

## Living in Limbo: London's temporary accommodation crisis

### Executive summary

- The number of households living in temporary accommodation has risen by 50 per cent in the last five years to 56,560 households, including 88,500 children by the end of 2018, mostly in the private rented sector.
- The housing crisis, welfare reform and other issues make it difficult for councils to find adequate affordable temporary accommodation in London for those in need.
- Rent arrears and temporary accommodation costs are rising as a result.
- People are living in insecure housing, sometimes overcrowded and often of poor quality with little recourse to complain, and they can wait indefinitely for permanent housing.
- The new Homelessness Reduction Act duties could bring real improvements to the support available, but many councils are struggling with the administration of these changes.
- Some pan-London solutions are developing, such as PLACE and Capital Letters, to buy and to build temporary accommodation at affordable rates.
- The Mayor should support local authorities in tackling this crisis in temporary accommodation and provide more support for pan-London solutions including good advice and support services, as well as building more permanent homes.

## Living in Limbo: London's temporary accommodation crisis

### Introduction

As London's housing crisis continues homelessness is growing. The number of London households in temporary accommodation has risen by 50 per cent in the past five years, reaching **56,560 households** in the final quarter of 2018, including **88,500 children**.

London councils are finding it more and more difficult to find enough temporary accommodation to meet the need, with most being placed in the private rented sector. Rents continue to rise, and with local housing allowance levels frozen until 2020, people on lower incomes can struggle to find affordable housing in some areas of London. Rent arrears have been growing across the capital along with the risk of eviction.

London councils are struggling to procure decent temporary accommodation within their boroughs. Councils do not have enough suitable property themselves, so are spending more and more on expensive, nightly-paid private rented housing. The quality of temporary housing can be poor, cramped, and insecure, with little chance of gaining long-term social housing.

The secure homes that homeless households need are increasingly out of reach, particularly for families reliant on benefits. There is a severe

shortage of homes available in the social housing sector, and a widening gap between market rents and local housing allowance levels in the private sector. Housing offers may be made in boroughs far from where people feel is home, or further away in other parts of England, and usually in the private rented sector on assured shorthold tenancies.

Meanwhile, Universal Credit is being rolled out across the capital, but Housing Benefit has been retained for temporary accommodation, subject to the local housing allowance and overall benefit caps. At the same time, changes under the Homelessness Reduction Act 2017 have started to take effect. Councils are exploring new ways of increasing the temporary accommodation available to them, as well as longer term solutions to their housing problems. The Mayor of London has provided some funding for temporary accommodation projects, but there is a great deal more to be done.

*"What we are seeing is a building up of insecurity amongst many families. Constantly living in fear of eviction which then, again, has an impact on health and on children etc. We have a particular case with a family of three and parents living in a bedsit for the last three years. Entirely inappropriate but it is the necessity. There is a main breadwinner in the family. It is a family that would seem to be doing all the right things in order to get out of poverty but they are being put into poverty by the system and made to feel insecure in that." (Law Centre solicitor)*

## Living in Limbo: London's temporary accommodation crisis

The Housing Committee has been investigating the drivers of the increase in temporary accommodation, the experience for people facing homelessness and the challenges for councils trying to house them. The committee also looked at the development of more sustainable solutions for the future.

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### About the Housing Committee

The Housing Committee scrutinises the Mayor's role and record in delivering the private, social and affordable homes London needs. The cross-party committee has 7 members: Sian Berry AM (Chair 2018-19), Tom Copley AM (Chair 2019-20), Andrew Boff AM (Deputy Chair 2019-20), Tony Devenish AM, Nicky Gavron AM, Leonie Cooper AM and David Kurten AM.

You can find out more about the committee's work on [our website](#).

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### Homelessness and councils' duties

#### Homelessness

A person is homeless if they do not have a legal right to occupy any accommodation, or if their accommodation is unsuitable to live in. Examples include: rough sleeping; having accommodation that is not reasonable to live in, even in the short-term (because of violence or health reasons or severe overcrowding); having a legal right to accommodation that you cannot access (e.g. if you have been illegally evicted); living in accommodation you have no legal right to occupy (living in a squat, on illegal campsites or sofa-surfing); or very insecure accommodation (a night shelter).<sup>1</sup>

#### The council's duties

Your local council must help if you are homeless or threatened with homelessness within the next eight weeks (56 days). The council has to assess your situation and provide a personal housing plan, setting out the steps to prevent you from becoming homeless, or find a home where you can stay for at least six months. This applies to everyone except those who don't meet immigration and residence conditions, where the council only has to give general advice and information about where to get help.

#### Temporary accommodation

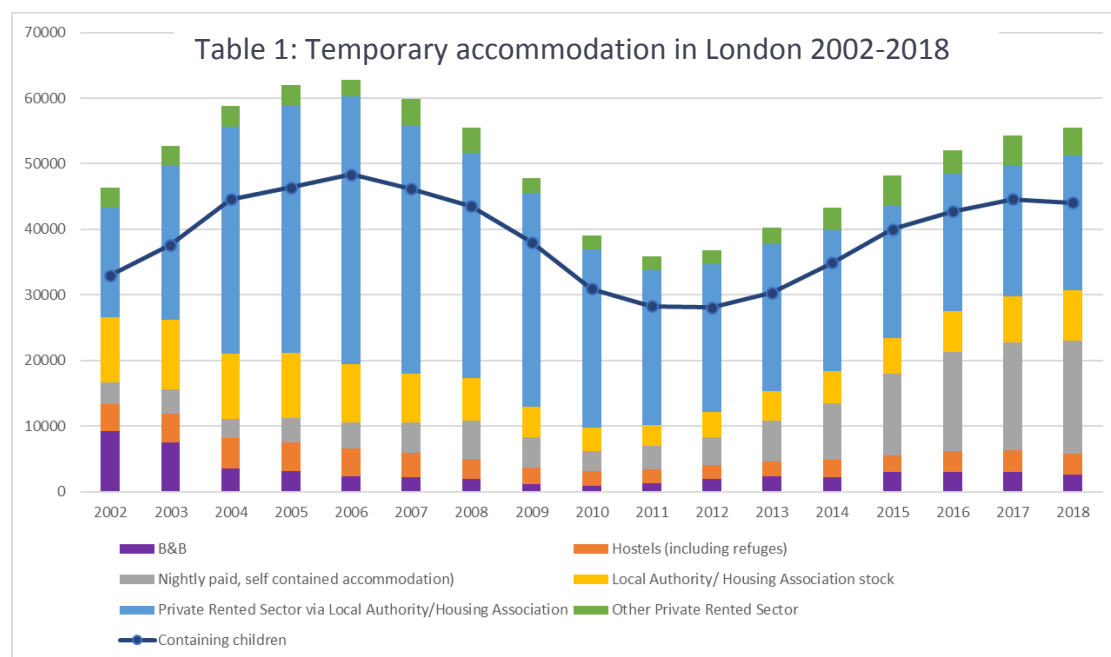
When you first seek help from your local council as homeless, the council can place you in emergency accommodation while they investigate your homeless application.<sup>2</sup> If you are found to be unintentionally homeless, eligible for assistance and to have priority need, the council will owe you a main homelessness duty.<sup>3</sup> The council must then place you in suitable temporary accommodation until a final offer of permanent accommodation can be made. Permanent accommodation may be an assured shorthold tenancy in the private rented sector, or a more secure tenancy in the social rented sector, and it may be in your local area, or elsewhere, if it is not reasonably practicable to find accommodation in the borough.<sup>4</sup>

The **Homelessness Reduction Act 2017** introduced enhanced duties, including:

- **Prevention** duties aimed at preventing a household threatened with homelessness from becoming homeless within the next 56 days.
- **Relief** duties owed to households that are already homeless and require help to secure settled accommodation.
- Duty to carry out an **assessment** and prepare a **personal housing plan**.
- Duty to provide **advice and information** about homelessness and the prevention of homelessness and the rights of homeless people or those at risk of homelessness even to those who are not eligible for other support.

