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Ahmed, A and Madoc-Jones, I

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Homelessness Prevention Policy in an International Context: The Housing Act (Wales) 2014

Anya Ahmed* and Iolo Madoc-Jones**

*University of Salford

E-mail: A.Ahmed@salford.ac.uk

**Wrexham Glyndŵr University

E-mail: i.m.jones@glyndwr.ac.uk

In this article – a review article preceding a series of articles in this special issue considering specific aspects of the impacts and implementation processes of the Welsh legislation – we contextualise the introduction of the prevention agenda in Wales by defining homelessness and highlighting the shift towards prevention policy in an international context. We consider the nature of prevention, and examine related theoretical debates, critiques and the cost/benefits of prevention. We conclude by offering some reflections on the progress of homelessness prevention since the Act's implementation drawing on data from the longitudinal post-implementation evaluation of the Housing Act (Wales) 2014.

Keywords: Homelessness prevention policy; The Housing Act (Wales) 2014.

Introduction

In 2009 the Welsh Government published its Ten-Year Homelessness Plan, pledging: 'In ten years we want to see homelessness reduced to a minimum' (Welsh Government, 2009: 1), and committed itself to reviewing homelessness legislation with a view to achieving universality (as opposed to selectivity) based on priority need. Leading up to the legislation, the Welsh Government commissioned over 15 reports related to homelessness which focused on: homelessness prevention; housing solutions for specific groups; the effectiveness of Welsh Government programmes; improving the health of homeless people; and learning from the experiences of the previous legislation (Carter, L. (2015).

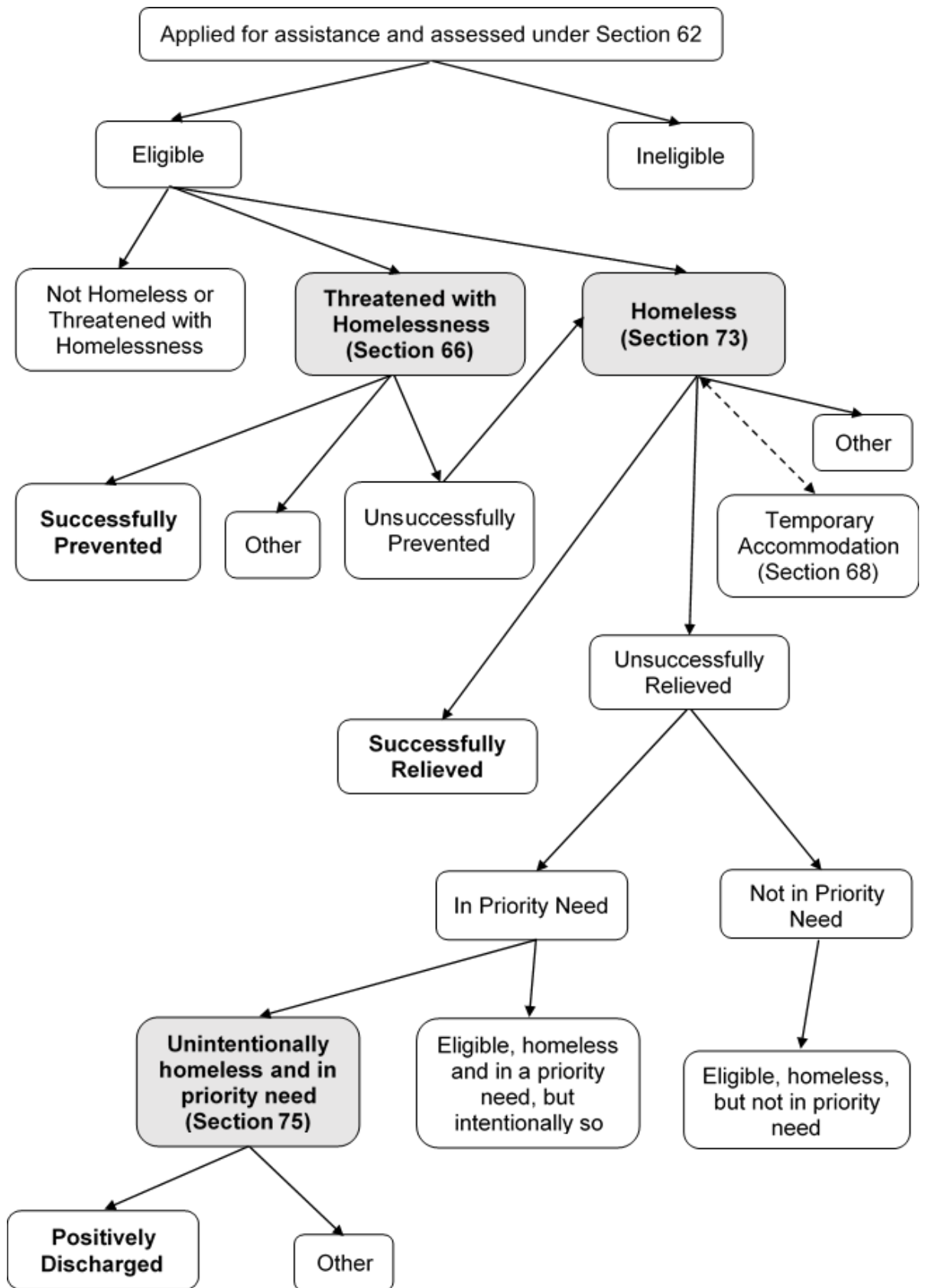
The Housing Act (Wales) 2014 – implemented in April 2015 - introduced a number of changes in the way that homelessness is addressed in Wales. The main changes include: the introduction of new duties for local authorities to help prevent homelessness for anyone who asks for help¹ and the duty that authorities take ‘reasonable steps’ to prevent or relieve homelessness; More flexible interventions to be applied by local authorities to prevent homelessness; A person-centred/partnership approach between local authorities and people who come forward for assistance to be adopted²; Increasing the length of time when people are considered to be threatened with homelessness from 28 days to 56 days; changes in the application of priority need, intentionality and local connection provisions (so that the first two were not to be used as reasons to exclude a person from a service); creating a new framework to involve housing associations and the private rented sector in alleviating homelessness.

