



promoting equality in housing
hybu cydraddoldeb ym maes tai

Tai Pawb

Response to: White Paper on Ending Homelessness in Wales

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Prepared by: David Rowlands and Ross Thomas

For further information about this paper please contact:

Name: David Rowlands
Position: Policy Manager
Email: David@taipawb.org
Telephone: 029 2278 8956



Who we are

Tai Pawb (housing for all) is a registered charity and a company limited by guarantee. We are Wales' leading national organisation promoting equality and diversity in housing. We imagine a Wales where everyone has the right to a good home. Too many people in Wales don't have somewhere to live in security, peace, and dignity: we are determined to change that. We support and work with our members to help them put ideas into practice while influencing policy makers to make housing policy fair. We are the thought leaders on equality, diversity, and human rights issues for the housing sector and beyond.

Tai Pawb operates a membership system which is open to local authorities, registered social landlords, third sector organisations, other housing interests and individuals.

What we do

Tai Pawb works closely with the Welsh Government and other key partners on national housing strategies and key working groups, to ensure that equality is an inherent consideration in national strategic development and implementation. The organisation also provides practical advice and assistance to its members on a range of equality and diversity issues in housing and related services, including QED – the equality and diversity accreditation for the housing sector.

Our response will draw insights from across our projects and research, including support for refugees, our [Back the Bill](#) campaign, recent research around housing and our Gwent Private Rented Sector project seeking to help end homelessness.

For further information visit: www.taipawb.org

Charity registration no. 1110078

Company No. 5282554

1. Introduction

- 1.1 Homelessness is in crisis in Wales. The aftermath of Covid-19, cost of living and Ukraine and Afghan refugee crises mean services are under unprecedented, sustained pressure. Meanwhile inflation has left service providers struggling to maintain levels of support, with fears for the viability of future services. With record numbers in Temporary Accommodation and a huge waiting list for social housing, we are experiencing a perfect storm in Wales. Legislative reform is required. **Against this backdrop, we support and applaud the progressive and ambitious nature of these proposals.** If homelessness is to be ended in Wales, these are the types of proposals that are required.
- 1.2 Tai Pawb's [research](#) has helped inform the development of this White Paper, highlighting existing legislation and services do not always have the flexibility to deal with the individual circumstances of people experiencing homelessness with protected characteristic(s). Our homelessness system in the UK is overrepresented by disabled people, survivors of domestic abuse, refugees and people with substance/alcohol use and mental health problems. If we are to end homelessness in Wales, legislation and services must be tailored for the needs of these people.
- 1.3 Tai Pawb forms part of the [Back the Bill](#) coalition, seeking to incorporate housing as a human right in Wales. As a campaign, we've responded separately to this consultation seeking to highlight the synergy between the proposals presented in this White Paper, and how they could be strengthened through incorporation of the right to adequate housing. We feel the goals sought by this White Paper would **be better delivered and sustained** if aligned with the right to adequate housing.
- 1.4 This response contains two sections: firstly, highlighting our support for the high-level principles of the proposed reforms. Secondly, we explore equalities, diversity, and inclusion issues we feel need to be considered when implementing the legislation. We look forward to continuing working constructively with the Welsh Government and partners implementing these changes and helping ensure everyone has a safe, suitable home.

2. Endorsement of the White Paper

- 2.1 Tai Pawb fully endorses and supports the principles of the reforms contained within this White Paper, particularly:
- The ending of priority need
 - Changes around local connection
 - Duty on public bodies to refer and work more collaboratively
 - Abolition of intentionality
 - Personal housing plans
 - Increased period of at risk of homelessness to 6 months
 - Improved methods of communication with people
 - Improved methods of supporting individuals' rights to review decisions to ensure fair decision-making
- 2.2 We believe these changes and those more widely proposed in this White Paper are progressive and will help prevent and reduce homelessness in Wales.
- 2.3 However, we do not feel they are sufficient to **end homelessness, as per the Welsh Government long-term goal**. We are concerned these proposals do not address supply, drive the required investment to match their aspirations or provide the legal underpinning of housing as a human right. Tai Pawb believes the goal of ending homelessness would be best achieved through underpinning these reforms with the incorporation of a right to adequate housing, which would support, and enhance these legislative proposals.