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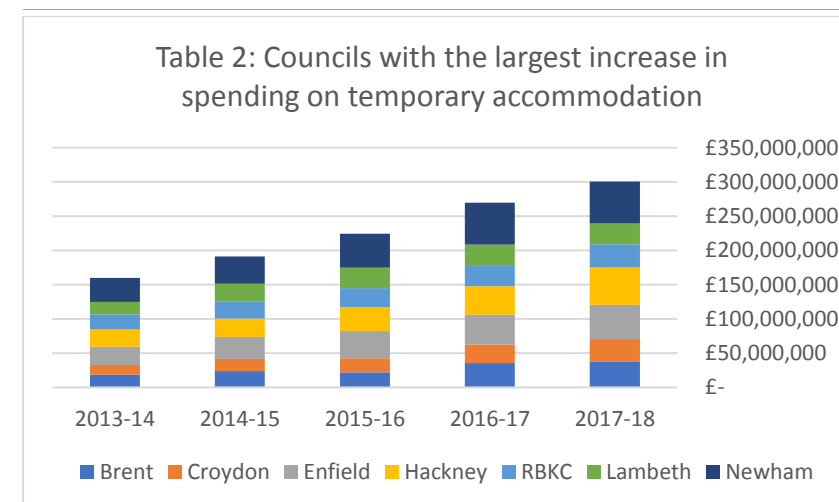
## The number of households living in temporary accommodation



(Data from Ministry of Housing, Communities and Local Government, Live Tables on Homelessness).<sup>5</sup>

The number of **households** in temporary accommodation rose in the mid-2000s to a peak of 63,000 in 2006, then fell until 2011. From then onwards, numbers have risen steadily. In addition, people are staying for longer periods in temporary accommodation. Trust for London reported in 2017 that 58 per cent had lived in temporary accommodation for longer than a year and 12 per cent had remained for five years or longer. Most notable in these statistics is the dramatic increase in the amount of nightly paid temporary accommodation, which is the most costly form of temporary accommodation.

## The cost to borough councils<sup>6</sup>





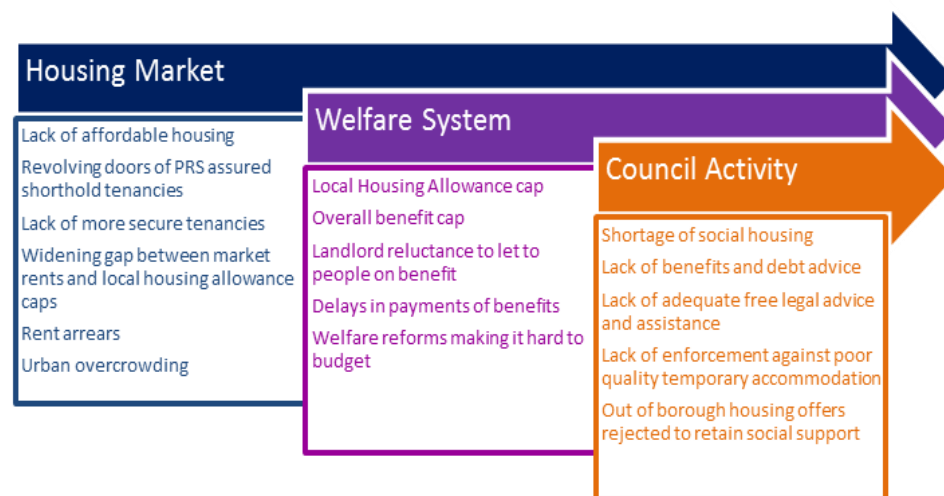
## Living in Limbo: London's temporary accommodation crisis

Table 2 uses data published by Inside Housing magazine. Inside Housing gathered information under Freedom of Information legislation on borough councils' spending on temporary accommodation from 2013 to 2018. The results showed a steady and significant increase in spending overall, but it showed particularly significant increases in the boroughs shown in Table 2. Newham spends the most on temporary accommodation, £61.1 million in 2017-18, but the largest **increase** in spending was in Hackney where spending more than doubled from £25.6 million in 2013-14 to £54.8 million in 2017-18. Westminster came third, spending £48 million on temporary accommodation in 2017-18.<sup>7</sup>

### The drivers of homelessness

The numbers of homeless people in London continue to rise.<sup>8</sup> There are well-known drivers for the rise, including a lack of affordable housing to rent or part-buy in London, a widening gap between market rents and local housing allowance levels, landlord reluctance to let to those on benefits, and the difficult adjustments some households need to make in the face of extensive welfare reforms designed to encourage more people into work – which may complicate budgeting and can reduce household incomes. Housing offers may be made in boroughs far from

where people feel is home, or in towns in other parts of England, and usually in the private rented sector, on assured shorthold tenancies. Rent arrears are an important factor in causing homelessness, particularly amongst those dependent on benefits to pay their rent. In the private rented sector, evictions are rising. In the social housing sector, councils are carrying high levels of rent debt.



It is widely reported that the most common immediate cause of homelessness is the termination of an assured shorthold tenancy in the private rented sector under the 'no fault' provision: section 21 of the Housing Act 1988. The Minister for Housing, Communities and Local Government (MHCLG) announced the Government's plan to abolish this

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provision in the near future. The London Assembly agreed a motion in July 2018, calling on the Mayor to lobby the Government to abolish this 'no fault' power for landlords to evict tenants.<sup>9</sup> We wait to see the outcomes of the consultation on these reforms and the Mayor's 'London Model' blueprint for tenancy reform.<sup>10</sup>

### Welfare reforms

Successive governments since 2008 have reformed the welfare benefits system with the stated aims of incentivising and getting more people into work, reducing costs, and simplifying the benefits system. We summarise below the most significant changes in order to explore the drivers of homelessness and the increase in temporary accommodation.

### HOUSING BENEFITS

2012

The existing system of monthly uprating **Local Housing Allowance** rates was ended and Local Housing Allowance rates were frozen for a year.

The age restriction for the shared accommodation rate of **Local Housing Allowance** is increased from 25 years (introduced in 1996) to 35 years.

2013

Under-occupancy penalty, or **bedroom tax**, is introduced.

**Housing Benefit** is now annually uprated by the 30th percentile of market rents or one per cent, whichever is the lower.

2016

LHA rates frozen for four years

**Housing Benefit** claims will now be backdated for a maximum of one month

**Housing Benefit** family premium withdrawn for new claims in England.

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### UNIVERSAL CREDIT

2013

**Universal Credit** launched to replace: income-based Employment and Support Allowance, income-based Jobseeker's Allowance, and Income Support; Housing Benefit; and Working Tax Credit and Child Tax Credit.

Gradual roll-out planned from 2013 to 2016, starting with new claimants in the north east of England.

2016

**Universal Credit** work allowances (the amount you can earn before your Universal Credit is reduced) are reduced to £4,764 for those without housing costs, £2,304 for those with housing costs, and removed for non-disabled claimants without children.

2017

Parents with a youngest child aged 3 or above, including lone parents, must now look for work to claim **Universal Credit**.

2018

The amount a claimant could receive from an advance payment of **Universal Credit** increased from up to 50 per cent of their estimated entitlement to up to 100 per cent.

The government removed the 7-day waiting period for **Universal Credit**, so that the claim starts from the date of application.

It is made easier for claimants to have the housing element of their **Universal Credit** paid directly to their landlord.

The rolling out of the full digital service of **Universal Credit** to all areas of the country was completed on 12 December 2018 for new claims.

2019

The government plans to start transferring a few people from the existing benefits onto **Universal Credit** from July 2019.

Amber Rudd announced "*managed migration*" will begin by transferring 10,000 people as part of a pilot scheme. People will not be moved over to **Universal Credit** in great numbers until the pilot scheme has been completed and assessed.



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### DISABILITY BENEFITS

2012

**Employment and Support Allowance** for those in work-related activity:

- Claims are limited to one year.
- Income and savings of claimant assessed to see if they qualify for the means tested version of the benefit.

2013

**Disability Living Allowance** began to be replaced by **Personal Independence Payments**.

2015

The **Independent Living Fund** abolished, those previously claiming this were transferred to local arrangements.

2016

**Employment and Support Allowance** frozen until 2020.

2017

**Employment and Support Allowance** claimants who are sanctioned will continue to receive 80% of their payments, instead of the current 60%.

### OVERALL BENEFIT CAP

2013

**Benefit cap introduced:** £500 a week for couple and lone parent households, £350 for single people.

2016

**Benefit cap** lowered to £20,000 per year for couples and lone parents and £13,400 for single claimants. In Greater London the cap is £23,000 per year for couples and lone parents and £15,410 for single claimants per year.