The Act aims to ensure that: help is available for everyone who is at risk of homelessness or is homeless; early interventions take place to prevent crises; there is less emphasis on priority need; the best use is made of resources, including private rented accommodation; local authorities work with people to help them find the best housing solution; and, there is partnership working across organisations to achieve sustainable solutions. This means that more people now have a right to assistance than before, although an offer of social housing is no longer the main type of assistance available; instead, local authorities can more easily discharge their homelessness duties by making an offer of accommodation in the private sector (and they do not need the permission of the applicant to do so).

The changes to the legislation mean that addressing homelessness in Wales can now be understood to take place within three stages: (1) preventing homelessness (prevention); (2) relieving homelessness (relief); and (3) securing accommodation. The first two stages are available to all, regardless of priority need, intentional homelessness or local connection. Within this stage local authorities are required to take ‘reasonable steps’ to prevent or relieve homelessness when people are at risk of becoming homeless in the next

56 days or are actually homeless. Reasonable steps include: helping people to find accommodation; assisting with bonds and rent in advance; referring people to support services; and referring people to mediation services to help their family stay together and remain in their accommodation. The third stage comes into effect if the prevention and relief activities do not prevent people from becoming homeless. Here the old system persists. In this stage, the local authority is required to assess whether people qualify under the categories of priority need, unintentional homelessness and local connection. If households qualify for the duty to secure a home, the local authority must help them find suitable accommodation that must be available for at least six months. In practice, this means that local authorities must now follow a series of duties as outlined in the legislation for both the prevention and relief of homelessness as illustrated in Figure 1 – Local Authority Duties Under Part 2 of the Housing Act (Wales) 2014.

Figure 1. Local authority duties under Part 2 of the Housing Act (Wales) 2014



Insert Figure 1 here

S62, the Duty to Assess, means that local authorities must carry out an assessment of a person's (or household's) circumstances, if that person approaches them for accommodation, or if they ask for assistance in retaining or obtaining other accommodation. The local authority will assess whether the person is homeless or will be homeless within the next 56 days (in other words, whether the person is threatened with homelessness). If the local authority accepts that the person is homeless or threatened with homelessness – that is, owed a duty of assistance – then the authority must assess: the circumstances leading to the person's homelessness/threat of homelessness; the housing needs of the person/their household; whether they have any support needs; whether any other duties apply; and what outcomes the person/their household want to achieve with the help of the authority and how they can support this. Once the Duty to Assess has been discharged, if a person is accepted as being threatened with homelessness within 56 days under s62, and is eligible for help, then the local authority accepts the Duty to help prevent an applicant from becoming homeless (s66).

