

Experts by Experience: Report to the Expert Review Panel

Local authority prevention and relief duties, and evictions

September 2022

1. Background

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

This paper has been prepared in advance of the second panel meeting, which will be focused on prevention and relief duties for local authorities, and evictions. It should be noted that people's contributions often touched on issues outside of these topics, but we have done our best to be inclusive all the views shared, some of which will be relevant to future Expert Review Panel meetings.

2. Format of engagement

Two in-person engagement events were held in Cardiff and Conwy on the 13th and 14th September 2022. The events began with a presentation about the Welsh Government's commitment to reform homelessness legislation, the work of the Expert Review Panel, and the commitment to listening to people with lived experience. Attendees were then asked to share their experiences and views during three discussions relating to homelessness prevention, the role of local councils, and evictions.

A bilingual online survey was also created, which focused on people's experiences of being at risk of, or experiencing homelessness, how their local council responded, and how homelessness could be prevented. The survey was open between 8th September and 24th September.

3. Participants

The engagement events and survey were promoted through Cymorth's member organisations, mailing list and social media accounts, and via Welsh Government networks.

3.1. Engagement events

14 people with lived experience took part in the two engagement events. While we did not record diversity data, the events were attended by both women and men, young people and working age people, people who identified as LGBTQ, people who were disabled, people with physical and mental health issues, and people with a history of substance use issues. The majority of attendees were from Wales and the UK, and there were two attendees who were originally from eastern Europe. Some people attended on their own and others were supported by their support workers. At the start of each event we emphasised the importance of support workers not sharing their own personal views.

3.2. Survey

66 people with experience of homelessness or experience of being at risk of homelessness in the last five years responded to our survey. Most answered the questions in English, but some responses were in Welsh.

Of those who answered the diversity questions (37), 41% identified as a man, 49% identified as a woman and 5% identified as non-binary. When asked whether this was the gender they were assigned at birth, 86% said yes and 11% said no. 11% were aged 16-17, 35% were 18-24, 30% were 15-44 and 24% were 45-64. 6% identified as bisexual, 80% identified as heterosexual and 0% identified as gay or lesbian. 95% said they identified as white, while 5% said they identified as mixed race. 32% said they identified as disabled.

4. What happened that put your housing at risk?

We asked survey participants and engagement event attendees what had caused them to become homeless or at risk of homelessness. Answers were varied, but centred around several themes.

4.1. No fault evictions and high rents

A number of responses to the survey cited no fault evictions as the cause of their homelessness. Some referenced their landlord selling the property, while others simply said they had received a Section 21 notice. One respondent also commented that the high rents in the private rental market meant they could not find anything suitable and affordable within their local area, and were then forced into temporary accommodation.

4.2. Family and relationship breakdown

The most common reason given for homelessness at both the engagement events and in the survey was family breakdown. In total there were over 30 comments related to family breakdown, predominantly linked to parental relationships. Some respondents simply said that they had been 'kicked out' by their parent(s), while others referenced their parents' marriage breakdown which led to them becoming homeless. Others commented that their own behaviour and/or substance use had contributed to their parent(s) asking them to leave. A smaller number of respondents referenced their own relationship breakdown or bereavement as the cause of their homelessness.

4.3. Abuse and exploitation

There were also a number of comments related to abuse – including domestic abuse (by partner and family members) and exploitation by other people outside of the family unit. Cuckooing was referenced by a few people, one of whom said that services did not know how to respond and therefore did not regard the person as priority need, despite them being vulnerable. Another person commented that discrimination and exploitation was the cause of their homelessness, as a low paid worker who felt taken advantage of because their first language was not English. Another domestic abuse survivor told us that needing to travel to attend court overseas meant that they were threatened with eviction, as the provider/landlord would not hold the accommodation for her while she was away.

4.4. Mental health and substance use issues

A number of people who attended our engagement events and completed our survey said that mental health issues and/or substance use issues caused their homelessness. A number said that mental health problems led to them being unable to manage their tenancy and then losing their home. Others said that their substance use had led to them being evicted. Some people said that the absence of any support for these issues led to their homelessness, even when other agencies were aware of the challenges that they were facing – commenting that earlier intervention and support could have prevented their homelessness.

Some participants also referred to being housed with other people with addiction issues in temporary accommodation such as hostels or in shared housing, which hindered their recovery and put them at risk of repeat homelessness. Others commented that a lack of support for their substance use issues, once they had moved into a settled home, meant that they were unable to manage their tenancy.