Image of Job Centre Plus by Helen Cobain on Flickr<sup>11</sup>

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### WORKING TAX CREDIT AND CHILD TAX CREDIT

2011

The taper rate for **Working Tax Credit** and **Child Tax Credit** (introduced in 2003) increased from 39% to 41%. Claimants will now lose 41p instead of 39p for each £1 of income above those thresholds (or a further £20 for every £1,000 of income).

**Working Tax Credit** rates reduced from 80 per cent of childcare costs to 70 per cent.

Income disregard for **Child Tax Credit** and **Working Tax Credit** reduced from £25,000 to £10,000.

2012

The single parent and couple elements of **Working Tax Credit** were frozen until 2013.

To qualify for **Working Tax Credit** couples with children must now work at least 24 hours a week between them, rather than 16 hours a week.

New claims and changes of circumstance for **Working Tax Credit** and **Child Tax Credit** to be back dated only 1 month instead of 3 months.

2016

The basic, 30-hour, second adult and lone parent elements of **Working Tax Credit**; and both elements of **Child Tax Credit** frozen until 2020.

**Working Tax Credit** claimant's income rise disregard reduced from £5,000 to £2,500.

### Pathways to homelessness

The people we spoke to had become homeless through complex strings of circumstances with certain recurring themes running in the background.

#### Local Housing Allowance and rents

The maximum amount of housing benefit available to a tenant renting in the private rented sector, or the housing element of Universal Credit, is calculated by looking at the lowest 30 per cent of rents in a particular area, called the "broad market area". Local Housing Allowance rates vary from borough to borough and even within boroughs. In Inner East London, for example, the Local Housing Allowance for a two-bedroom property for 2019-20 is set at £273.02 per week and for Outer North East London it is set at £165.05 per week.<sup>12</sup>

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### Routes to homelessness: case studies from our investigation

#### Toni and her 18-year old daughter

Toni had previously had an assured tenancy with a housing association in Tower Hamlets. Toni and her daughter moved in with her new partner in April 2018, giving up her tenancy to move into the home he owned in Berkshire. Everything seemed to be going well and both Toni and her daughter were working until Toni's partner suddenly ended the relationship and told them that they had to leave within two days. She returned to Tower Hamlets and stayed in Toni's mother's one-bedroom flat, sleeping in the living room on the sofa and floor. This couldn't last forever and Toni had to seek help from the council.

#### Peter and his daughter

Peter is a single parent with a ten-year old daughter. When Peter was released from prison on licence, he had no home to return to. Peter's sister allowed him to stay at her home, sleeping in the living room, but when her son returned home, she no longer had space for Peter and his daughter. Six people were living in two bedrooms. When Peter and his daughter were first placed in temporary accommodation by Southwark Council, they were placed in one room, and a family of four lived in the next door room for 18 months, so they had to share a kitchen and bathroom.

#### Fiona and her son

Fiona fled from a violent relationship, leaving her housing association tenancy. Fiona was employed and able to secure private rented housing for herself and her teenaged son, but when the landlord died, the tenancy was terminated. Fiona's physical and mental health were deteriorating and so were her finances, which made it impossible to gather a deposit and to clear financial checks needed to rent through an agency. Fiona had to take her son and go to stay with her Mum in her one-bedroom housing association flat. The housing association declined to offer them housing, they couldn't sleep on her Mum's floor any longer and Fiona was forced to present to the council as homeless.

#### Winston and his three children

Winston returned home to the UK from Jamaica with his three daughters, his wife was to follow once he'd found work and could sponsor her. He stayed with his sister for a while, she had to ask the family to leave because they were so overcrowded, and Winston had not yet been able to find work to pay for a deposit and rent. *"You become homeless partly because your support network is weak and when you become homeless friends see you as a burden and they move away from you. People don't want to be around you, because you're not on your feet any more."*

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### Rent arrears

One of the main immediate causes of homelessness reported in our investigation was rent arrears.<sup>13</sup> Landlords reported rent arrears as a common cause of private rented sector tenancies ending, even when they chose to use 'no-fault' grounds for terminating the tenancy.<sup>14</sup>

A private sector landlord can evict a tenant who doesn't pay their rent and find one who will. A housing association may have charitable or social aims which motivate it to make every effort to help a tenant with rent arrears before evicting them, but ultimately can evict the tenant and leave them to fend for themselves. The position is different for councils. If the council evicts a tenant in priority need, that tenant is likely to make a homeless application back to the same council.

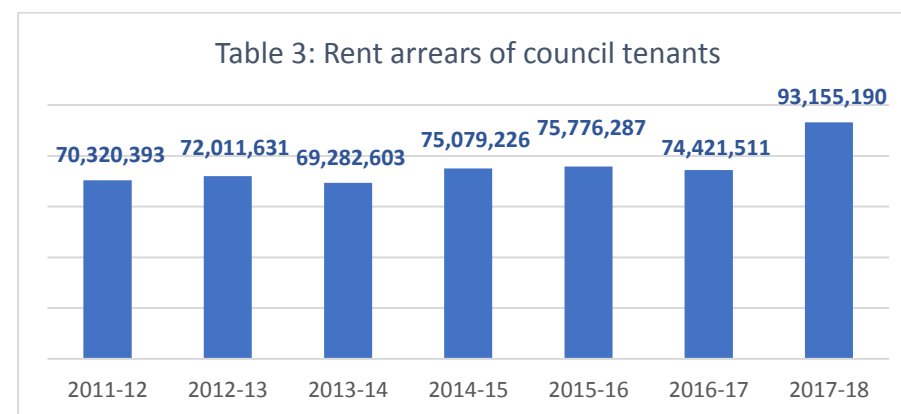
Housing solicitors and council officers reported to us that, increasingly, councils are not able to find that a homeless person is intentionally homeless where they have been evicted for non-payment of rent, because the rents are simply unaffordable and not adequately covered by housing benefit or the housing element of Universal Credit.

*"We are seeing fewer intentionally homeless decisions because, in order to find someone intentionally homeless, the accommodation must be affordable. A lot of the time we are*

*doing assessments and they just cannot afford to meet the shortfall between the Local Housing Allowance (LHA) and the rents charged."*

*(Lee Georgiou, Housing Needs Manager, LB Lewisham)*

This leaves councils in a difficult position with their own tenants. The council can end up carrying an increasingly heavy burden of rent arrears in order to avoid further homelessness. Councils are required to break even financially each year and will make every effort to balance out any rent arrears. Statistics for London councils since 2011 do not show dramatic changes in rent arrears until 2017-18, when they rise suddenly. The reasons for this are not clear, but the increase coincides with the roll-out of Universal Credit across London.



*(Data from MHCLG Local Authority Housing Data)<sup>15</sup>*

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### Rent arrears in the private rented sector

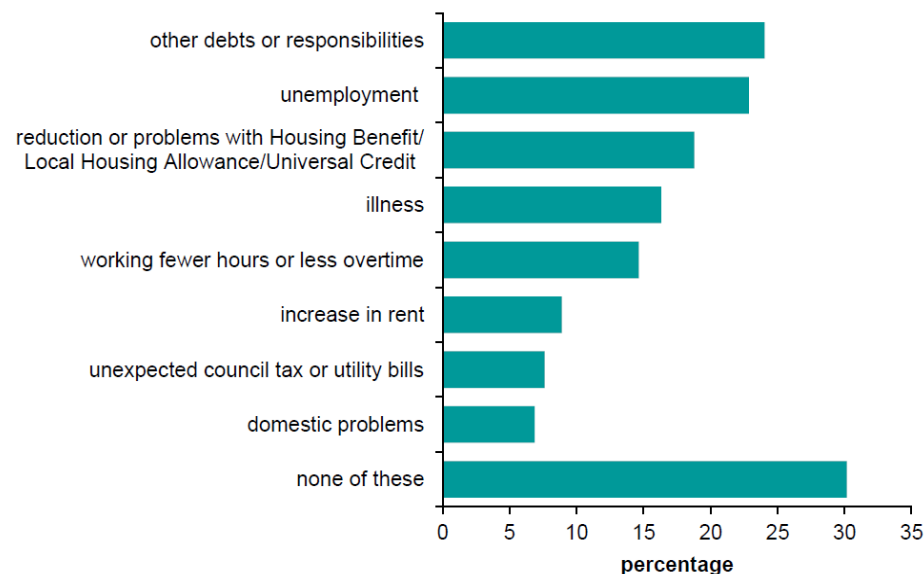
The English Housing Survey conducted a survey of landlords in the private rented sector. The survey found private renters in London spend some 43 per cent of their income on rent, compared with 32 per cent outside London.<sup>16</sup> Although private renters are less likely to be in arrears than social renters, about nine per cent of private renters were in arrears with their rent, and 13 per cent of households with children. Some 12 per cent of households in receipt of housing benefit in the private rented sector had been in arrears at some point over the previous year. Table 4 shows the most common reasons people reported for their rent arrears, which were: unemployment (23 per cent), working fewer hours (15 per cent), problems with benefits (19 per cent). Of those reporting problems with benefits, the main reasons given were: benefit caps (36 per cent), delays in receiving benefits (34 per cent) and reductions in benefits (26 per cent).<sup>17</sup>