3. Equality, diversity, and inclusion implications of the White Paper

People with No Recourse to Public Funding

- 3.1 Tai Pawb recognises the challenges associated with supporting people with No Recourse to Public Funding (NRPF) in a devolved context when powers reside at Westminster. While the Welsh Government has made steps in this area and we welcome the Anti-Racist Wales Action Plan and Nation of Sanctuary programme, more can and should be done to support people within this group. It's challenging to talk about continuing "everybody in" when we know there are people living in Wales excluded. Sadly, while we feel the White Paper proposals are progressive as a whole, there appears a lack of ambition around people with NRPF status.
- 3.2 Under existing legislation, while there are circumstances where people with NRPF can be supported, especially where there are [intersectional needs](#), there are often inconsistencies or too many circumstances where they are not. Partly, this can be down to a lack of awareness and training. We support increased training for front-line workers so they are aware of circumstances where people can be supported. Forums such as the [NRPF Network](#) hosted by Islington Council is an example of this elsewhere in the UK. We would also like to see more research undertaken and data collected so the scale and issues faced by people with NRPF are better understood by local authorities and Government at all levels. Currently it is impossible to robustly assess the scale of NRPF in Wales. Welsh Government [report](#) on the issue estimates that there could be from a hundred to thousands of people each year in Wales who are faced with destitution due to NRPF conditions.
- 3.3 Stakeholders have also told us that the Scottish Government has a progressive approach to supporting people with NRPF. Given this feedback, we believe opportunities to understand good practice elsewhere in the UK must be explored more, linked to the Welsh context, and rolled out in Wales. While the solutions to supporting people with NRPF may not be legislative, we believe it's important to consider them within the wider reforms contained here which will shape homelessness services in Wales for the next decade and beyond.
- 3.4 People seeking sanctuary and facing destitution are often left behind by current homelessness provision and sometimes fall out of Home Office accommodation for reasons including the accommodation not being fit for human habitation, or for receiving a negative asylum decision. Those who receive a negative decision are labelled NRPF and with all support withdrawn, are high risk of a spiral into destitution by the UK government, Welsh Government could address the legal aid 'desert' in Wales to ensure people facing destitution have suitable access to legal support to regularise their status and move on from support into sustainable

accommodation. We further recommend the Welsh Government ensures there is a duty to refer to legal advice if someone is threatened or experiences homelessness because of NRPF status. In instances where there is a reasonable prospect of someone regularising their status (i.e., gaining employment or appealing their asylum case) then funding be available via local authorities to support these means.

Refugees

- 3.2 Research undertaken by Tai Pawb for this White Paper highlighted the increased risk of homelessness refugees face, especially when they have been given newly granted status to remain. Currently, newly granted refugees are given just 28 days to vacate Home Office accommodation, while legacy cases who were granted accommodation during the pandemic are now being given as little as 7 days' notice, often leading to homelessness. As already stated, we fully support the duties on public bodies to refer people at risk of homelessness and an extension from 56 days to 6 months. Recognising the constraints on the Welsh Government in requiring this change from the Home Office, we support the desire to seek a memorandum of understanding with the Home Office to give more notice than is currently available for people to leave government-supported accommodation. Conversations should also include a focus on speeding up processes around BRP cards or NI number, as without them, people struggle to find work and/or accommodation.
- 3.3 There have been changes in refugee dispersal areas, with all local authorities (LAs) now dealing with newly granted refugees. As well as the required supply of homes, LAs will need guidance on how to best support refugees and prevent homelessness. Refugees have different barriers to mainstream homelessness. Collaboration with refugee support organisations who are trusted by the refugee community is essential to ensure appropriate support and sustainable move-on. Tai Pawb guidance on how this can be done is found [here](#). Plans for supporting refugees will also need to be integrated into each local authorities Rapid Rehousing Action Plans. Information on how this can be done is contained in our equality considerations [briefing for rapid rehousing](#). In our work across Wales and the understanding we have gained from work by NACCOM in England shows that successful solutions involve collaboration of Local authorities, housing associations and refugee community organisations. We would recommend that Welsh Government puts policies, actions, and communications in place with encourage housing associations and local authorities to provide more shared housing options for refugees and destitute asylum seekers (the latter can be achieved through partnerships with refugee organisations). There are good examples of such solutions between POBL Group and The GAP Wales in Newport as well as Home 4U charity and social housing providers in Cardiff as described in our [Good Practice Briefing](#).

