations 2006 - SI No 2006/1031

## CHAPTER 4 – OTHER ISSUES

4.1 Although the lack of housing is one of the major issues in youth homelessness, there are many other issues which impact on it and which need to be addressed.

### Care and prison leavers and ex-offenders

4.2 We heard very worrying evidence that a large proportion of young homeless people in Wales had been through the care or prison systems (or, in some cases, both).

4.3 Voices from Care told us that between a quarter and a third of the homeless people in Britain have spent time in care as a child and that young people leaving care are 60 times more likely to become homeless than young people who have not been in care<sup>42</sup>.

4.4 Although every local authority has a corporate parenting responsibility for 'looked after' children and care leavers, the Welsh Assembly Government's Homelessness Strategy acknowledges that:

However, disagreements between council departments can result in care leavers being denied the support that they need. Few young people now become homeless on leaving care, but too many of them have been placed for long periods in B&B, and have struggled to secure and maintain suitable permanent accommodation.

4.5 Young people leaving care are often emotionally vulnerable and lack the life skills and emotional maturity to live on their own. Young care leavers told us:

You get to 16 and no-one cares. I was given a flat at 16 with no support – I got addicted to drugs.

Care leavers are put into Bed and Breakfast accommodation by....Housing Services. It was dirty, damp and totally unsupported. There were lots of addicts and people just out of prison.

4.6 We consider it to be completely unacceptable that such vulnerable young people are not being supported after they leave the care system.

**Recommendation 27: The Welsh Assembly Government should urgently review its policy and guidance for care leavers. It should require local authorities, working in partnership with the voluntary sector, to produce, implement and monitor individual support plans for all young people leaving care.**

4.7 Although we were not given any figures, NACRO acknowledges that finding somewhere to live is one of the major problems faced by ex-offenders. There is a recognised correlation between re-offending and homelessness and ex-offenders are now one of the categories of priority need when

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<sup>42</sup> South Wales Central Regional Committee 10 November 2006

assessing homelessness applications. Ex-offenders may encounter additional barriers in securing accommodation in the private rented sector as well as lacking social and life skills after spending time in prison. They may also be unable to return to their local area and we heard evidence of some local authorities who have reciprocal schemes for housing ex-offenders out of their local areas.

4.8 NACRO told us of their work with ex-offenders in North Wales<sup>43</sup>. They identified the same issues as for those leaving care, especially the issue of Bed and Breakfast accommodation.

4.9 They have a successful individual support planning service to help service users identify their needs and develop independent living skills, are developing a toolkit for service user involvement in the delivery of services and are setting up a scheme to involve private landlords in providing supported accommodation. These projects are being undertaken with funding from the Welsh Assembly and Central Governments.

4.10 We consider that the NACRO project illustrates the creative use of funding and could be used as a model for other homelessness projects.

### **Chaotic lifestyles**

4.11 In addition to the problems of accessing suitable housing, we heard that many young homeless people lead chaotic lifestyles. These are often as a result of substance misuse or mental health problems. Many have multiple diagnoses meaning that they have more than one problem.

4.12 All the witnesses agreed that, although these are the most vulnerable section of young homeless people, they are often the most difficult to deal with as they have low self esteem, lack life skills, are often seen as behaving anti-socially and may be involved in crime.

4.13 The help available to young homeless people with chaotic lifestyles varies greatly across Wales. Their main need is supported accommodation and help in addressing their problems. We heard that establishing supported accommodation for young homeless people with chaotic lifestyles can be problematic because of 'Nimbyism'. We were told by Barnardos Cymru:

One of the points that I wanted to pick up on was that you asked how we can protect those living some of the most chaotic lifestyles. What we need to do, first of all—and this is social services and all of us—is recognise that they need protection, because there is another view, namely that they need locking up or issuing with anti-social behaviour orders. The first step is recognising that they need protection.<sup>44</sup>

4.14 There are different approaches to dealing with homeless young people's addiction problems with some hostels and supported accommodation allowing the use of drugs and alcohol on the premises and others not.