The local authority must now carry out 'reasonable steps' (s65) as indicated above to help to prevent the person from becoming homeless. If a person is accepted as being homeless and eligible for help under s62 of the Act, the local authority accepts the Duty to help secure accommodation (s73). If the person/their household is considered 'likely' to be in priority need, the local authority must undertake reasonable steps to help them secure temporary accommodation whilst efforts to assess their priority need status and alleviate their homelessness are undertaken. For households not considered likely to be in priority need, the local authority must still take reasonable steps under s73.

S75 of the Act – the Duty to secure accommodation - applies to those applicants who are assessed as being in priority need. If steps to relieve homelessness are unsuccessful, and the local authority is satisfied that the person/household is in priority need, is eligible for help, (and if the authority is having regard to whether they are intentionally homeless, then they need to be satisfied that homelessness is unintentional) then they must accept the Duty to secure accommodation (once s73 has ended). The local authority then discharges this

duty by securing an offer of accommodation for a period not less than six months, and this can now be an offer of a property in the private sector.

The Homelessness Reduction Act (2017) has since been introduced in England – and the provisions came into force in 2018. This makes substantial changes to local authorities' homelessness duties under Part 7 of the 1996 Act, which are very similar to some of those introduced in Wales under the Housing (Wales) Act 2014, and the Communities and Local Government Committee made clear reference to the Welsh Government's approach in its report on homelessness (Communities and Local Government Committee, 2016).

In this article – a review article preceding a series of articles in this special issue considering specific aspects of the impacts and implementation processes of the Welsh legislation – we contextualise the introduction of the prevention agenda in Wales by defining homelessness and highlighting the shift towards prevention policy in an international context. We consider the nature of prevention, and examine related theoretical debates, critiques and the cost/benefits of prevention. We conclude by offering some reflections on the progress of homelessness prevention since the Act's implementation drawing on data from the longitudinal post-implementation evaluation of the Housing Act (Wales) 2014 (Ahmed et al, 2018)).

The study and methodology

Data underpinning this article are drawn from a Welsh Government commissioned longitudinal post-implementation evaluation of the processes and impacts of the Act which began in April 2016 with the final report being published in July 2018. The evaluation itself involved qualitative and quantitative research methodologies encompassing the following: quantitative analysis of secondary data (taken from the publicly available Stats Wales website encompassing 2015-16 and 2016-17; a survey and review of 22 local authorities [in June–August 2016 and again: August – October 2017]; consultation with 15 national stakeholders [October–November 2016]; six case study local authority areas were then

identified and semi-structured interviews with 148 service providers from local authorities, Registered Social Landlords and the third sector were undertaken [March-June, 2017]; two waves of interviews were undertaken with service users [first wave: October 2016–January 2017; n=154/second wave: June-July 2017; n=57] and finally, a focus group was undertaken with the Welsh Local Authority Homelessness Network to ‘sense check’ the recommendations for the final report [January 2018].

Defining homelessness in an international context

Before discussing the paradigm shift to preventing homelessness (Shinn *et al.*, 2001) it is important to clarify what is understood by homelessness. When defining homelessness, in a European context the categories identified by the European Federation of National Organisations working with the Homeless (FEANTSA), contained in the European Typology of Homelessness and Housing Exclusion (ETHOS) (Amore *et al.*, 2011) are the ones most often deployed (see Busch-Geertsema and Fitzpatrick, 2008; Mackie, 2015). Although these are contested (Amore *et al.*, 2011) we adopt them here and throughout the articles included in this themed section. These categories encompass a continuum of experiences of homelessness ranging from: rooflessness; houselessness; insecure housing; to inadequate housing. It should be noted, however, that in the US a narrower definition of homelessness is adopted, and this relates specifically to rooflessness.