Local connection test

- 3.4 We welcome the increased flexibility in application of local connection tests, recognising some local authorities see these as an important tool in managing demand. We endorse proposals to consider “special circumstances” criteria whereby groups of people more at risk of harm from the local connection test can have this disapplied including:
- Young people aged twenty-five and under
 - Members of the LGBTQ+ Community
 - Disabled people
 - Gypsy, Roma, and Traveller communities
- 3.5 We would support the inclusion of **refugees and former asylum seekers** within this category. As highlighted by numerous pieces of research, including our own to inform the White Paper, rates of homelessness are high amongst these communities. Extending “special circumstances” will offer opportunities for people to live in communities where there may be more established refugee and migrant infrastructure giving them the best opportunity to rebuild their lives and avoid repeat homelessness.
- 3.6 In rolling out this policy, consideration of appropriate training for decision-makers is necessary so they are best able to understand people’s personal circumstances. This training should include a focus on [anti-racism](#) and [unconscious bias](#).

Prevention

- 3.7 We fully support the proposals to increase the date at which someone is at risk of homelessness and entitled to support to 6 months. This measure will help prevent homelessness taking place.
- 3.8 To support the implementation of this measure, appropriate data needs to be collected on people who are presenting both as homeless and at risk of homelessness. This can ensure the appropriate funding, design and targeting of outreach and services to the right people to be effective. This data should be collected at a local level regularly to ensure local need is best served. Extending the period of when people are entitled to support while they are at risk of homelessness may also mean that the characteristics of the people presenting for support change, so delivery plans need to be mindful of this.

Evictions

- 3.9 We support the policies referred to by the White Paper, and already in place by many housing associations in Wales, in relation to no evictions from social housing into homelessness. Recognising circumstances do occur where this policy is not

always practical, we recommend data is collected and monitored, including in relation to protected characteristics, to identify any patterns or bias in decision-making. Appropriate training should also be required for decision-makers.

- 3.10 Our [Gwent BOOST](#) private rented sector project has engaged with over 200 landlords via landlord forums, NRLA events and community outreach. This includes five individuals who are connected with the project as fully inducted Champion Volunteers. **There is a widespread lack of understanding and confidence on the part of landlords in supporting tenants at risk of homelessness or with additional needs.** Conversations have indicated a need and desire for better mechanisms for landlords to refer tenants who are at risk of homelessness into a service. The proposals for this White Paper omit a provision of this kind. Based on this feedback, we strongly advocate for this to be included, potentially through Rent Smart Wales, given that all landlords should be registered there.

Suitability of Temporary Accommodation

- 3.11 We welcome the desire to improve standards of temporary accommodation every three years, to progressively move towards higher standards. In undertaking these reviews, we recommend the needs of different communities such as disabled people, refugees, or larger families are considered. This may be best achieved by ensuring people from these communities with lived experience of temporary accommodation participate in the review process.