*“The impact of welfare reform has been huge on our members. We do a welfare quarterly survey and have tracked the impact for the past three years. On the rent arrears reported in 2018 of those who have moved across to Universal Credit, out of 3,000 members, 61 per cent of them reported*

*that their tenants were in rent arrears. That was up from 38 per cent in 2017.”*

*(Natalie Williamson, Residential Landlords Association.)*

Table 4: Reasons for rent arrears in the private rented sector



*(Chart reproduced from: MHCLG English Housing Survey)<sup>18</sup>*



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### Reasons for rent arrears in the private rented sector

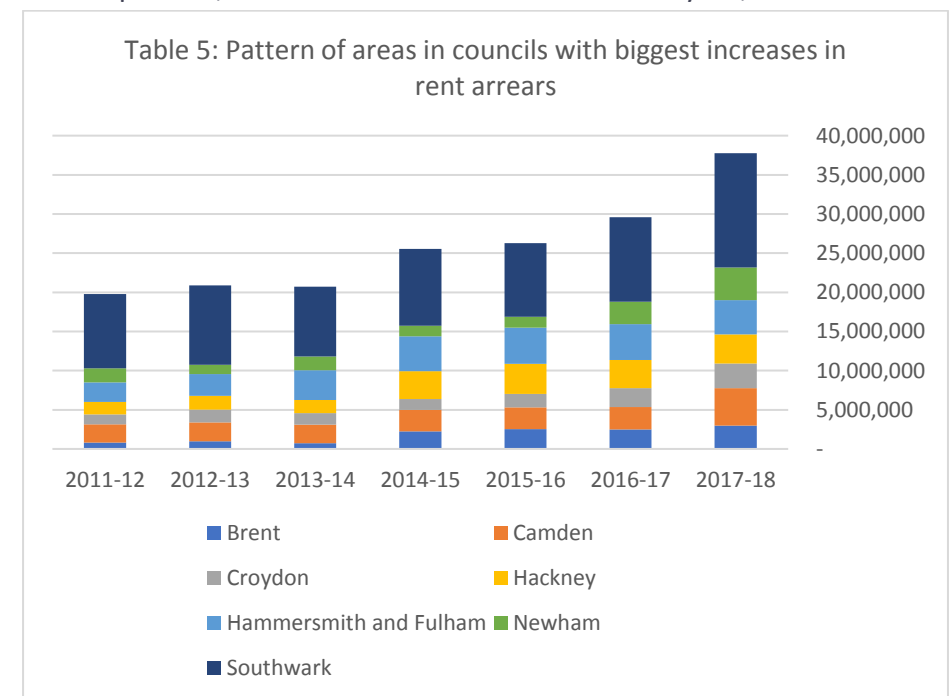
Universal Credit is usually paid directly to the claimant, unlike housing benefit, which is paid directly to the landlord. The Residential Landlords Association reported complex processes for landlords to apply for rent to be paid directly to them and delays when they did apply, often leaving small landlords in difficulty with paying their mortgages. The Residential Landlords Association told us that tenants who “could have had quite successful tenancies before they migrated across” to Universal Credit were falling into rent arrears. However, better systems were being introduced for Alternative Payment Arrangements (rent paid directly to the landlord) to be made. The Department for Work and Pensions (DWP) accepted that the process had not been very effective for landlords but assured us that improvements were being introduced.

*“[...] the legislation is about it being in the best interests of the claimant to have the money paid directly to the landlord, so our staff have guidelines. Vulnerability is one of the criteria. The other one is the existence of arrears [...] One of the things we are very keen to give our staff training on is to identify people who are vulnerable and who might therefore need to have that put in place. In fact, we ask them now, ‘Were you on Housing Benefit before? If you were on Housing Benefit in the*

*private sector and you had a direct payment, should we carry that on into the new arrangement?’”*

*(Richard d’Souza, Head of Universal Credit Engagement Division, DWP)*

The councils with the biggest increases in rent arrears follow the same overall pattern, but show dramatic rises in the last year, 2017-18.



*(Data from MHCLG live tables)<sup>19</sup>*

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### The experience of making a homelessness application

One of the many distressing issues we have covered in our review is the treatment that some people have experienced as they seek to make a homelessness application.

#### Toni

When Toni presented herself at the housing office, she had just been released from hospital, after taking an overdose. The housing officer would not accept this had happened without evidence from the hospital. Nor would the officer accept that Toni had disabilities, replying, “you’ve got no proof of that”. Evidence was sent by her GP, but the housing office had no record of receipt, although the GP had a record of payment having been made by the council for the report.

When Toni tried to follow up on her homelessness application, the housing officer did not answer Toni’s emails or phonecalls. Her requests to see a different housing officer were refused. Toni visited the office many times. Eventually, she became frustrated and the housing officer asked her to leave. Toni was provided with temporary accommodation through the help of a third sector organisation, Providence Row.

#### Peter

When he went to the housing office to apply as a homeless person, Peter described the interview as one of the worst experiences he had had in his life.

These experiences were consistent with research by Crisis back in 2014, based on research carried out by eight ‘mystery shoppers’ who visited 16 local authorities and found widespread poor-quality advice, guidance and support.<sup>20</sup> This report was instrumental in Crisis persuading Bob Blackman MP to promote the Homelessness Reduction Bill, with the support of the Local Government Association. In 2016, an anonymous housing officer wrote a report for The Guardian about their job:

*“I work in a service where not helping people is generally seen as doing a good job. But I keep doing the job because just occasionally I can slip someone through the gate who others might have shut out.”*

*(Anonymous housing officer, 2016)*<sup>21</sup>

Similar findings were made in our 2017 investigation of hidden homelessness.<sup>22</sup>

We hoped to find improvements as a result of the implementation of the Homelessness Reduction Act, but we recognise that such changes take time. In our focus group of people in temporary accommodation

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and in our round-table event with housing solicitors, we heard several examples of:

- A continuing culture of disbelief and requirement for people to prove that they were homeless and that the council had a duty to assist.
- Families being told to attend the council's civic centre on the day of their eviction, rather than alternative accommodation being sought in advance, and being left to wait all day with their bags, before emergency accommodation was eventually found.
- A lack of sympathy for vulnerable and distressed people facing homelessness.
- An unwelcoming approach at the Council's housing office. Emails and calls were not answered; case workers claimed to have no knowledge of what another member of staff had said or done; a case worker rapidly ticked through boxes on a form without explaining what they meant or asking the claimant; some housing officers expected the claimant to know what the procedures were and what documentation they needed to provide; some did not take the time to make sure the claimant understood the next steps to take and what to expect.

- A lack of adequate advice, support or assistance, either on housing options, or on related benefits problems, even where the benefit delays or other problems appeared to have contributed to the person becoming homeless.
- A lack of clarity in the information provided.
- A lack of ongoing support once the person had been found temporary accommodation, including a lack of support in moving on from temporary to more sustainable housing.

*"...they don't treat you with dignity. You come in stressed and needing help and the way they treat you makes you more stressed."*

*(Peter, living in temporary accommodation with his daughter.)*

Housing solicitors gave us a number of examples of cases where the service provided was inadequate:

### Law centre case

A client placed out of borough who was without family support. The receiving local authority threatened to take the children into care.

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### Law centre case

In another case a family refused to be placed out of borough and were left in the reception at the civic centre. Five children were sleeping on the chairs of the civic centre. They had been there all day with no food. One of the children was only three months old.