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<sup>43</sup> Social Justice and Regeneration Committee SJR(2)-17-06(p3)

<sup>44</sup> Social Justice and Regeneration Committee 6 December 2006 para 104

4.15 Access to health services is also difficult for those with a chaotic lifestyle. Not only is there difficulty in establishing an address for contact for appointments but we also heard that there are very few health services dedicated to homeless people.

4.16 We heard from Dr Kay Saunders about her work with homeless people at her practice in Cardiff. She considered that the high level of medical support needed by many homeless people deters many General Practitioners (GPs) from agreeing to have them on their list. She estimated that homeless people comprise 15% of her list but that they comprise around 50% of her workload. The vast majority of them have drug or alcohol or mental health problems.

4.17 Dr Saunders is the only GP in Wales who has been commissioned to provide an enhanced service to homeless people as part of her GP contract.

4.18 We consider the access to health services and treatment for young people with chaotic lifestyle to be of utmost importance in providing them with the help and support they need. We are disappointed that there are not more examples of the GP contract being used to help homeless people in Wales and would encourage other GPs to explore the route Dr Saunders has taken.

**Recommendation 28: The Welsh Assembly Government should explore ways of providing additional funding for specific homelessness GP services and should encourage more GPs in Wales to use the GP contract to provide enhanced services to homeless young people.**

### **Rural homelessness**

4.19 In a recent report, The Wallich Clifford Community concluded that the issues surrounding rural homelessness are similar to those in urban areas, but that it is often less visible in rural areas<sup>45</sup>. We have touched on some of the issues surrounding rural homelessness in other parts of the report. We heard from several witnesses about the particularly acute problems caused by isolation from services, sparse, closely knit communities and high ratios of accommodation costs to wages in rural areas.

4.20 Welsh Assembly Government statistics estimate that 329 young people between the ages of 16 and 24 sought assistance for homelessness between April and June 2006 in a Mid and West Wales local authority. Although only 168 were accepted as being statutory homeless, many more will have needed support in finding accommodation from the voluntary sector or may have moved to urban areas to access hostel accommodation.

4.21 The lack of short and long term accommodation for young homeless people is more acute in rural areas. We heard from the Pembrokeshire Care Society about the lack of facilities in the county; the only direct access

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<sup>45</sup> *The Stigma of Rural Homelessness*, Wallich Clifford, March 2006

homeless facilities (e.g. hostels/night shelters) are 60 miles away in Aberystwyth or Swansea. Powys has 11 supported flats available for young people; in the year 2005-2006, 65 young people aged 16 and 17 were accepted as homeless.

4.22. We were pleased to hear about the innovative approach being used to problems in some rural areas. In Pembrokeshire, a travel warrant scheme is used as well as a freephone number which allow homeless young people to access services and accommodation. The issues surrounding youth homelessness in rural areas need to be addressed in this innovative way

**Recommendation 29: The Welsh Assembly Government should work with rural local authorities and the voluntary sector to address the problems of homelessness in rural areas and seek innovative solutions to them.**

## **ANNEX 1 – RECOMMENDATIONS**

**Recommendation 1: Within the context of the Beecham Review agenda, the Welsh Assembly Government should ensure, through its homelessness strategy and by monitoring the level and extent of service provision, that the extent and quality of service provided to young homeless people is consistent across Wales and that it is available where it is needed.**

**Local authorities should be given support and guidance to establish regional partnerships to deliver effective services for homeless young people.**

**Recommendation 2: The Welsh Assembly Government, local authorities and the voluntary sector should work in partnership to simplify the current complex system of access to and information about the services available to young homeless people.**

**Recommendation 3: The Welsh Assembly Government should assess the need for and, where necessary, provide adequate funding for dedicated homelessness services for young people.**

**Recommendation 4: The Welsh Assembly Government should issue guidance to local authorities on ‘joined up’ working on all aspects of youth homelessness both within the local authority and with external partners to increase the amount of cross departmental and multi agency working and improve the service provided to young homeless people.**