Minimum standards of temporary accommodation

- 3.12 Tai Pawb welcome the strengthening of the practical measures around suitability of temporary accommodation. We note and support the inclusion of Welsh language preferences be taken account of amongst these measures. In this spirit, we would advocate for the inclusion of culturally adequate environments within this minimum standard of accommodation including that they are overtly LGBTQ+ friendly, anti-racist and understand neurodiversity. Doing so will not just provide better accommodation but also prevent risks of repeat homelessness, as identified by our research of [Temporary Accommodation in Gwent](#).

Location of accommodation

- 3.13 We support the amendments in the White Paper around considerations for local housing authorities in relation to the location of the accommodation, including health needs, employment, caring responsibilities, education and proximity of alleged perpetrators and victims of domestic abuse. We would recommend including proximity of culturally appropriate food (i.e., Halal) and places of worship. Doing so can help place people in communities where they have the best chance to integrate and rebuild their lives.

Homeless at Home

- 3.14 We welcome the proposals to develop a Homeless at Home scheme on a national basis. Doing so can help keep people in accommodation that may be more appropriate for a short period of time than available temporary accommodation. Our research has shown this may be particularly helpful for disabled people (and young people), although could lead to an increase in the number of people presenting as homeless who are disabled. This is because research has shown that hidden homelessness can often be experienced by disabled people unable to move out of highly unsuitable and inaccessible accommodation (e.g. parents' house) due to lack of accessible accommodation available. It will therefore be necessary to ensure data on these numbers is fed into the supply of appropriate accommodation. In establishing this scheme, we feel the monitoring of data of protected characteristics in instances where it is applied (or not) can help identify any patterns of bias.

Temporary accommodation policies

- 3.15 We welcome the proposals for further guidance to be issued on temporary accommodation policies in the future. When this review takes place, we would argue that they are co-designed with people either in or with experience of TA and capture the breadth of characteristics of people. Policies should also be subject to [Equality Impact Assessments](#), with particular consideration given to LGBTQ+, neurodiversity and anti-racism representing the particular needs of the homeless population.

Suitability of accommodation for Gypsy, Roma, and Traveller communities

- 3.16 We welcome the proposals for ensuring that sites rather than bricks and mortar accommodation be considered the most appropriate for an applicant from the Gypsy, Roma or Traveller communities and that councils are required to ask and act if this is the case.
- 3.17 Implementing this change will place additional requirements on local authorities and potentially housing associations. It is necessary that these **are adequately funded**. Further to funding, there will need to be wider consideration of how these sites can be sourced. This will need to take account of both level of need, cultural change amongst decision-makers and improvements to the planning system. Given the lack of progression in actions relating to the Anti-Racist Wales Action Plan in this area of work particularly, these changes should be considered a priority. Our engagement with Local Authorities on implementation of the Anti-Racist Wales Action Plan highlights the need for support for local authorities looking to progress site development and other measures. We would strongly encourage Welsh Government to increase capacity for such support through funding expert advice service/organisation which can assist local authorities.

- 3.18 We recommend further research takes places into how Wales can meet the demands of its Gypsy, Roma, and Traveller accommodation needs and overcome barriers to this happening.

Maximal housing options and ending final homelessness duty - mediation

- 3.19 We recognise the positive role of mediation in preventing youth homelessness, impacting both the individual and the overall stress on temporary accommodation. However, as can be seen from our [research](#) in relation to young people from the LGBTQ+ community – this can be challenging as mediation can sometimes place individuals back at risk of abuse from family members. We therefore recommend that local authorities’ mediation approaches are informed by good practice, taking account of the young person’s needs.