*"There seems to be very little communication between social services and the housing department. In one case a headteacher telephoned us to complain about a family who had been left homeless that night. They had been offered accommodation in Birmingham and did not accept it, so the council discharged its duty to the family."*

(Law centre solicitor)

We also heard examples of homeless people having to turn to independent charities—often several charities, who provided services which duplicated each other in part—in order to get advice and support on their housing and their benefits, which had not been provided by the Council's housing office or Job Centre Plus.

### Advice, support and guidance

Councils' statutory duties include: the duty to make assessments and provide a personalised housing plan for eligible homeless applicants; the main housing duty; the duty to prevent and the duty to relieve homelessness. In addition, borough councils have a duty to provide advice and information about homelessness, the prevention of homelessness and the rights of homeless people or those at risk of homelessness, as well as about the help that is available from the housing authority or others and how to access that help.<sup>23</sup>

A wide range of charities also offer advice services, as well as Citizens Advice which now has the contract for benefits advice on behalf of the DWP. In addition, law centres provide advice and representation.

We heard evidence from members of the temporary accommodation focus group, from housing solicitors and from charities that people had been given incomplete or inaccurate advice or that they simply had not been advised on some aspects of their benefits, debt or housing problems, their rights and the support available to them. This was in line with evidence from Justlife's Temporary Accommodation Boards, our Hidden Homelessness investigation and academic research.

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Homeless people in our focus group and the clients of housing solicitors reported at the roundtable that they had sought advice from several different charities, sometimes going around the houses in search of advice and support which the council's homelessness team, benefits team and Job Centre Plus have an obligation to provide.

In some cases, similar advice and support was sought from different organisations, duplicating each other's efforts. In some cases it was not clear why one organisation succeeded in providing support where another had failed. For example, it is unclear why No First Night Out provided our focus group member Toni with emergency accommodation (on a referral from Providence Row) rather than the Council. And it was unclear why the council would not provide focus group member Fiona and her son with emergency accommodation until Shelter intervened, and then would not move them from unsuitable accommodation until Shelter intervened again. Another young person with a history of domestic violence reported being sent around several charities and receiving a great deal of support from the Peer Support Workers team at the Greater London Authority.

With all these organisations providing advice and support, it was gravely concerning to us to hear that people had been given incomplete or inaccurate advice, or that they simply had not been advised on some aspects of their benefits, debt or housing problems, nor had their rights

been enforced or adequate support made available to them. We heard several stories of appropriate support only being provided under threat of legal action.

The DWP runs a support scheme called *Universal Support* to provide advice and assistance for people claiming Universal Credit.

*The support scheme will help claimants through every step of making a Universal Credit claim. It will offer people the comprehensive and practical support they need to get their first payment on time and be ready to manage it when it arrives.*

(DWP announcement, 1 October 2018)<sup>24</sup>

In April 2019 Citizens Advice took on the responsibility for delivering the Universal Support service on behalf of the DWP. This does not remove the obligations upon work coaches at Job Centre Plus to provide advice and assistance, particularly when a claimant is homeless or threatened with homelessness. The Department confirmed this at our meeting in January:

*"[...]we have done a lot of work to promote awareness to work coaches of the importance of identifying where somebody is at risk or homeless. A work coach's priority will*



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*be looking to move somebody towards work and there is a recognition that if somebody is at risk of homelessness, employment is not going to be their number one priority. It is completely sensible that a work coach reflects on that."*

*(Sidonie Edey, Homelessness Policy Lead, Department for Work and Pensions)*

There is a need to improve the provision of advice and support through Job Centre Plus and Citizens Advice: to continue to work on how housing officers and Job Centre Plus teams can best provide support, advice and assistance.

### A changing culture: the Homelessness Reduction Act

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Councils are committed to improving the advice and support available from their housing and homelessness services. We heard examples of very good practice in some boroughs and of significant efforts being made by councils to use the introduction of the Homelessness Reduction Act to change not only their practices, but to develop cultural changes to transform the experience for people at risk of homelessness who seek help. As we said in our Hidden Homelessness report, providing good quality advice, support and guidance requires sufficient funding for officers to spend the time providing the support that these vulnerable

people need. There is also a need to improve the provision of advice and support through Job Centre Plus.

In our **Hidden Homelessness** report we recommended:

The Government should recognise the acute nature of homelessness in London and keep under review the funding to implement the Homelessness Reduction Act for London local authorities, to ensure that boroughs have sufficient resources to relieve and prevent homelessness.

The councils we spoke to were working hard to improve their service to homeless people and to implement the Homelessness Reduction Act both in letter and in spirit. This is no easy task and will take time, as well as training and changes in culture. The additional duties upon councils mean that their officers need to spend more time with each person they are trying to help and that help needs to start earlier and continue for longer. All of this is costly and we reiterate our call for Government to provide borough councils with sufficient funding to do this important work.

## Living in Limbo: London's temporary accommodation crisis

We heard reports of an increase in bureaucracy as a result of the Homelessness Reduction Act processes, both in this investigation and in our 2017 investigation of hidden homelessness. Southwark's Housing Solutions Manager described the cultural changes taking place and the pressures on his team in 2017.

*"[W]e are seeing a culture change amongst officers. The bugbear, the big problem, the big issue we have, or one of the big issues, is of course the bureaucracy is just killing us [...] with officers then concentrating their efforts on doing all those bureaucratic elements of the work rather than helping the customers."*

*(Vincent Lawal, Housing Solutions Manager, LB Southwark)<sup>25</sup>*

### Tower Hamlets

*"Whilst councillors across the country have supported the principles of the Act, as we heard earlier from some of the local authority comments, the way it is working in practice there is a lot of paperwork, there is a lot of bureaucracy and there is a lot of form filling. That is all designed to help but it actually slows down the*

*process. I could say that for our own team in Tower Hamlets, typically when someone came in to present as homeless we might have spent an hour or two with them previously. We are now spending three or four hours with them. It has almost doubled the processing time, if that is not a horrible word to use. When we work with people we have to fill in a whole load of forms. There is a process we have to follow in order to input all the information onto the system which is then reported back to the MHCLG. It is important to monitor what we are doing and keep track of things but we would all like to get that process a bit more streamlined and a bit faster. That is a message that we are feeding back as part of the review of how the Act is working in practice."*

*(Mark Baigent, Interim Divisional Director, Housing and Regeneration, LB Tower Hamlets)*

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### Croydon

*"Croydon was one of the forerunners in terms of taking forward welfare reforms and so what we have had to do is really think differently and look at the way that we organise ourselves as a local authority to ensure that we put early intervention and prevention right at the heart of what we do. That means realigning resources so that we are helping people before they even get to that position [...] What we do now within Gateway Services is we have a team that works with people who are found intentionally homeless. We do not necessarily provide accommodation, but what we are in the business of doing is helping people to help themselves by helping with things like rent in advance and deposits and information so that people can find accommodation so that they are not in this position such as the lady who was on the video for four years of her life being stuck."*

*(Julia Pitt, Director of Gateway Services, LB Croydon.)*

Croydon reported their approach to rent arrears: working with the whole family. In addition, both Croydon and Lewisham reported taking a multi-agency approach.

Both boroughs found that pre-empting problems before they reached crisis point was helpful, but the challenges they faced were significant.

### Lewisham

*"We work in a holistic way to work around the whole family or the vulnerable adult around personal budgeting support, debt advice and support, income maximisation, making sure people are getting the right benefits that they are entitled to. We are finding that this approach is indeed having an impact on the numbers of people who are presenting because we are helping them earlier on in the journey. There is still more for us to do, but the way that we are working is one where we are doing our very best with the tools we have."*

*"What we have done as well is we have officers now within the front doors of both adult social care and children's social care so that, when people are coming through, we are picking up issues early and they are not being diverted off and then the crisis becomes bigger and bigger. By having people co-located within that front door, some of those issues can be tied up a lot more quickly."*

*"We are also trying to get involved much earlier and take a collaborative approach around finding solutions and that is a huge barrier. When we cannot keep people in their own homes as a result of some of the policy decisions around welfare reform, it is much more difficult to find alternative accommodation that is sustainable and affordable. We are getting it from both ends: one, in people who are*

## Living in Limbo: London's temporary accommodation crisis

*becoming homeless and two, in finding solutions to move people on from there."*

(Lee Georgiou, Housing Needs Manager, LB Lewisham)

### Legal Aid

The Housing Court Duty Scheme provides help at court to people facing eviction or repossession on that day, providing free legal advice, referrals onwards and representation at the hearing. The schemes in London courts are run by law centres.