**Recommendation 5: The Welsh Assembly Government, local authorities and the voluntary sector should involve service users in all aspects of planning and policy making for services for homeless young people.**

**Recommendation 6: The Welsh Assembly Government should develop a pathways approach for children and young people who are identified by Social Service Departments, Youth Offending teams or Voluntary sector organisations as being potentially vulnerable as they grow up. These pathways should be designed to try to ensure that the individual child or young person has the best chance possible of leading a fulfilling life in mainstream society.**

**Recommendation 7: The Welsh Assembly Government should issue guidance on the conducting of reviews at key points in the life of a young person identified as vulnerable. These reviews should be multi-agency and should be used to identify potential crisis points in the young person’s life as well as the specific support and help needed by the young person.**

**Recommendation 8: The Welsh Assembly Government should require (rather than encourage) all local authorities in Wales to provide high**

**quality, effective mediation services which are readily available to homeless and potentially homeless young people.**

**Recommendation 9: The Welsh Assembly Government should monitor and evaluate the success of mediation services provided for homeless young people in Wales on an ongoing basis to ensure that the high level of success is being maintained.**

**Recommendation 10: The Welsh Assembly Government should identify good practice in the dissemination of information about homelessness service for young people and should ensure that this good practice is shared amongst local authorities and the voluntary sector.**

**Recommendation 11: Local authorities in Wales should explore using innovative solutions for dealing with homeless young people under the age of 18; for example, the Swansea model which uses the Children's Act rather than homelessness legislation.**

**Recommendation 12: Local authorities in Wales should review the application of homelessness legislation to homeless young people aged under 25 and seek to involve as many local authority departments and outside agencies as is appropriate in their care.**

**Recommendation 13: The Welsh Assembly Government should review the application of the housing options approach to people under the age of 25 and require local authorities to have a cross-sectoral approach to dealing with them.**

**Recommendation 14: The Welsh Assembly Government should revise their Homelessness Strategy and guidance to local authorities to reflect the evidence that the private rented sector is not always an appropriate housing option for homeless young people. They should work closely with private landlords to ensure that any accommodation used to house homeless young people is appropriate.**

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**Recommendation 16: The Welsh Assembly Government should explore with its colleagues in Westminster, gaining the powers to change legislation in Wales as regards intentionality to enable Welsh local authorities to have the same requirement as those in Scotland in relation to people aged under 25 (i.e. not to have to test for intentional homelessness).**

**The following recommendation represents the view of the majority of the Committee. Two Members of the Committee did not accept the recommendation in this form and would have preferred an alternative form of wording.**

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**Recommendation 23: The Welsh Assembly Government to investigate the use of its new powers after May 2007 to introduce a Welsh short tenancy system, similar to the Scottish system of shorthold tenancies.**

**Recommendation 24: The Welsh Assembly Government continue to make the strongest representations to the UK government to end the Single Room Rent restriction.**

**Recommendation 25: The Welsh Assembly Government to investigate the use of its new powers from May 2007 to provide additional funding to young people under the age of 25 to supplement the Single Room Rent. This should be seen as an interim measure and the Welsh Assembly Government should continue to strongly urge their colleagues in Westminster to amend primary legislation.**

**Recommendation 26: That the Welsh Assembly Government continues discussions with their colleagues at the Department of Work and Pensions on ways to address the anomalies in the benefits system which affect homeless young people in Wales.**

**Recommendation 27: The Welsh Assembly Government should urgently review its policy and guidance for care leavers. It should require local authorities, working in partnership with the voluntary sector, to produce, implement and monitor individual support plans for all young people leaving care.**

**Recommendation 28: The Welsh Assembly Government should explore ways of providing additional funding for specific homelessness GP services and should encourage more GPs in Wales to use the GP contract to provide enhanced services to homeless young people.**

**Recommendation 29: The Welsh Assembly Government should work with rural local authorities and the voluntary sector to address the problems of homelessness in rural areas and seek innovative solutions to them.**

## ANNEX 2 – GLOSSARY OF TERMS

### **Better Homes for People in Wales**

The Welsh Assembly Government's national housing strategy for Wales, published in 2001, recognises that home ownership is generally the tenure of choice, but also the need for an adequate supply of decent, affordable rented accommodation in both the private rented sector and social sector. An updated Action Plan was published in October 2006.