Accessible housing registers

- 3.20 We welcome proposals that all local authorities are legally required to hold an accessible housing register and undertake a regular review of the accessible accommodation within their stock. As highlighted by our research, a lack of information on properties can prolong unnecessary experiences of homelessness and/or living in unsafe/unsuitable accommodation.
- 3.21 To ensure these registers are successful, [good practice](#) identifies it is necessary to have a clear definition of what constitutes an accessible housing register as there are many elements which constitute an accessible housing register. Simply having a matching system or a register of properties is insufficient. In addition, our engagement with local authorities highlights confusion as to what constitutes an accessible housing register – with some local authorities referring to ‘a list of people with accessible housing needs,’ others referring to ‘a list of adapted properties’ etc. There is much more to running an accessible housing register/system than the above, whether it is a standalone system, or a system incorporated into wider common housing register and allocation. Tai Pawb recommends that Welsh Government provide a definition of what makes an Accessible Housing Register based on our research from [Gwent](#) and [other work](#). Once developed, we also suggest Welsh Government monitor implementation and that LAs meet the definition.
- 3.22 Further, and not limited to homelessness reform, Tai Pawb’s research has uncovered experiences where disabled people have found the housing system too complex to navigate and where practice and outcomes differ. Previously, we have called for a review of accessible housing allocation policies across Wales with a view to introducing a standardised framework. We believe this approach will be necessary to support this legislation.

Removing people from waiting lists

- 3.22 We recognise that local authorities may want the flexibility to remove people with no housing need from the waiting list in their areas. Doing this may help lower waiting lists and help manage the allocation process better. However, if this power is granted, we recommend that data is kept on the decisions made to identify any patterns or bias in decision-making, and that policies that support this process are subject to an Equality Impact Assessment (EIA).

Addressing perverse incentives

- 3.23 We recognise the desire to have mechanisms which manage the waiting list and supply, especially with changes made to priority need and intentionality. Having a “deliberate manipulation” mechanism in place will no doubt be seen by local authorities as a valuable tool. However, we are mindful of any “unintended consequences” and the potential to negatively impact upon certain communities who have historically faced discrimination or been disadvantaged. To support this being fair, we recommend this policy be subject to an EIA and that robust data is kept on people who fail this test to identify any patterns or bias in decision making. Training on unconscious bias may also be valuable for decision-makers. We further recommend an annual review of decisions to monitor the use of this policy to ensure consistency across Wales and no bias against people with particular characteristics. If identified, there will be a need to review this policy with a focus on removing it.

Communicating with applicants

- 3.24 Tai Pawb welcomes the proposals contained within the White Paper to improve accessible communication based on individuals’ requirements, whether language, disability, or neurodiversity. In developing these materials, we recommend people with lived experience of homelessness participate in the design and review of any materials or methods of communication.
- 3.25 We further recommend the same considerations around [communication](#) are in place when developing personal housing plans.
- 3.26 Focus should also be on supporting staff to fully understand and act on people's communications needs. Simply amending materials alone will not be enough. To be successful, there will need to be a focus on culture change and increasing awareness, including investment in training with relevant staff.

Failure to cooperate

- 3.27 We support the proposal for a narrower test which sets out a small number of clearly defined and limited grounds for the unreasonable failure to cooperate. In developing this test, it is important the policy is subject to an EIA to ensure it is non-

discriminatory. Data on decisions should also be kept ensuring there is no patterns or bias in decision making. Training on unconscious bias for decision-makers may also be necessary.

Discharge planning

- 3.28 We support the proposals for closer working to prevent discharge into homelessness. This policy should also consider situations when following a stay in hospital, it may not be safe for a person to return home.
- 3.29 In order to support this policy, closer working arrangements will be necessary with hospitals and health boards, and there will need to be an increase in funding to ensure appropriate resources are in place to deliver on this from a staffing and accommodation perspective. A portion of this accommodation will need to be accessible to meet the need of those being discharged. Our [Gwent research](#) (Section 5.8.3) into accessible housing allocation, which, amongst others engaged with hospital discharge teams and housing options teams, highlighted the need for better arrangements for disabled people leaving hospitals and highlighted good practice in this regard – we would recommend that such examples are replicated across Wales.
- 3.30 There will need to be consideration for what happens in relation to the discharge of people who are NRPF and homeless. As people with NRPF are destitute and more likely to be experiencing rough sleeping, hospitalizations will occur.