We heard examples of cases where the first legal advice a person received was at the door of the court. These last-minute interventions were able to start the process of unravelling complex histories which had brought families to the brink of homelessness. With advice, assistance and representation, it was often possible to prevent homelessness and sort out benefit problems which had contributed.

*"I had a case with a woman who was [suffering] horrendous domestic violence and had been rehoused. She had three children. When the youngest one went to school she tried to work part time. Her local council lost her housing benefit forms twice. By the time I saw her at court she was £4,000 in arrears and the housing office said, "No, we want possession today". The judge was with me on Article 8 [of the*

*European Convention on Human Rights: the right to privacy and family life] i.e. it was not proportionate. We adjourned it for five weeks and in that time, through Ealing Law Centre, and their crisis navigator who helps with that, we got all of the money back and she did not get evicted."* (Law centre solicitor)

We also heard from housing solicitors about the difficulties they faced in taking on the numbers of cases which needed help, and the impact of legal aid reforms on their ability to represent people in taking cases where their temporary accommodation was in disrepair, overcrowded or unsuitable. They also reported the problems faced by councils in trying to enforce against poor quality accommodation.

*"We have loads of people making enquiries about the quality of their temp accommodation and we just can't deal with all of them. The quality of the temp accommodation has to be pretty bad to qualify for legal aid, there has to be serious risk of harm."* (Law centre solicitor)

*"Suitability cases are still covered under legal aid – they tend to be "legal help" cases where a limited amount of advice and assistance can be given, but not representation."* (Law centre solicitor)

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*"It's almost impossible to get the council to enforce re: disrepair where there is no legal aid and a shortage of Environmental Health Officer provision." (Law centre solicitor)*

*"A lot of firms have stopped doing legal aid disrepair work for temporary accommodation because of the need for serious risk of harm as a qualifier for legal aid. The law centre still does, however they are quite difficult to undertake and are often not what the people in the accommodation want, they want something more permanent. "*

*(Law centre solicitor)*

*"If you want to challenge to quality of temp accommodation in a council owned building you can sue the local authority, but this is difficult to do in temporary accommodation and due to legal aid changes." (Law centre solicitor)*

Local community law centres have in the past been supported in part by grant funding from their borough councils and in part from legal aid contributing about 40 per cent each, with the remainder coming from other grants. The Legal Aid, Sentencing and Punishment of Offenders Act (LASPO) 2012 changed the categories of cases which could be funded by legal aid, as well as the levels of advice, assistance or

representation available. Legal advice is no longer available for benefit and most debt cases, and for disrepair cases except where there is a "serious risk of harm." The civil legal aid caseload has fallen 80 per cent since the introduction of LASPO 2012 and the civil legal aid spending has fallen by 45 per cent.<sup>26</sup> In Hackney, for example, the Hackney Community Law Centre has reported that their legal aid income is down about 30 per cent as a result of the 2012 Act. In addition, cuts to council funding has made it more and more difficult for them to continue to contribute at the same level.<sup>27</sup>

The Ministry of Justice published its review of the 2012 Act in February 2019, accepting that in some cases, the legislation has not been able to protect those who are most vulnerable and may have increased costs to the public purse in other areas. Government will conduct further investigations to understand the impact and how best to mitigate these unwanted effects.<sup>28</sup>



## Living in Limbo: London's temporary accommodation crisis

### The quality and suitability of temporary accommodation

Once possible temporary accommodation has been found by the local authority it must be 'suitable' in law for the applicant and anyone living with them.<sup>29</sup> Suitability criteria include:

- Space and arrangement (overcrowding and the number of bedrooms).
- Location, including proximity to school particularly for children approaching public exams, and to work.
- Particular medical or physical needs.
- Social considerations, including risk of violence, racial or other harassment in a particular locality.

Suitability must be kept under review and what is suitable for interim accommodation, while a local authority investigates whether a main housing duty is owed to the household, is not necessarily suitable for longer term temporary accommodation.<sup>30</sup>

Families with children should not be placed in bed and breakfast accommodation (with shared kitchen or bathroom facilities) except in an emergency, and even then, only for a maximum of six weeks.

Nevertheless, we heard numerous examples from housing solicitors' case-loads of families housed in accommodation which the law centres argued was unsuitable:

#### Case 1

A working father and mother with eight-year old twins were living in a council homeless hostel for four years in a 50m<sup>2</sup> room. The hostel has been the subject of litigation over suitability and press coverage ensued. The family reported a major flood to the council and to the hostel manager. It was agreed to move them, but to another smaller room in same hostel of less than 30m<sup>2</sup>. In practice they cannot move their belongings and four beds into the room. This room would be considered unlawfully overcrowded under the Housing Act 1985 but is 'suitable' for purposes of Part 7 Housing Act 1996.

#### Case 2

A mother lives in temporary accommodation with two young children in a single room in large council hostel in East London. The room has its own kitchen and bathroom. One of the children has a high level of special needs and communication and language issues. Due to the size of the room, they all share one bed.

## Living in Limbo: London's temporary accommodation crisis

### Winston's temporary accommodation

Winston and his three daughters were initially placed in emergency accommodation in a single room with 2 single beds, a double bed and a wash basin. The bathroom was shared with others on the corridor and was often unclean. The mattresses were infested with bed bugs and the girls were badly bitten.

Once the Council accepted that they owed a duty to house the family, they were moved to temporary accommodation – a self-contained flat in the private rented sector - two rooms, one of which had the cooking facilities in it as well as two beds. There were four single beds in these two rooms. There is a check-in system at the front door and all visitors must leave by 10pm, making their social lives difficult. The property is not in the best of shape. The carpet has ingrained dirt and smells, there have been problems with the electricity and with the heating. The windows are badly fitted and rain comes in if it rains hard, as well as draughts. Mould continues to grow on one wall, despite Winston frequently removing it.

Winston felt that his temporary accommodation needed revamping. He said there were problems with the flooring, ceiling, plumbing and other parts. He felt that the council could be more stringent with their guidelines and accountability for the quality of these homes.

### Young person's temporary accommodation

*"With shared accommodation, they're not really thinking about who they place together. Like I'm really young and I share with a crack head. I don't feel safe. Even in the hostel, they don't think about it, it's scary. It's inappropriate. Two weeks ago, the house in Peckham had CCTV everywhere and I was thinking, 'what's going on here that they need CCTV?' And when I moved to the other house, a woman they put there was asking to move because someone was stabbed just outside. And it's just not safe. They put people who are mentally ill with people who have alcohol issues. It's not right."*

### Young person's temporary accommodation

This young person became homeless when her supported housing project for young victims of domestic violence closed down. The council found her temporary accommodation the same day in another borough on the other side of the river from her family. It was a B&B hostel.

*"It was surrounded by CCTV because of all the crime there, with crack heads and gang members around. I was scared to walk around there. My anxiety went through the roof. I called the council every day to ask them to move me. I had to give my key in at the security desk every time I left the building. It just didn't feel safe."*

After a couple of months, the council moved her to a shared house with shared bathroom and kitchen.

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### Toni's temporary accommodation

Toni was placed in emergency B&B hostel accommodation outside her home borough and her 18-year old daughter was placed along the same corridor. Then Toni's daughter was moved to YMCA accommodation in another borough, because she was considered an adult so did not need to be placed with Toni. The YMCA accommodation is quite nice but is not near her mother. Toni found mice in her room, running over her bed. When Toni and her daughter tried to discuss the situation with reception staff, they were rude and eventually threatened to hit Toni's daughter. She was moved to another B&B in another borough. She still shares a kitchen and bathroom, but this place is not too bad. She doesn't know what will happen next.

Many London boroughs are having to place homeless households outside their home borough because of the lack of affordable housing available, particularly in Inner London. Of the 56,560 households in temporary accommodation at the end of 2018, 19,890 households were placed out of their home borough.<sup>31</sup> The experiences described here are typical examples of problems with the quality and suitability of temporary accommodation that we heard about.

