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Convener  
Social Justice and Social Security Committee  
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30 August 2024

Dear Collette,

## **HOUSING (SCOTLAND) BILL - HOMELESSNESS PREVENTION MEASURES**

Thank you for your invitation to provide further evidence to the Committee on 5 September, and for the opportunity to provide a supplementary update on my engagement with stakeholders over the summer period. This letter and Annex A provide a summary of the activity undertaken. I trust this information is helpful, and I look forward to discussing this further with the Committee.

Over the summer period I prioritised discussions on the 'ask and act' measures for the relevant bodies named in the Bill. These are groundbreaking proposals which will go beyond the role of housing services, and consequently have generated the most questions from stakeholders on how they will work in practice.

In particular, I met with representatives from the Scottish Prison Service and the health sector. These discussions along with those which my officials undertook have helped to identify important considerations for the development of the guidance and training that will accompany the new duties. For example, we heard from health representatives about the ways in which the guidance for interactions in acute care settings will need to be different to support for interactions in planned care settings. Reflecting on this input will help us draft different guidance for different audiences accordingly. I have provided a more detailed summary of the events that have taken place to date as Annex B. I also attended the third national online event with social housing providers on 29<sup>th</sup> August. I would be happy to update the Committee on this during my evidence session.

A significant array of engagement has taken place over the last few years, including the engagement over the Summer months. The introduction of the Bill does not signal the end of that journey; indeed, we will continue to work collaboratively with stakeholders as we develop our approach to delivering the duties in order that we can harness the opportunity they present to end homelessness, and to make a significant contribution to eradicating child poverty.

I am also keen that over the coming months we start to explore with stakeholders the key questions around co-operation, partnership working, and resourcing. With this in mind, I will be hosting an online event with local authorities and other relevant bodies, third sector homelessness organisations, people with lived experience of homelessness, regulators in early October.

Yours sincerely,

**PAUL MCLENNAN**

**UPDATE ON STAKEHOLDER ENGAGEMENT PROGRAMME SHARED WITH COMMITTEE IN JULY 2024**

<b>Who</b>	Scottish Federation of Housing Associations (SFHA) - <b>Completed</b>	Chartered Institute for Housing (CIH) – <b>Completed</b>	Public Health Scotland (PHS) – <b>Completed</b>	Scottish Housing Regulator (SHR) – <b>Completed</b>	Health sector representatives - as relevant bodies listed in Bill. <b>Completed and Ministerial follow up meeting with NHS HIS/ PHS</b>	Police - as relevant bodies listed in Bill. <b>Tbc</b>	Housing Providers - as relevant bodies listed in Bill. <b>Completed – Minister in attendance.</b>	Prisons - as relevant bodies listed in Bill. <b>Completed – and Ministerial follow up meeting with SPS representatives</b>
<b>Why</b>	Ask and act and Domestic Abuse provisions	Domestic Abuse and other provisions	Ask and act for health bodies	Regulatory framework for new duties	National event on ask and act	National event on ask and act	National event on ask and act and domestic abuse provisions	National event on ask and act
<b>Attendees</b>	SG officials, Housing Management and Community Investment Forum members	Lead Officials, (Scottish Government and CIH)	Lead Officials, (Scottish Government and PHS).	Lead Officials, (Scottish Government and SHR).	SG officials, health boards, special health boards, Integrated Joint Boards, third sector homelessness organisations presenting on current practice, people with lived experience of homelessness.	Planned: SG officials, Minister for Housing, Police Scotland representatives, third sector homelessness organisations presenting on current practice, people with lived experience of homelessness.	SG officials, Minister for Housing, Local Authorities, Registered Social Landlords, representatives, people with lived experience of homelessness.	SG officials, Scottish Prison Service representatives, third sector homelessness organisations presenting on current practice, people with lived experience of homelessness.
<b>Outcomes</b>	Awareness raising of prevention duties with SFHA members; outline plan developed for RSL involvement in proposed national online events.	Awareness raising of prevention duties; stakeholder feedback received on potential challenges and opportunities; highlight opportunity for stakeholder input into national events.	Identified potential role of PHS in supporting work of health bodies to implement changes, including in relation to developing appropriate guidance and training.	Identified contact for further engagement on strategic scrutiny.  This connection has now been made and initial discussions taken place.	Stakeholder feedback on operation of ask and act within different types of health settings; views on what is needed in guidance and training;	Planned: explore detail of ask and act operation including for front line officers; identify what is needed in guidance and training to support officers across the range of different types of policing.	Stakeholder feedback on operation of ask and act and domestic abuse provisions; views on what is needed in guidance and training.	Stakeholder feedback on the operation of ask and act; views on what is needed in guidance and training.
<b>Actions</b>	Continue to engage as the work progresses	Continue to engage as the work progresses	Continue to engage as the work progresses ; to explore opportunities for data linkage to inform approach to the delivery of the duties in health settings.	To identify an appropriate opportunity to attend the strategic scrutiny group in order to make wider connections and explore whether current regulatory frameworks can support the duties.	To undertake discussions with NHS Education and NHS Social Care in order to explore options around training and current education programme; to receive more information on the opportunities that exist around health and homelessness data sharing between local authorities and PHS.	To continue to explore with Police Scotland the best way to engage and to hear directly what the duties could mean for policing.		To receive case studies and data highlighting the opportunities within custodial settings for effective cooperation across services to deliver positive long term outcomes.