Homelessness has been constructed as an analytical category outside of inequality (Farrugia and Gerrard, 2015). It is a complex issue but is often explained as a housing/welfare problem attributed to structural and/or individual causes (Neale, 1997). Simply put, the causes include: poverty and unemployment; a shortage of affordable housing; the effects of recession; reductions in housing and other benefits; mental health issues; relationship breakdown; alcohol and substance misuse; time served in prison; traumatic individual events such as bereavement and societal wide events such as war and displacement (Fitzpatrick *et al.*, 2000). However, although the causes are well-documented, they are difficult to properly quantify since definitions are not consistent and difficult to

monitor and the relationship between them is not always clear (see Fitzpatrick *et al.*, 2000). Further, they can play out differently in different contexts (Somerville, 2013). A structural explanation of homelessness locates the reasons for homelessness beyond the scope or agency of an individual, while an agency or 'victim-blaming' approach focuses on personal failure or 'inadequacy'. This also raises issues around who is 'deserving' and 'undeserving' with regard to homelessness assistance, with the risk that only those households affected by structural causes, rather than their own volition or agency are deemed to be deserving (Neale, 1997). In addition, issues of entitlement arise with greater force where a neo-liberal prevailing political economy represents social circumstances as a consequence of the decisions people have made (agency) rather than on structural preconditions (Farrugia and Gerrard, 2016). A 'new orthodoxy' of homelessness research encompasses structural and individual explanations of homelessness. In the face of the complexities involved homelessness legislation has historically operationalised the ETHOS definition of homelessness and served as a rationing device (Clapham *et al.*, 1990; Neale, 1997).

Prevention in an international context

Prevention involves any action or intervention which results in a person avoiding becoming homeless and this captures a range of interventions and policies (Mackie, 2015). The thinking behind contemporary international homelessness policy is that homelessness can and should be prevented (Shinn *et al.*, 2001). Whereas previous intervention models involved 'warehousing' people who were already homeless in temporary accommodation, it is now widely accepted that preventing homelessness is better than attempting to 'cure' it (Mackie, 2014). Where prevention activity is favoured it is construed as 'shutting the front' door to homelessness and may be part of a broader strategy to end it (National Alliance to End Homelessness, 2000). It is generally agreed that homelessness should be prevented as it reflects badly on a society that allows it; it is damaging to individuals and communities; and it is also expensive (Mackie, 2014). A shift in global policy, towards a focus on prevention-based initiatives to address homelessness has been evident for some time and is well-

documented in Australia (Parsell and Marston, 2012), the US (Culhane *et al.*, 2011; Shelton *et al.*, 2012), the UK (Clapham *et al.*, 2009; Wilcox and Fitzpatrick, 2010), Canada (Crane *et al.*, 2006), Ireland (Maher and Allen, 2014); and Germany (Busch-Geertsema and Fitzpatrick, 2008). In 2008 and in the face of structural challenges associated with poverty and unemployment in Germany and high housing costs in the UK, Busch-Geertsema and Fitzpatrick reported a decline in homelessness levels in these countries and attributed this in part to prevention. There are broadly understood to be three elements to homelessness prevention (Busch-Geertsema and Fitzpatrick, 2008):

1. Primary prevention measures - involve activities which may directly or indirectly seek to reduce the risk of homelessness among the general population and prevent new cases of homelessness.
2. Secondary prevention measures – activities which are focused on those most at risk of homelessness (due to a crisis or their ‘characteristics’) and which seek to address homelessness at its earliest stages. They provide for more extended interventions for people with more complex needs (for example people with mental health issues).
3. Tertiary prevention measures –target those households experiencing homelessness but also entrenched homelessness, in other words those who are already affected by homelessness (to reduce long term/repeat homelessness) and to mitigate established conditions.

The three levels of prevention – primary, secondary and tertiary - cover the range of international prevention interventions but importantly, homelessness prevention must be placed and understood within the specific context in which it occurs (for example, rough sleeping is the definition of homelessness in the US; while the broader definition operates in the UK). Most authors use this three-tier framework to understand prevention strategies but there is no consensus about which activities take place at each level, and in secondary and tertiary levels in particular (Maher and Allen, 2014) (see Shinn *et al.*, 2001; Culhane *et al.*,

2011). Shinn *et al.* (2001) also suggest that the primary stage of prevention (preceding the loss of accommodation) can be split into three types: first, universal – for the entire population; second, selected – aimed at people in an at-risk group; and third, indicated – individual characteristics (determined by individual level screening).