Individual rights to advice, review, and redress

- 3.30 Tai Pawb fully supports the proposals included in the White Paper. To aid implementation, we would recommend processes are culturally aware, consistent with changes around communicating with people and data kept (and monitored) on decisions to identify any patterns or bias.

Data

- 3.31 We support the proposals to improve continuous data collection across the sector. Doing this is essential to helping solve the housing crisis and ensure everyone has a suitable home. This dataset should always collect information on the protected characteristics of individuals and Welsh Government should ensure all relevant authorities comply with this. Our response to Ending Homelessness Outcomes Framework highlighted data gaps in relation to equality and recommended specific changes and further data developments (including those with NRPF, Gypsies and Travellers, migrants, and disabled people). Good data is a bedrock of being able to assess the equity of access, experience, and outcomes in homelessness system for diverse population groups.

- 3.32 Moving forward we recommend that this data collection is better aligned with supply and design of accommodation to ensure that it meets the needs of people at risk of or experiencing homelessness in Wales.

Lived experience

- 3.33 We welcome the Welsh Government's commitment to listening and engaging with people with lived experience, as evident through the consultation process of this White Paper and subsequent proposals. In delivering on this commitment, we suggest implementation considers how the full diversity of the people experiencing homelessness in Wales is reflected.
- 3.34 Lived experience research can be time consuming, for participants and charities. We therefore would encourage this work is suitably resourced and adequate time given for organisations and participants, to ensure that it is not extractive and can have the biggest impact in guiding service delivery. We believe recognition should always be given, whether financial or not when people offer their time and experiences. In working with people with lived experience, Tai Pawb aims to work alongside specific [principles](#). We recommend the consideration of a similar approach by the Welsh Government in undertaking this work.

4. Conclusion

- 4.1 Tai Pawb recognise the scale of homelessness currently in Wales and the challenges faced by local authorities, housing associations, charities, and the Welsh Government. We support and endorse the potentially transformative proposals contained within this White Paper.
- 4.2 We know that not everyone is at the same risk of homelessness, with groups such as refugees, disabled people, and young LGBTQ+ at increased risk. It is pleasing there has been considerations within the White Paper for these groups. Moving towards implementation, its essential that future policies, services, and actions continue to be subject to these equalities focus. Failure to do this will result in homelessness services remaining inflexible for some of the people who need them the most. The collection of appropriate monitoring data will also be essential in delivering this, as will tools such as Equality Impact Assessments.
- 4.3 Given the financial challenges associated with the current Welsh Government budget, we feel aligning this White Paper more closely with a right to adequate housing may also offer greater opportunities to drive investment, prioritise housing and provide a more a joined-up plan to resolve our housing crisis.
- 4.4 Additionally on funding – and recognising the breadth and depth of the proposals contained in the White Paper – the goal of ending homelessness in Wales will undoubtedly require significant, sustained resource. Delivery partners such as local authorities are already facing unprecedented budgetary challenges while, for example, Welsh Government has had to cut or freeze certain budget lines (e.g. Housing Support Grant in draft proposals for 2024/25). To date, there is little clarity on what ongoing revenue support there is to aid the implementation of the White Paper and to achieve its goals. That clarity will be needed moving forward.
- 4.5. Potential negative equality impact: if the proposals are not appropriately resourced through significant additional funding and capacity - we would urge Welsh Government to be mindful of the potential unintended negative equality impact of the proposals. The proposals will require local authorities and housing support providers to deliver prevention, advice, assistance, and support to much larger client base. Doing so within the current capacity and resource, risks ‘spreading the service too thinly’ across large populations and being unable to deliver specific and more intense support to groups which are more vulnerable, including refugees, people with mental health issues, people experiencing domestic abuse, disabled people, and others.