### Solutions

Clearly, the long-term solutions lie in increasing the housing supply and the supply of affordable housing of all sizes to meet the needs of Londoners. However, on any calculation, it will be several years before the need for more temporary accommodation starts to reduce.

We heard about three significant projects to secure more, better quality affordable temporary accommodation for Londoners. Two of these emerged from discussions between boroughs at London Councils: PLACE and Capital Letters.

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### PLACE

The Pan-London Accommodation Collaborative Enterprise (PLACE) intends to build precision-manufactured homes on meanwhile sites, which can be moved from one site to another as needed. The aim is to build 200 homes across London with the first modular homes on site by 2021.

PLACE is a not-for-profit company set up by Tower Hamlets Council with the support of London Councils, with a view to encouraging as many London boroughs as possible to join.

When we met on 22 January 2019, six councils had joined the PLACE project. When one meanwhile site is required for development, the project will seek another site to move the housing to.

This is not the first modular set of temporary accommodation to be set up on a meanwhile site. Lewisham council developed PLACE Ladywell (pictured) with support from the Mayor of London on the meanwhile site left vacant when Ladywell Leisure Centre was demolished. The building is owned by London Borough of Lewisham which provides temporary accommodation on the upper floors. The ground floor is managed by Managed by Meanwhile CIC, a social enterprise, and let out to various businesses.



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As Mark Baigent explained, collaboration between the boroughs makes the project less financially risky.

*"[...]if you think about all the London boroughs working together on this, then if Tower Hamlets has a site for the next five years, we then move those homes to Newham, they are there for five years and then we move them to Waltham Forest so that they work their way around London, over the course of, say, 40 years, which would hopefully be the lifespan of these units, they could move maybe four or five times. Having looked at the finances of it, that creates a much better financial plan for investing in those units."*

*(Mark Baigent, Interim Divisional Director, Housing and Regeneration, LB Tower Hamlets)*

Councils would save money otherwise paid into expensive nightly paid temporary accommodation.

PLACE will be funded by a combination of £11 million awarded from the Mayor's Innovation Fund and a loan to be repaid from rents from councils over the 40-year life of the units. Deborah Halling, Senior Policy

Office for Homelessness in the Mayor's Team encouraged others to apply to the Innovation Fund.

*"[The Innovation] Fund remains open for further bids from boroughs to fund provision of accommodation that can be used for homeless households, whether that is as temporary accommodation or to prevent homelessness or to discharge duty[...]The Innovation Fund has an important part to play."*

*(Deborah Halling, Senior Policy Officer for Homelessness, Housing And Land, Greater London Authority)*

### Capital Letters

Capital Letters is also a not-for-profit company, set up through London Councils as a result of their discussions about possible solutions to the crisis in the availability of affordable, good quality temporary accommodation. Capital Letters will lease homes from owners across London in order to rent them out to boroughs as temporary accommodation, or longer-term accommodation.

Mark Baigent chairs Capital Letters' Board of Directors. He explained to us that Capital Letters will obtain properties on longer leases of, say, five years, will manage the properties, carry out any repairs and provide



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support services needed for people living in temporary accommodation.

Mark Baigent believed Capital Letters would be able to provide much better quality-management than most private sector landlords.

At the date of our meeting in January, thirteen boroughs had committed to signing up for Capital Letters.

It is also hoped that by procuring properties across London, Capital Letters will enable boroughs to place people in accommodation closer to home, avoiding out-of-borough placements and the associated disruption and loss of social support.

The intention is to charge rents in line with local housing allowance levels, avoiding the gap that can lead into debt and rent arrears. This would depend on the company's ability to agree incentive payments with landlords within those levels, but it is hoped that the promise of longer leases and good management would entice landlords. An important benefit of this pan-London organisation would be to prevent the costs paid by councils for temporary accommodation in the private rented sector continuing to rise exponentially, as boroughs would not be competing with each other to rent these homes. However, Mark Baigent recognised that payments might have to vary in different parts of London.

The Mayor of London's Housing and Land Team have been involved in the development of the feasibility study which led to the business case for Capital Letters.

*"The purpose of both of them is to improve the price that councils are paying for their temporary accommodation and to improve the quality for the people living in that temporary accommodation. They are not seen as the single or the two only answers to the problems in London, but they are seen as a big step towards improving the situation [...] The big advantage is that it stops local authorities all ringing the same property owners to try to get hold of the same properties. There would be one central hub and one team procuring, we hope eventually for the whole of London"*

*(Mark Baigent, Interim Divisional Director, Housing and Regeneration, LB Tower Hamlets)*



## Living in Limbo: London's temporary accommodation crisis

### Real Lettings

Real Lettings is a partnership between the homelessness charity St Mungo's and the social investment body Resonance to buy homes across London, with the aim of ensuring that the properties are of a good standard and to let them to households who would otherwise be homeless, charging rent at Local Housing Allowance rates. Homes are allocated to people who would otherwise be homeless through investment partners, some of whom are boroughs. A number of boroughs have invested in Real Lettings. The idea with Real Lettings is that investors make funding available, they get a return on that funding within five to seven years, and over that time that supports Real Lettings to make homes available that can be used to meet housing need.

The Mayor of London has invested £15 million in Real Lettings. The London Boroughs of Croydon, Lambeth and Westminster joined Resonance and St Mungo's as limited partners and committed a total of £45 million of investment to purchase, refurbish, let and manage around 330 affordable homes. The remaining funding is expected to come from other local authorities and investors. Further Mayoral investment has been approved for the Real Lettings Property Fund 2 in order to purchase 75 affordable homes by 2021 to enable former rough sleepers and victims of domestic abuse to progress from refuges to longer-term housing.<sup>32</sup>

*"[...] the Mayor has been clear that on temporary accommodation a two pronged approach is needed: looking at some of the things we can do now to improve what boroughs can offer to the too many households across London who have become homeless, but also looking at what can be done to reduce that number of households becoming homeless and therefore the number of households who need temporary accommodation."*

*(Deborah Halling, Senior Policy Officer for Homelessness, Housing and Land, Greater London Authority)*

Deborah Halling set out the Mayor's approach to temporary accommodation, which includes funding the building of new homes and also mentioned the development of a better rental model. The vast majority of people living in temporary accommodation are licensees, not tenants with full statutory protection. We are concerned to ensure that any improved rental model developed by the Mayor and/or Government improves the precarious position of licensees living in temporary accommodation.

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### Other parts of the solution

Several boroughs have been buying existing properties to rent out as temporary accommodation, sometimes buying back properties which had previously been in local authority ownership. In response to questions from Assembly Members, Deborah Halling agreed that the Mayor might look into loan financing through the Affordable Homes Programme to help boroughs which are buying properties to let as temporary accommodation.

Private companies have also bought homes, either with a view to leasing them to borough councils for use as temporary accommodation, or in joint ventures. For example, Legal & General has bought 167 homes in Croydon, which it has leased them to the London Borough of Croydon for 40 years. The councils will pay the company rent at levels which the council reports could save it up to £20 million. After the 40-year term ends, the properties will belong to the council.<sup>33</sup>

The DWP reported to the Housing Committee that they were working hard with the Ministry of Housing, Communities and Local Government to improve partnership working, but they recognised that there was a great deal of work to do on this.

DWP and the MHCLG were in the process of developing a joint predictive model of homelessness and rough sleeping. A joint study was conducted in December 2018 and work was underway to agree the next steps. Homelessness Policy Lead, Sidonie Weaver explained that they were seeking to develop:

*"[...] a quantitative predictive model of homelessness and rough sleeping. The aim is that then you could apply that model to various policy scenarios to help assess the impact of any future Government intervention on the levels of homelessness."*

*(Sidonie Weaver, Homelessness Policy Lead, Department for Work and Pensions)*

We will watch the development of this model with interest.

## Living in Limbo: London's temporary accommodation crisis

### Findings and recommendations

There is a crisis in temporary accommodation in terms of the numbers of people living in insecure accommodation, the poor quality of many of the properties, and the cost to the public purse. Many households are left in temporary accommodation indefinitely, with no hope of acquiring secure affordable housing. Others are having to choose between leaving the area they call home, and their social support, or losing their temporary accommodation. The long-term solution may be more affordable homes for Londoners but, in the meantime, improvements must be made.

### Advice, support and guidance

There is still a need to improve the quality of advice and support for people on benefits, at risk of homelessness and in temporary accommodation in order to realise the aims of the Homelessness Reduction Act.