Shinn *et al.* (2001) also suggest that universal prevention strategies operate specifically at the primary level and selected (targeting an at-risk group to minimise the risk/duration of homelessness; and targeting people with particular characteristics) can operate at both secondary and tertiary prevention levels. Addressing structural issues such as affordability, substance abuse, poverty and low income are widely considered to be activities that can fall into the 'primary prevention' category, as are direct interventions to avoid eviction which could include housing subsidies, financial support and mediation. Secondary prevention measures could involve some of the former activities, but also precautionary activities such as tenancy sustainment support or multi-agency working to support individuals at high risk of homelessness. Tertiary prevention could include rapid rehousing in the US and resettlement in the UK. The European approach to homelessness prevention focuses on all three categories of activities, whereas in the US it is long term homelessness and tertiary prevention measures which are more commonly the object of activity (Busch-Geertsema and Fitzpatrick, 2008). A structural explanation of homelessness locates the reasons for homelessness beyond the scope or agency of an individual, so primary prevention measures – the provision of more housing and addressing socio-economic inequalities – would be the solution. For agency explanations, focusing on personal behaviour, secondary or tertiary targeted provision would be the solution or intervention.

An important element of preventing homelessness is to increase the availability of affordable housing (Maher and Allen, 2014) since genuinely effective prevention would ideally occur at the first level (Parsell and Marten, 2012). For prevention policies to be successful, however, they need to be sensitive to and target the triggers for homelessness and be underpinned by appropriate resources and an effective governance framework

(Busch-Geertsema and Fitzpatrick, 2008). A focus only on individual risk factors and prevention could leave the structural causes of homelessness unaddressed (Parsell and Marten, 2012). This is not least because it may be unclear what is meant by 'at risk' of homelessness and therefore who is in need of services (Batterham, 2019). Linked to this, a significant challenge in applying prevention policies is how to do so effectively when individuals traditionally present themselves as being in need at crisis point (Crane *et al.*, 2006).

There are challenges in developing effective prevention strategies (Burt *et al.*, 2007) and Culhane *et al.* (2011) argue that investment in prevention (unlike Housing First³) may be being pursued without an adequate empirical and conceptual basis. There are also issues in defining and measuring the efficiency and effectiveness of homelessness prevention activities. Efficiency relates to how to target those households which are the most at risk of becoming homeless. However, it can be difficult to determine whether households which receive an intervention would have become homeless without it. Effectiveness refers to the success of prevention activities. Here there are significant gaps in knowledge about what works in practice and what constitutes appropriate assistance (Maher and Allen, 2014). Critiques of how prevention strategies have traditionally operated identify that they may be selective about who they assist (Maher and Allen, 2014); they may emphasise individual rather than structural causes of homelessness; and there is a possibility that the most vulnerable households might be omitted as households who can easily be assisted might be targeted or prioritised. Further, prevention could lead to gatekeeping (Pawson and Davidson, 2008) so that some people who might be owed a statutory duty in a UK context could be denied this.

Housing systems (encompassing housing markets and policy) have largely been absent from welfare regime analysis (apart from Kemeny, 2001, also see Fitzpatrick and Stephens, 2014). Although it is beyond the scope of this article to address this, it is useful to establish that the UK has a liberal welfare system with legally enforceable rights to housing and, since 1977, a historical focus on (selective) prevention. It should also be noted that the

UK as a whole has been significantly affected by the Global Financial Crisis, the introduction of austerity (both in terms of funding for public services and levels of benefit payments) and that inequality and poverty have been increasing. Prior to the introduction of the 2014 Act in Wales, in their review of international homelessness policy to identify countries with promising approaches to addressing homelessness, Fitzpatrick *et al.* (2012) highlighted England, France, Finland, Germany, Ireland, Scotland and the US. In terms of an increased focus on prevention, Germany and Finland were considered to be the most promising. However, since enforceable rights to settled housing do not exist outside of the UK, Fitzpatrick *et al.* (2012) concluded that lessons for Wales would most likely come from England and Scotland where a duty is conferred on local authorities to address homelessness, although historically only for those households deemed to meet certain criteria: being in priority need, unintentionally homeless and with a local connection.

Although it is accepted that welfare regimes impact on the nature, scale and causes of homelessness (see Stephens *et al.*, 2010; Bramley and Fitzpatrick, 2017), it should be noted that international comparisons are difficult due to differences in contexts for example, social values embedded in political cultures (Fitzpatrick and Stephens, 2014) and different causes and types of homelessness (Fitzpatrick *et al.*, 2012). There are therefore limits to conventional welfare regime analysis when attempting to explain/understand national responses to homelessness among marginalised groups –an issue addressed further in (Wilding *et al.*, 2019).