“Individuals who mask during hostel or shelter stays can relapse when moved and independent due to lack of support.”

4.5. Finances, debt and the welfare system

Money and debt were also a key discussion point. One individual shared, *“I love my flat, it’s my pride and joy, but now it’s too expensive”*. Another said, *“I can’t afford to live”*. Some respondents referred to how they had built up rent arrears, including in supported accommodation, which had led to them losing their home. Another couldn’t afford to pay their service charges. A number of respondents referred to issues with the welfare system, including the DWP not taking them seriously, the DWP *“clamping down on benefits”* and the welfare system not providing enough financial support for people to afford housing. One attendee at our engagement events also referenced being a parent who had part time custody of their child, but said they were not regarded by the DWP as requiring an additional bedroom for when their child stays over, and therefore did not receive enough housing related benefit.

“I have a property (1 bed flat) with a housing association and they started eviction proceedings whilst I was applying for ESA (coming over from/switching over from Incapacity Benefit). They awarded me 0 zero points at the medical and I had to go to a tribunal, like most people in my situation with drink/drugs and depression/anxiety. As they stop your Housing Benefit whilst your claim is awaiting the Tribunal and outcome of the Tribunal, (benefits are all messed up in the very long waiting period of trying to get it all sorted out via Tribunal). My housing officer from my Housing Association came and served me eviction papers as they hadn’t had their Housing benefit for a while whilst all this was going through.”

4.6. Access and eligibility

Some respondents and attendees commented on how their personal circumstances meant that they were not regarded as a priority need for housing, were not provided with support, or were not entitled to some elements of the welfare system – all of which contributed to people becoming or remaining homeless.

“I was kicked out by my long-term partner. I didn’t know where to go, what to do. Went to council to go on the council housing list but I didn’t have any children or dependents so I was told I would be waiting for 15 years. I sofa surfed, then slept on the Crown Court steps. I never dreamed I would be homeless.”

A number of contributors discussed the notion of not being able to access help and support until they had reached crisis point. One individual said how they felt they were never *“bad enough’ to be considered a priority”*. This sentiment was echoed by other contributors. One individual said that the turning point in their experience of homelessness was when they lost their leg due to heroin use and subsequently received what they felt was more effective support.

4.7. Childhood trauma and ACEs

Adverse Childhood Experiences (ACEs) and trauma were cited as a common theme for many. One contributor said that they felt *“punished for displaying symptoms of trauma”*. A number of people talked about the interaction between their experiences of trauma, mental health problems and substance use issues, which all made it more difficult to maintain their housing and access the support they needed.

4.8. Leaving prison

A few participants in the events and survey had previously been in prison and shared their experiences of a lack of housing support once leaving the prison system.

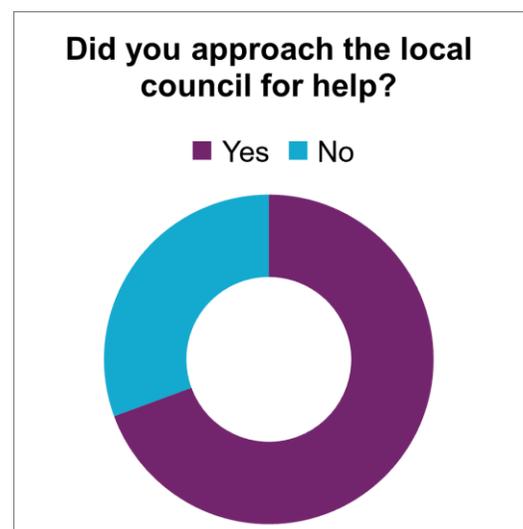
“More help for people coming out of hospital/prison. Falling through the gap by not having housing or support so people return to cycle of crime.”
“Having a home or not is the difference between reoffending and homelessness. Or sobriety or not.”

5. Did you approach the local council for help?

The survey asked participants whether they had approached the council for help. Of the 49 people who answered this question, 69% said they approached their council for help when they experienced or became at risk of homelessness. 31% did not approach their council for help.

When the 31% were asked why they did not approach their local council for help, reasons included people not knowing how to approach their council for help and people believing that the council would not or could not help them.

Some were able to access help through social services, rather than the housing department – including one person who said that they were referred to social services rather than housing options due to their age. Another person approached a third



sector homelessness charity directly, and got the help they needed – so did not need to approach the council.