<b>Who</b>	Representatives from a range of bodies and organisations impacted by the homelessness prevention duties
<b>When</b>	<b>Provisional date 1<sup>st</sup> October</b>
<b>Why</b>	National Event on Homelessness Prevention Duties.
<b>Attendees</b>	Minister for Housing, local authorities and other relevant bodies, third sector homelessness organisations, people with lived experience of homelessness, regulators, etc.
<b>Expected Outcomes</b>	Identify effective joint working options based on current practices; explore options around prescribed and non-prescribed questions to meet 'ask' requirement taking account of the differing operational models across the relevant bodies; co-produce definitions of 'act' and what this could look like in different sectors drawing from the expertise around the room; identify options for progressing the development of guidance and training e.g. creation of task and finish groups specific to individual sectors who have operational knowledge; begin the process of mapping out a potential timeline for implementation of the duties based on working assumptions of potential Parliamentary timelines;

**SUMMARY OF NATIONAL ONLINE EVENTS****SCOTTISH PRISON SERVICE**

The online event, organised by the Scottish Government, was attended by representatives of Scottish Prison Service (SPS) third sector services and people with lived experience of homelessness (Change Team).

1. Overview of the ask and act duties (Scottish Government)
  2. Preventing homelessness – Addiewell Visitor Centre (Cyrenians)
  3. Breakout sessions
- There is good practice on preventing homelessness happening across the prison estate, although there are differences in practices between prisons.
  - Some of the principles of Ask and Act are already being adopted, referencing the application of the SHORE standards and questions asked as part of core screening as well as the databases which are shared with local authorities (LAs) weekly and liberation meetings held six weeks before liberation. Some prisons hold multi-agency community reintegration boards or case management boards to discuss forthcoming liberations (typically six weeks before liberation). Considerations include housing upon release.
  - Improvement needed on consistency across prison estate and engagement with prisoners about their housing can be hampered by operational responsibilities (and if short staffed, link centre staff get pulled into halls), so potential resource implications. Also need improvement on the consistent use of case management systems like My Compass across SPS estate.
  - Need ongoing communication about housing throughout custody, in case circumstances change (such as breakdown of family relationships). SPS staff ask new prisoners and those due to leave SPS custody about their housing circumstances and refer them on to LA housing/homelessness services if needed, but needs to be ongoing. Should hold liberation meetings earlier than six weeks before. Make better use of visitor centres which have an overview of family support available to prisoners.
  - Unplanned releases (remand prisoners) are very difficult for SPS to provide support to in the same way as other prisoners. More awareness of housing/evictions through training is needed by all SPS staff, so staff can engage meaningfully with prisoners and ask the right questions). In person visits by LAs to prisons would help them to build relationships with prisoners and establish trust.

**Minister for Housing – Follow up meeting with Scottish Prison Service representatives**

- Ask and Act duties can complement existing pieces of work, such as SHORE standards or that arising from the Bail and Release Act, but there is currently a lack of consistency in delivery with very different approaches in different localities. Prison should never be seen as a preferred accommodation option for individuals.
- There needs to be a standardisation of practice across the prison estate, where recognising person centred practice and flexibility. Prisons may have to take the lead in establishing partnerships with housing and other partners.
- Throughcare is already an important part of work in prison settings but needs to be about individuals and their needs rather than processes. Involving other partners at an earlier stage can change the support individuals receive and the accommodation offered once they leave.
- Prisons are a good place to engage about issues – sometimes individuals may have challenges that make it hard to engage with housing departments, JobCentre Plus, etc on release.

## **HEALTH AND SOCIAL CARE**

This online event, organised by the Scottish Government, included representatives from health boards, special health boards, social care, the third sector and people with lived experience of homelessness (Change Team).

1. Overview of the Ask and Act duties (Scottish Government)
  2. Ask and Act – a real life example (Health Improvement Scotland)
  3. Working with health to prevent homelessness – Hospital in reach (Cyrenians)
  4. Experience of engagement with healthcare sector and missed opportunities (The Change team)
  5. Breakout sessions
- Guidance on Ask and Act needs to build on existing good practice. Community Link workers/in reach hospital services are a good example. Some areas are already exploring how the new duties may work.
  - Guidance will need clarity on when health and social care services would ‘ask’ about housing situations and who should take responsibility. This will be different for different staff in different scenarios. e.g. hospital admission, NHS24 calls, emergency calls for ambulance staff. This can be gauged by engaging with staff on frontline. Need clarity so staff are clear, especially against background of pressurised services and challenges around resources.
  - While recognising that Ask and Act is not just about referring to local authority housing, there is a fear in the sector that ‘asking’ will mean taking responsibility for case.
  - management, need to be clear in guidance that the ‘ask’ does not mean being responsible for addressing all a person’s needs, it is about identifying needs and then using own powers and working with others, including through referrals. Triage is used in health services.
  - Patient care is paramount in deciding when to ask and how to act. Stigma has to be considered and whether people want to share information about risk of homelessness.
  - Legal duties may provide framework and driver for joint working and partnerships to develop. Gives ‘permission’ for partnerships involving health, social work and housing.
  - Lack of certainty of roles or inflexible systems and complicated processes can act as a barrier.

### **Minister for Housing – Follow up meeting with NHS HIS (Health Improvement Scotland) and Public Health Scotland representatives**

- Ask and Act can be an important step and the legislation is something to ‘fall back on’ but given the complexity of the health system it is difficult to predict demand arising from new duties at this stage and need different guidance for different staff.
- We do not want to re-invent the wheel, there is positive existing practice and we know that there are existing guidelines, such as Medical Assisted Treatment (MAT) standards and previously the Health and Homelessness standards, that can be built upon. Tests of change in preparing for the duties will be important.
- We need to know if any new duties are working and this is why data linkage is important, housing contribution statements to health plans may be a useful tool.
- Would be helpful to include primary care, GPs, in the duties as the most holistic of services, but recognise the challenges and the other routes to influence e.g. link workers.