The previous legislative framework in Wales

Prior to the introduction of the Housing Act (Wales) 2014 homelessness legislation in Wales was based on the UK Housing (Homeless Persons) Act 1977, later amended by the Housing Act 1996 and later still by the Homeless Persons (Priority Need) (Wales) Order 2001. The 1977 legislation - which replaced the 1948 National Assistance Act – reconceptualised homelessness as a housing rather than welfare ‘problem’ and gave local authorities statutory responsibility to address the homelessness of people who met specific criteria.

First, they would need to be deemed as homeless or threatened with homelessness in the next 28 days. Under the 1977 legislation the FEANTSA 'homelessness' categories were adopted: the statutory definition of homelessness as designated by the 1977 legislation being that there is no accommodation for an applicant (for assistance) to occupy or it is unreasonable for them to occupy it (due to poor conditions). Second, the applicant would need to be considered eligible for rehousing, meaning they met certain conditions to receive publicly funded assistance, for example they would need to be a British citizen or have indefinite leave to remain (refugee) status rather than seeking asylum and be 'habitually resident'. The third criterion relates to whether they were deemed to be in priority need for rehousing. Priority need categories include the following: a pregnant woman; dependent children; someone vulnerable as a result of old age, mental illness, handicap or physical disability or other special reason; as well as those made homeless or threatened with homelessness as a result of an emergency such as flood, fire or other disaster.

If not deemed to be in priority need then the applicant would only receive advice and assistance. If accepted as being in priority need, the local authority would then determine whether or not the applicant is unintentionally homeless (i.e. whether they became homeless through no fault of their own). An applicant would be deemed to be intentionally homeless if they had done anything or failed to do anything deliberately, which results in them losing their home, for example eviction due to anti-social behaviour or non-payment of rent. If the applicant was considered to be intentionally homeless the local authority did not have a permanent rehousing duty, but instead had to provide temporary accommodation for 28 days. Finally, the applicant would need to demonstrate a local connection to the authority area in which the application for rehousing was made. Households could have a local connection with a particular local authority because of normal residence, employment or family associations, or because of special circumstances. If a household has no local connection with the authority to which they have applied, the duty to secure settled accommodation for them could be transferred to another UK authority with which they do have such a connection (except if they are at risk of violence in that other authority). If an

applicant passes all the tests, then the local authority has a duty to rehouse them in 'settled accommodation'. Only with their permission could this duty be discharged in the private rented sector.

The homelessness duties in the 1977 Act were consolidated into the Housing Act (1996) (for England and Wales) which extended the priority needs categories to include vulnerability; however, a single person had to persuade the local authority that they were 'vulnerable' in order to be deemed in priority need. A homeless person may be 'vulnerable', in the words of s189 Housing Act 1996, as a result of: old age; mental illness; physical disability; having been in care (and now 21 or over); having been in the armed forces; having been in custody; having fled actual or threatened violence; or other 'special reasons (for example being a refugee).

The Homeless Persons (Priority Need) (Wales) Order 2001 extended the groups of people considered to be in priority need in Wales to include: 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. Arguably, the gradual increase in numbers of applicants being owed a rehousing duty and the associated increase in the use of temporary accommodation, the costs involved and the negative associations of increasing levels of homelessness led to the preventative turn in England and Wales (Mackie, 2015). Prevention services in the UK were arranged under the 'Housing Options' model (known as Housing Solutions in Wales), while in Scotland, amendments to the Homelessness etc. (Scotland) Act 2003 abolished the priority needs criteria with effect from 31st December 2012. As a result of this local authorities in Scotland have a duty to provide permanent accommodation for all applicants who are deemed to be unintentionally homeless.

Until the 2014 Act, in Wales, any homelessness prevention related activity took place outside of the legislation (Ahmed, et al, 2018) and was targeted at preventing homeless

households from accessing the statutory duty to permanent housing (Mackie, 2014). Specific criticisms of how the previous legislation operated in Wales include (Mackie, 2014):

1. Provision was selective: in other words, only those who passed the tests were rehoused, and applicants not in priority need did not receive anything.
2. The system was inflexible: those who were in priority need and unintentionally homeless had to spend time in temporary accommodation before they were able to be rehoused and this was not considered to be beneficial to the household; the solutions to homelessness were limited to housing; and wider issues that may have given rise to homelessness in the first place were not considered. This is particularly significant since homelessness is multi-dimensional, not just about shelter (Somerville (2013), and where the focus is only on housing people may have support needs which go unaddressed.
3. There was ambiguity regarding the role of homelessness prevention since this agenda developed decades after the original legislation (Mackie, 2014).
4. There was variable application of legislation across Wales.
5. A whole system approach underpinning, and legitimising prevention activities was required (Mackie, 2015).