### **Extending entitlement: supporting young people in Wales**

Extending Entitlement is the Welsh Assembly Government's policy for youth support services in Wales. It includes all services, support and opportunities for young people between 11 and 25, regardless of who delivers or funds them. It aims to guide and encourage young people to take up their entitlement.

### **Homelessness**

1. The *Housing Act 1996* defines homelessness as follows:

- 175.** - (1) A person is homeless if he has no accommodation available for his occupation, in the United Kingdom or elsewhere, which he:
- (a) is entitled to occupy by virtue of an interest in it or by virtue of an order of a court,
  - (b) has an express or implied licence to occupy, or
  - (c) occupies as a residence by virtue of any enactment or rule of law giving him the right to remain in occupation or restricting the right of another person to recover possession.
- (2) A person is also homeless if he has accommodation but:
- (a) he cannot secure entry to it, or
  - (b) it consists of a moveable structure, vehicle or vessel designed or adapted for human habitation and there is no place where he is entitled or permitted both to place it and to reside in it.
- (3) A person shall not be treated as having accommodation unless it is accommodation which it would be reasonable for him to continue to occupy.

2. The Welsh Assembly Government's Homelessness Strategy defines homelessness as a situation:

*'Where a person lacks accommodation or where their tenure is not secure'*

This definition includes people who are:

- sleeping rough;
- living in insecure/temporary housing (excluding assured/assured shorthold tenants);
- living in short term hostels, night shelters, direct access hostels
- living in bed and breakfasts;
- moving frequently between relatives/friends;

- squatting;
- unable to remain in, or return to, housing due to poor conditions, overcrowding, affordability problems, domestic violence, harassment, mental, physical and/or sexual abuse, unsuitability for physical needs etc.;
- threatened with losing their home and without suitable alternative accommodation for any reason, e.g. leaving hospitals, police custody, prisons, the armed forces and other institutions or supported housing;
- required to leave by family or friends or due to relationship breakdown, within three months of the end of tenancy, facing possession proceedings or threat of eviction.

### **Homelessness: Eligible for assistance and in priority need**

Under Part VII of the *Housing Act 1996* local housing authorities have a duty to provide accommodation to those who are homeless, eligible for assistance, and in priority need. Section 189 of the Act sets out descriptions of persons who are in priority need.

- 189.** - (1) The following have a priority need for accommodation-
- (a) A pregnant woman or a person with whom she resides or might reasonably be expected to reside;
  - (b) A person with whom dependent children reside or might reasonably be expected to reside;
  - (c) A person who is vulnerable as a result of old age, mental illness or handicap or physical disability or other special reason, or with whom such a person resides or might reasonably be expected to reside;
  - (d) A person who is homeless or threatened with homelessness as a result of an emergency such as flood, fire or other disaster.

Section 189 also gives the National Assembly for Wales power to specify further descriptions, which it used in introducing the *Homeless Persons (Priority Need) (Wales) Order 2001*. This Order specifies the following further descriptions of persons as having priority need:

- A care leaver or person at particular risk of sexual or financial exploitation, 18 years or over but under the age of 21;
- A 16 or 17 year old;
- A person fleeing domestic violence or threatened domestic violence;
- A person homeless after leaving the armed forces;
- A former prisoner homeless after being released from custody.

Sections 185 and 186 of the Act define who is ineligible for assistance in relation to persons from abroad and asylum seekers.

### **Homelessness: Intentionally Homeless**

Section 191 of the *Housing Act 1996* provides the following definition of intentional homelessness:

**191.** - (1) A person becomes homeless intentionally if he deliberately does or fails to do anything in consequence of which he ceases to occupy accommodation which is available for his occupation and which it would have been reasonable for him to continue to occupy.