Another respondent said they were “*stubborn and I thought I could sort myself out*” whereas another said that their use of substances and “*chaotic lifestyle*” meant that they didn’t want to seek support or advice from others at that time.

One survey respondent left a more detailed response about how they had not known that support was available until they hit crisis point and were informed of their options when entering hospital. While this highlights an example of the health service operating in a joined-up way that resulted in a positive outcome, it would have been preferable if the person had understood what help was available from their local council before reaching crisis point.

“I didn’t know this help was available until I was in a suicidal state. It is difficult to seek help when suffering mental issues. It was only when I went to hospital I was given a form with numbers of people who could help. Once I did this with help of my co-ordinator my life was completely changed for the better and I was able to get more help from support workers. I never knew the council could help until then. I’m so very grateful for the lovely people whom helped me rebuild my life amazing people whom I am now very close with such wonderful help I finally have a normal life again and able to see my grandchildren in my new safe home thanks to their help.”

6. How did the local council respond?

Both survey participants and engagement event attendees were asked how the council had responded when they approached it for help. Respondents gave the following examples of how the council had responded:

- Nothing
- Provided information and advice
- Provided information about the private rented sector
- Provided temporary or emergency accommodation such as B&Bs and hostels
- Referred to supported accommodation
- Provided a tenancy support worker
- Worked with other organisations (e.g. housing association and police) to find a settled home

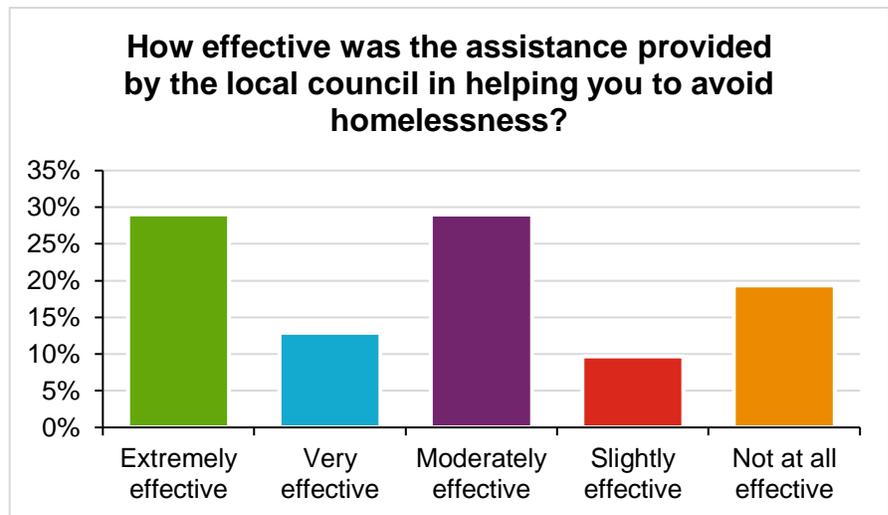
The vast majority of people reported actions that related to temporary solutions rather than permanent or settled accommodation. We received comments about the length of time people were in temporary or emergency accommodation and how unsettling it is for people in a state of housing limbo.

“You could be here in 7 weeks or 17 years. Not allowed furniture. You could be moving tomorrow.”

7. How effective was the assistance provided by the local council?

Those respondents who did approach their council for help were asked how effective the assistance provided by the council was in helping them to avoid homelessness.

The results were very mixed, with 29% selecting 'extremely effective', 13% saying 'very effective', 29% choosing 'moderately effective', 10% saying 'slightly effective' and 19% selecting 'not at all effective'.



8. What can local councils do to prevent homelessness?

8.1. Provide more affordable homes

Waiting lists and long stays in temporary accommodation were common complaints from respondents to our survey and attendees at our engagement events. Building more social housing was a priority for a large number of participants, most of whom had experienced long waiting times for social housing and could not afford private rented accommodation due to high rents and inadequate housing benefit. Others commented on the large numbers of empty properties and suggested that local councils should be doing much more to get them back into use and help reduce homelessness. One attendee at the engagement event wanted to see the government make better use of non-traditional methods of producing accommodation in order to meet the immediate need for housing.