Conclusion: a review of progress since the Act's implementation

The Welsh homelessness legislation, with its focus on prevention and the alleviation of homelessness, is seen as 'desirable and replicable' and the changes that Part 2 of the Housing Act (Wales) 2014 introduced in relation to prevention are becoming well-documented (see Mackie, 2014, 2015; Shelter Cymru, 2016; Ahmed *et al.*, 2017; Connell *et al.*, 2017; Mackie *et al.*, 2017; Welsh Audit Office, 2018; Ahmed *et al.*, 2018). Drawing from data gathered during the post-implementation evaluation, the following discussion centres on the progress made since the implementation of the Act and addresses three of the criticisms levelled at the previous legislation. First, that there was a lack of whole systems approach to

addressing homelessness, gatekeeping operated and there was variability in application; second, there was selectivity in provision with particular groups being underserved by the previous legislation; and third the previous legislation individualised homelessness (Mackie, 2015).

Evidence from the post-implementation evaluation of the Housing Act (Wales) 2014 (Ahmed *et al.*, 2018) indicates that the overwhelming consensus from a range of service providers is that the new statutory homelessness framework ushered in by the Act has had an array of positive impacts. The findings from the local authority survey demonstrate that a clear majority felt that their local authority was undertaking more preventative work and that this is more inclusive and effective. Feedback from service providers in the third sector and Registered Social Landlords supports this.

The Act has helped to shift the culture of local authorities towards a more preventative, person-centred and outcome-focused approach, which has meant a much-improved service response to tackling homelessness. The official statistical returns bear this out, with almost two-thirds of households threatened with homelessness having it prevented across Wales: the proportion of prevention cases that were successful was 62 per cent in 2015-16. As expected, the number of priority need households assisted under the new 'duty to secure accommodation', activated only after prevention and/or relief efforts have failed, is much lower than statutory homeless 'acceptance' levels under the pre-2015 system.

In addition, the whole systems change introduced by the Act means that the Act has fundamentally changed the way that Housing Solutions Teams work with people who are homeless/threatened with homelessness. Previously, outside of the legislation, prevention is now at the core of the Act, and there is now increased flexibility in how local authorities can intervene to address the causes of homelessness. However, there remains significant variation across Wales and also within local authority areas regarding the extent to which the ethos of the new Act has been adopted and the effectiveness of prevention and reasonable steps: this is a concern. There is also evidence of variation in the interpretation of intentionality and local connection. Intentional homelessness was seen by a minority of

service providers as a means of gatekeeping access to services; however, the majority felt it to be counter to the ethos of the Act and detrimental to achieving positive outcomes.

It is important to highlight however, that most local authorities reported significant challenges in implementing the Act. Such challenges include an increased administrative burden; more bureaucratic working arrangements; and higher and more complex workloads for Housing Solutions staff. The issue of resources is also considered a significant challenge for the successful future implementation of the Act (this is discussed in Ahmed *et al.*, 2019).

It is evident that there is strategic support for partnership working among local authorities across Wales. There is also evidence that partnership working has increased between and within local authorities, and with RSLs and third sector service providers. However, again, there is much variation within and between local authorities and in relation to certain groups e.g prison leavers (see Madoc-Jones *et al.*, 2019)

It was also apparent that 'reasonable steps' have been strategically embraced by local authorities and this has also resulted in better outcomes for people presenting as homeless/threatened with homelessness. The Act therefore, provides a framework within which it is possible to prevent and relieve homelessness for a wide range of people who would not have been included under the previous arrangements.