(2) For the purposes of subsection (1) an act or omission in good faith on the part of a person who was unaware of any relevant fact shall not be treated as deliberate.

(3) A person shall be treated as becoming homeless intentionally if:

(a) he enters into an arrangement under which he is required to cease to occupy accommodation which it would have been reasonable for him to continue to occupy, and

(b) the purpose of the arrangement is to enable him to become entitled to assistance under this Part, and there is no other good reason why he is homeless.

(4) A person who is given advice or assistance under section 197 (duty where other suitable alternative accommodation available), but fails to secure suitable accommodation in circumstances in which it was reasonably to be expected that he would do so, shall, if he makes a further application under this Part, be treated as having become homeless intentionally.

### **Homelessness: Rooflessness**

The Assembly Government's Homelessness Strategy recommends the following definition of 'rough sleeping'

'People who are sleeping, or bedded down, in the open air; people in buildings or other places not designed for habitation'. This definition will include for example, people sleeping on the streets, in doorways, in parks, in bus shelters, or buildings not designed for habitation, such as barns, sheds, car parks, cars, derelict boats, stations, squats, tents, or makeshift shelters.'

### **Homelessness: Threatened with homelessness**

Section 175 (4) of the *Housing Act 1996* states that:

A person is threatened with homelessness if it is likely that he will become homeless within 28 days

### **Housing Benefit: 16-hour Rule**

People over the age of 18 who are studying for more than 16 hours a week are not entitled to claim Housing Benefit.

### **Housing Benefit: Benefit run-on**

The benefit run-on policy allows claimants who have previously been claiming Income Support or JobSeeker's Allowance for at least six months to retain their Housing Benefit entitlement, unchanged, for 4 weeks after taking up employment, if the job lasts for five weeks or more.

### **Housing Benefit: Local Housing Allowance**

Local Housing Allowance (LHA) is the new way of working out Housing Benefit for private tenants. LHA is based on how much it costs to rent in the

area a person lives and how many people live with them. It is paid by local authorities, directly to the tenant who then pays their landlord in most cases.

### **Housing Benefit: Non-dependent deductions**

The reduction made in the housing benefit received by a family unit when an household member reaches 18. The reduction is dependent on the income of the non-dependent where they work for more than 16 hours a week.

LHA is currently being piloted in five parts of Wales:

- Cardigan Coast
- Menai
- North Coast
- Northern Rural
- Pembrokeshire.

The rates are calculated by the Rent Officer Service and are based on the market rates in each area. The rates are the maximum amount of LHA that will be paid. Claimants may receive less depending on their circumstances.

### **Housing Benefit: Single Room Rent Restriction (SRR)**

Claimants under the age of 25, without dependent children, qualify for lower levels of Housing Benefit than those aged 25 and over. The amount they are eligible for is restricted to the average cost of renting a room in a shared house.

### **National Enhanced Service**

A contract between an Local Health Boards and GP who provides a specialised service according to specific guidelines to help disadvantaged groups, one of which is homeless people. The aims are to ensure that: homeless people have equal access to appropriate levels of service from practices designed to ensure that their health needs are effectively tackled; GPs are provided with the knowledge, training and resources to enable them to deal effectively with homeless people's health needs; and, GP services are empowered to tackle the health needs of homeless people holistically by working with relevant services (eg housing & social services) to integrate homeless people into local communities.

### **National Homelessness Strategy – 2006-2008**

The Assembly Government published its first National Homelessness Strategy in 2003, which presented objectives and commitments to work with others to reduce homelessness. The new revised National Homelessness Strategy for Wales 2006-2008 builds upon and strengthens these aims through a greater emphasis on prevention and joint-working. The Strategy contains an Action Plan which, sets out a range of additional commitments to be pursued through joint action

### **Skills and Employment Action Plan**

Of particular interest for homeless people in the Welsh skills and employment action plan is the 'Employability Package', which will develop a programme to include information, advice and guidance; innovative and flexible provision to

suit individual needs; mentoring support; and a continuum of learning, which will enable people to progress from pre-employment training to workplace training. No specific mention is made of homeless people in relation to the 'employability package', but the plan does recognise homeless people as a group requiring sustained help into employment.