8.2. The right home in the right place

A number of survey respondents commented on the importance of being given the right home in the right place. In particular, people referenced:

- Age appropriate housing
- Accessible housing for disabled people
- Close to support networks / not being isolated
- Dispersed housing vs congregate models
- Considerate of their recovery from addiction

Some participants also felt very strongly about the need for people exiting homelessness to be allocated dispersed accommodation across their communities, not restricted to congregate models where large numbers of people who have experienced homelessness are living in the same block of flats. Some highlighted the risks of housing people with experiences of trauma, mental health problems

and/or substance use issues in the same space. They were concerned about the impact on people's recovery from addiction if they are living close to people who are actively using. They also worried about ensuring people being stigmatised if grouped together in the same accommodation block.

"[shared accommodation] sometimes hinders any recovery if having to live with people with similar issues."

Many contributors felt that there was a lack of choice and control in terms of accommodation to suit individual need. As one individual said of their experience, *"lack of agency makes me feel less human"*. Whilst participants understood that this issue is a symptom of the housing crisis, many still felt that they were not included in discussions around what would best suit their needs, whether this be due to shared parenting responsibilities, disabilities or substance use.

One contributor shared how that they were, *"placed in temporary accommodation above a pub which was not helpful as an alcoholic. I made several suicide attempts"*. Others commented on feeling that they couldn't refuse accommodation, even if it was unsuitable, as they worried they would lose their priority status and not be offered anything else.

"I approached the local authority following speaking with my landlord, I had been ill sometime and was beginning to need welfare assistance. As well as recognising a need for long term home adaptation. My landlord was looking to modernise and not add in any adaptations, I approached [name] council for support. I spoke with housing options, was assigned a case worker – [name], and began support. I applied for multiple Housing associations, as well as being told I needed to look at private accommodation. I tried to explain my need for adaption as a barrier and how it was impacting my search but was rushed and pushed to take anything as they would not help any longer financially."

8.3. Remove barriers to housing

Some participants referenced priority need, intentionality and local connection as issues that needed to be addressed in order to prevent and relieve homelessness for people who are currently ineligible for help. In particular, several people gave examples of how they were not regarded as being priority need, and this effectively prevented them from accessing affordable housing. Some said that they were not regarded as priority need despite having some parental responsibilities, or being vulnerable due to mental health problems, abuse or exploitation.

Other people highlighted the 'deserving' vs 'undeserving' judgements that were made within the system, which determined who would be provided with a home. Discussions on systems that reward 'good behaviour or attitude' also took place, with contributors questioning what a 'good person or tenant' looks like. While some attendees were keen to stress that people should adhere to the rules surrounding a tenancy, others pointed out that trauma, mental health and addiction often had an impact on people's behaviour and emotional regulation, but people should receive the support they need, not be refused help or housing. This sense of rewarding 'good behaviour' and penalising 'bad behaviour' led to one contributor commenting: *"I didn't want to rock the boat because I felt 'lucky' to have been offered accommodation"*.

8.4. Accessible, flexible and person-centred services

Some participants commented on the need for support to be available immediately and for more services to be available outside of traditional office hours, as people could experience a crisis at any time. Others talked about the importance of council staff having greater empathy, understanding and patience when people are not responding to one form of communication or not engaging with the council. They commented that the person may be experiencing mental health problems or another type of challenge, and that staff should not give up on them or close the case, but should consider what else they could do to help.

“Housing support services should not just focus on housing. Need whole person approach.”
“Be more flexible, accessible and innovative about contacting people.”
“If you’re struggling to get hold of tenant, try and see them – there’s all sorts of reasons why people don’t answer the phone or open a letter.”

Another person highlighted the importance of local authority outreach services, calling for a more consistent approach across Wales. They wanted outreach services to be more visible and easily accessible for people experiencing homelessness.

One respondent called for their local council to develop a better understanding of a range of issues, including equality, disability and mental health.

“Personalised support, better staff training on The Social Model of Disability, homeless prevention in practice, The Equality Act 2010, mental health training.”

8.5. Preventing evictions

Participants in the survey and engagement events has faced evictions for a range of reasons, including no fault evictions and evictions due to rent arrears or anti-social behaviour. Some suggested that the council should do more to provide financial support (although others called for improvements to the welfare system) and others talked about the importance of early intervention and support if people were starting to build up rent arrears.

8.6. Stigma and discrimination

Some participants reported that they had felt judged by people working within the local authority and by elected councillors who did not want people experiencing homelessness to receive housing and support within their ward or local authority area. This clearly had a negative impact on people, impacted on their wellbeing and could lead to people not wanting to seek help.