Of the 90 service user interviewees whose housing situation could be verified during the second wave of fieldwork, 50 had been successfully rehoused (33 in social housing, 17 in the PRS). However, a significant number remained in insecure housing six months after they presented as homeless (21) and nine people were rough sleeping. Additionally, although 21 out of 22 local authorities confirm that they take steps to maintain contact with service users who miss appointments with Housing Solutions staff, a further concern is the 64 people whose housing circumstances could not be verified. In most instances cases had been closed by local authorities – often cited as 'failure to cooperate – but the reasons for this were not always clear.

Single people experienced poor outcomes under the previous legislation. It is important to note however, that under the new Act, that the outcomes for single people are

still poor, as they often remain without a solution after all stages. This can partly be attributed to a lack of affordable appropriate accommodation and the increasing complexity of people's needs. Poor mental health affected the majority of service users who participated in the study. Significantly, securing accommodation for people with mental health problems was reported as the biggest challenge facing service providers (see Rogers *et al.*, 2019).

Importantly, rough sleeping is rising in Wales and it is universally recognised across local authorities and among service providers that rough sleepers have benefited least from the recent legislative changes. In stark terms, people who are rough sleeping, cannot have their homelessness prevented and often do not meet the vulnerability threshold to be considered as being in priority need. Therefore, they do not receive a rehousing duty at the final stage of the legislation. Additionally, often people have entrenched problems (mental health issues, substance misuse, offending behaviour). Again, shortage of suitable accommodation compounds these issues. There are a number of significant structural challenges which will impact on the successful implementation of the Act (see Rogers *et al.*, 2019; Ahmed *et al.*, 2019).

Personal Housing Plans (PHP) developed between Housing Solutions Staff and applicants appear to be instrumental in promoting person-centred practice, and service providers were overwhelmingly positive about using them, despite the increased paperwork involved. However, PHPs do not seem to be benefiting service users, many of who report not finding them particularly useful (Ahmed *et al.*, 2018). Navigating new systems introduced by the Act also poses challenges for some service users and receiving multiple letters throughout the process can be confusing rather than helpful. Arguably, through the use of PHPs, homeless prevention activities focus on finding solutions to the problems of individuals, therefore reinforcing the individualisation of the causes of homelessness. Service providers identified specific prevention activities that they routinely engaged in as: budgeting and managing debt; rent arrears and rent deposits/bonds; welfare benefits advice and reviews; general housing advice; signposting to Housing Solutions; referral to floating support workers; referral to pre-tenancy workers; mediation with landlords (particularly in the

private rented sector); mediation with members of informal networks (family and friends). These activities can be broadly categorised in terms of: general advice and assistance; financial advice and support; and, signposting to other support agencies. A focus on individual risk factors and solutions, however, as stated avoids addressing the structural causes of homelessness (Parsell and Marten, 2012)

An important feature of homelessness prevention is to increase the availability of affordable housing (Maher and Allen, 2014) since truly effective prevention operates at the primary level (Parsell and Marten, 2012). Local authority respondents and service provider participants expressed concerns about the lack of available social housing and also raised issues regarding the use of the private rented sector: there were significant misgivings about how this operates in practice (Ahmed *et al.*, 2018). Concerns centred on the lack of available affordable accommodation – one bed properties in particular; insecurity of tenure; the poor condition of some properties; and the unwillingness of some private landlords to rehouse people in receipt of welfare benefits (discussed in Ahmed *et al.*, 2019).

An ideal homelessness system is underpinned by prevention, a strong safety net and robust assessment measures to reduce perverse outcomes (Wilcox *et al.*, 2010). The future successful implementation of the Act will be contingent on a number of factors: the skills, expertise and behaviour of staff delivering the service (particularly frontline, first point of contact staff); and also upon structural factors, for example the availability and affordability of housing in a particular area.

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Notes

1 Applications can be submitted by a third party on behalf of someone, but the individual must have given consent.

2 The use of Personal Housing Plans was recommended in the Code of Guidance but they are not a statutory requirement

3 Housing First is replacing the staircase model (common among Nordic countries) where people demonstrate an ability to move from one form of accommodation to another by addressing lifestyle issues, with the end point being independent living. Housing First aims to address long term homelessness and at the core is the belief that having secure accommodation is at the centre of a person's ability to thrive. Support services are established around this and provide access to mainstream health and welfare services. (Taino & Fredriksson, 2009).

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Figure legend

Figure 1. Local authority duties under Part 2 of the Housing Act (Wales) 2014

Note: 'Other' includes assistance refused, non- co-operation and other reasons

Source: Welsh Government (2016: 4)