### **Social Housing Grant**

Social Housing Grant (SHG) is a capital grant made available by the Assembly Government to Registered Social Landlords to provide new affordable housing for rent or low cost home ownership, according to local needs as identified by local authorities. SHG can be used to provide either housing for rent or low cost home ownership through new build developments or through the use of existing dwellings. SHG can be used to support a number of different types of schemes such as:

- schemes to increase the supply of affordable housing for rent
- schemes for older people including Extracare schemes
- Homebuy - to assist people to purchase a home
- schemes to address low demand and to support community regeneration
- schemes for people who need support with independent living.

### **Supporting People**

Supporting People is the Assembly Government's policy and funding framework for delivering housing related support to vulnerable people, including those who might be at risk of homelessness. Support is provided to enable people to live independently and to maintain a tenancy. Supporting People distributes money to local support providers, for example Registered Social Landlords, local authorities and voluntary organisations. It encourages these local providers to work together to provide services enabling vulnerable people to live independently. Supporting People contains two separate funding programmes: Supporting People Revenue Grant applies to all supported housing projects and is administered by the Assembly Government and Supporting People Grant which applies to community care projects and older persons services and is administered by the local authority.

### **Working Tax Credit**

A tax credit which people in work but without children can apply for. To qualify, a single person must be working at least 30 hours per week and must be aged 25 or over. Neither of these restrictions apply to people with children.

### **ANNEX 3 – TERMS OF REFERENCE**

The Committee received a scoping paper from the Welsh Assembly Government for consideration at Committee on 21 September 2006. As a result of the discussion, the following terms of reference were agreed:

To consider the issues surrounding youth homelessness in Wales in particular:

- The provision of services for young homeless people by local authorities and the voluntary sector, including the identification of good practice;
- The role of local authorities in applying relevant legislation to youth homelessness issues, including the identification of good practice;
- To make recommendations.

The review will draw on the experiences of young homeless people, seeking their views on the risk indicators for homelessness, the quality and availability of services for homeless young people and models of participation.

Three of the Assembly's Regional Committees will take evidence on issues relating to their area within the above term of reference (e.g. rural youth homelessness, provision of bilingual services, seasonal youth homelessness, and youth homelessness in Objective 1 areas).

The Committee will receive evidence at its meetings on 8 November and 6 December and will also take evidence through rapporteur groups from young homeless people.

## **ANNEX 4 – ORAL AND WRITTEN EVIDENCE**

### **Social Justice and Regeneration Committee**

#### **SJR(2)- 15-06 (8 November 2006)**

Shelter Cymru  
Cymorth Cymru  
Wallich Clifford  
Dr Kay Saunders  
Pembrokeshire Care Society

#### **SJR(2)- 17-06 (6 December 2006)**

Barnardos Cymru  
National Association for the Care and Resettlement of Offenders  
Gisda  
Welsh Local Government Association

### **Regional Committees**

South Wales Central Regional Committee – 10 November 2006

North Wales Regional Committee – 17 November 2006

Mid and West Wales Regional Committee – 17 November 2006

### **Written evidence**

NCH Cymru

Tai, Dysgu a Gwaith, Cymru

## **ANNEX 5 – PROJECTS VISITED**

Bays Partnership Project, Swansea

Cymdeithas Tai Cymru (Wrexham)

Cyrenians Project, Swansea

Llamau, Cardiff (Facilitated group of young homeless people in Cardiff area)

Solus, Abergavenny (Facilitated group of young homeless people in Abergavenny/Newport area)

Youth Choices, Colwyn Bay (Facilitated group of young homeless people in North Wales area)