“My experience with my local council was mostly positive however I got the impression that I was being treated as an unwanted problem/burden due to being homeless.”
“Local people saying homeless people need to move out of the area - treated worse than animals and this was by local councillors. Need more accountability.”
“Perception that homeless people are criminal. People find it ok to belittle people experiencing homelessness.”

8.7. Expansion of Housing First

There were some attendees at our engagement events who felt very strongly about the role that Housing First had played in their lives after long periods of time living on the streets and struggling with addiction. They advocated for Housing First to be expanded and for the principles of people moving rapidly into accommodation with the right support being available to all who needed this approach.

“I think people should have support and housing straight away, no waiting. I was told I would be waiting 15 years and thought wow, I’ve got no home. But then Housing First took me off the streets, gave me a beautiful flat and support with everything I needed. Housing First. WOW. Totally changed my life. There’s not enough space in this expanding universe to fit enough thankyou’s in for Housing First.”

9. Is there anything else that any other person or organisation could do to help prevent homelessness?

9.1. The role of other public services

A number of contributors understood that homelessness was more than just a housing issue, and recognised the importance of other services playing their part, including health, social care and the criminal justice system. They wanted these services to be more responsive, to act more quickly and to anticipate the risk of homelessness when the person was experiencing other challenges in their life. They wanted other public services to help to prevent homelessness before they reached crisis point.

A number of people talked about their experiences of mental health problems and how difficult it was to get help. Many cited this as the cause of their homelessness, implying that earlier intervention would have improved their mental health and prevented their homelessness. Others talked about abuse and exploitation such as cuckooing, which indicated that more timely and effective intervention by the police and/or social services could have prevented them from becoming homeless. People who had spent time in prison wanted the criminal justice system to work more effectively with housing services to prevent people from becoming homeless on release from prison.

Some people wanted different public services to communicate and work together more effectively in order to prevent homelessness. Others wanted to be able to access different services in the same place, as part of a ‘one-stop shop’ approach.

“One of the biggest things that could happen is for all services to play their part.”

9.2. Trauma-informed approaches

A number of people at our engagement events talked about the impact of trauma on their lives, and the responses they had received from a variety of services. They felt very strongly that services needed to be more trauma informed in how they responded to people experiencing homelessness, *“understanding when someone is having a bad day”*, providing emotional support, and providing people with support when they struggle with their emotional regulation or how they react to feeling anxious or

threatened. One contributor detailed the importance of having consistent support with the same people/person as to avoid retelling trauma to new people or organisations, with a particular concern raised about out-of-county placements. They cited this idea as *“the golden thread”* and once lost it is often difficult to regain trust again.

9.3. Greater awareness and transparency re: people’s rights

Many contributors felt that a lack of understanding of their rights as tenants contributed to their lack of confidence when engaging in discussions with landlords, their local council and other agencies. Other commented that services or agencies using jargon or complex language contributed to inaccessibility and feelings of being ‘othered’. When discussing a need for greater transparency and accessibility on how rights, systems and processes work, one contributor concluded that *“knowledge is power”*.

9.4. Housing as a human right

Several participants agreed that the need for a secure and safe home is a basic right for all, with one contributor stating, *“guarantee housing as a fundamental right”*.

9.5. Early intervention

A number of participants called for more action much earlier in people’s lives, rather than when people become at risk of homelessness or experience homelessness. A few contributors recognised the important role of education in preparing children and young people for their adult lives, calling for financial literacy to be taught in schools, to help people understand bills, credit ratings and budgeting. Similarly, other contributors suggested early intervention for children in schools and support for parents, with a focus on reducing adverse childhood experiences, understanding and being empathetic about the impact of poverty and trauma, and focusing on improving mental health and wellbeing.

“Focus on education and mental health. Not punishing children for having trouble with things, especially when those things are outside of what they can control.”

9.6. Digital literacy

Digital literacy was a topic a few contributors also discussed, as *“many people don’t have the facility or ability to access services online and it can feel really intimidating”*. This was also supported by discussion about the move to apps and online applications by housing associations and the DWP.

9.7. Staff capacity, skills and training

Contributors recognised strain on staff in the sector, detailing that they recognised some staff were *“overworked and obviously stressed”*. While those of us working in the sector are acutely aware of the challenges related to recruitment and retention, it is concerning that people using services are feeling the impact. Some participants asked for staff to have more training on a range of issues, including mental health, ADHD, trauma and disability. A few people advocated for housing and homelessness services to recruit more staff member with lived experience of homelessness, as they felt that this would provide staff with greater insight and compassion when providing support.