#### Recommendation 1

**The Mayor should liaise with London boroughs to ensure that the Homelessness Reduction Act is being fully implemented. He should also work with the London Assembly and London Councils to establish the ongoing financial support needed for these services to**

**be provided by councils as part of the Comprehensive Spending Review.**

#### Recommendation 2

**The Mayor should lobby Government to provide adequate funding to realise the changes in advice assistance and support that the introduction of Universal Credit was intended to bring through the Job Centre Plus service and work with DWP and London Councils to establish the financial support and training needed for the services provided through Job Centre Plus to be improved.**

#### Recommendation 3

**The Mayor should lobby Government to review recent changes to legal aid to ensure that people in need of temporary accommodation have access to justice and are able to challenge unsuitable placements.**

### Innovative temporary accommodation projects

We welcome the Mayor's £11 million Innovation Fund support for PLACE, pan-London modular temporary accommodation built on meanwhile sites which borough councils can buy into. We also welcome MHCLG's provision of £38 million of funding over three years to establish the pan-London Capital Letters project to procure temporary accommodation.

## Living in Limbo: London's temporary accommodation crisis

The Mayor's focus is on building new homes to provide a long-term solution to the housing crisis. We take the view that inadequate attention has been paid to the large numbers of households languishing in insecure and often inadequate as well as expensive temporary accommodation indefinitely, at enormous cost to their own welfare and to the public purse.

Projects like Capital Letters can provide sources of good quality temporary accommodation when local authorities need it. This project aims to keep the costs to a reasonable level through buying in property centrally so as to avoid competition between boroughs, pushing prices up. It is a surprise that this project was not created earlier and we support its development and expansion. Similarly, PLACE, and the first example at PLACE Ladywell, provide innovative use of meanwhile space and much-needed temporary accommodation which can be procured centrally, allowing borough councils to buy into rented temporary accommodation when needed. The current plans for these projects will only provide a tiny proportion of the good quality, affordable temporary accommodation needed. In our view, the Mayor should be doing more to seek out, support and help to develop such imaginative solutions to the crisis in temporary accommodation.

We hope that the Mayor's work on the 'London Model' blueprint for private rented sector tenancy reform will address the issues of those in

temporary accommodation.<sup>34</sup>

### Recommendation 4

**The Mayor should set up a focussed, pan-London temporary accommodation workstream to seek out and support the wider development of temporary accommodation solutions such as the Capital Letters and PLACE projects already underway and to continue to fund such solutions.**

### Cross-governmental working and data sharing

We welcome attempts by MHCLG and DWP to collaborate more closely over the impact of housing and homelessness policies and benefits so that their policies and effects are not contradictory. We ask that DWP establishes appropriate data sharing arrangements with borough councils to enable the councils to design and target their services appropriately.

We heard of efforts by borough councils to use data effectively to identify families at risk before a crisis develops. In order to do this work, effective data-sharing agreements are needed between the DWP and councils so that the homelessness team can identify those residents who are claiming Universal Credit or housing benefit and when crunch times are likely to occur.

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Officials from the DWP told us about their efforts to work together with MHCLG to develop and monitor the effects of their welfare and housing policies so as to reduce homelessness and mitigate the impact of welfare reform on homelessness. The Government has taken steps to mitigate the impact of the introduction of Universal Credit on housing security, for example by reducing delays in receiving the first payment following a fresh claim for Universal Credit and improving the processes for requesting rent to be paid directly to a landlord.<sup>35</sup>

However, the evidence we read and witnessed led us to conclude that different parts of Government could improve their joined up working to ensure that the housing and homelessness policies of MHCLG are not being undermined by the housing elements of the benefits system.<sup>36</sup>

### Recommendation 5

**MHCLG and DWP should work more closely together to ensure that policies to reduce homelessness and improve housing security are not undermined by the implementation of welfare reforms, and the Mayor should lobby for this.**

### Recommendation 6

**MHCLG and DWP should ensure that full data sharing agreements are set up in order to facilitate the work of councils in implementing their prevention and relief duties under the Homelessness Reduction Act 2017, and the Mayor should lobby for this.**

### Hearing the voices of people in temporary accommodation

In our 2018 investigation, [Hearing Resident Voices](#), and in this investigation, we heard that many people seeking help from their councils and social housing providers did not feel that their concerns were heard and responded to. For those in temporary accommodation, they were often afraid to challenge poor quality housing because of a fear of their vulnerability in insecure housing.<sup>37</sup>

In addition to good quality advice, support and guidance services, borough councils and other housing providers need to develop open and accessible forums and feedback mechanisms for people living in temporary accommodation to contribute to discussions on what is needed and how to make temporary accommodation meet their needs.

Justlife, a charity working with people and organisations in unsupported temporary accommodation, has established 'temporary accommodation

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boards', bringing together all of the main stakeholders in a local authority to air issues and develop solutions collaboratively. Following successful projects in Manchester and Brighton, Justlife and Trust for London conducted a case study in Hackney to test whether this approach could work in London. The strength of the successful projects elsewhere in England lay in collaboration on an equal footing, so that the voices of residents in temporary accommodation could be heard and they participated in planning strategies to improve temporary accommodation in the area. Subsequently, they saw reductions in evictions from temporary accommodation and in complaints.

*"Temporary Accommodation Boards (TABs) bring together residents, landlords, local housing authorities, public services and the homeless sector on an equal footing in order to maintain and monitor information about local bed spaces. They aim to make these separate groups communicate better, and to inform referrals and signposting towards appropriate accommodation. Boards facilitate a common understanding of the problems in local areas, the collective development of solutions, and a culture of trust between typically disparate stakeholders."*

Justlife, Are Temporary Accommodation Boards Feasible? (June 2018)<sup>38</sup>

Justlife's approach is to develop a common understanding of the problems, strong cross-sector relationships and collectively identify and develop solutions. In Hackney issues included, for example, a lack of communication between the local authority, voluntary support services and residents, and between temporary accommodation managers and voluntary support services. Residents wanted specific changes, for example an end to upfront costs, such as key deposits, and also more support in communicating the homelessness application process and other support services available.

It may be that temporary accommodation boards are not the only or most effective means of ensuring that residents' voices are heard, but we think that a mechanism should be created which enables people who have experience of temporary accommodation to be involved in its design and improvement.

### **Recommendation 7**

**The Mayor's temporary accommodation workstream should investigate the best methods for involving people with experience of temporary accommodation in their design and management processes in order to ensure that their voices are heard.**



## Living in Limbo: London's temporary accommodation crisis

### Appendix 1 – our approach

In addition to desk research, the committee held the following meetings and round table discussions:

**Roundtable meeting with housing lawyers** - 14 November 2018. The Law Centres Network brought together London law centres to talk to the committee. These solicitors run the duty housing schemes at London's county courts and see people at the point at which they are becoming homeless. They described and provided examples of the changing patterns of homelessness cases they are seeing across the city and the differing practices in various London boroughs. Representatives attended from community law centres in: Hammersmith and Fulham, Camden, Brent, Southwark, Ealing, Hackney, and Harrow, and from the Law Centres Federation.

**Temporary accommodation focus group** - 4 December 2018. The committee heard from people who are currently living in or have recently been in temporary accommodation in order to gain a better understanding of the experience of becoming homeless, the events that led up to that and the experience of living in temporary accommodation. In addition, the committee read case studies from other families living in temporary accommodation who could not attend on the day. A Crisis Housing Team Leader provided a professional overview.

**Housing Committee Q&A** - 22 January 2019 with the GLA, borough councils, DWP, a housing association, landlords and developers of new temporary accommodation provision. The committee heard from the following guests, after watching a video interview with Sarah, a young mother living in temporary accommodation in East London:

#### Panel A:

**Natalie Williamson**, Senior Policy Officer, Residential Landlords Association

**Lee Georgiou**, Housing Needs Manager, London Borough of Lewisham

**Julia Pitt**, Director of Gateway Services, London Borough of Croydon

**Matt Champion**, Chief Executive, Shepherd's Bush Housing Group, and Member of Homes for Cathy

#### Panel B:

**Deborah Halling**, Senior Policy Officer for Homelessness, Housing and Land, Greater London Authority

**Richard d'Souza**, Head of Universal Credit Engagement Division, Department for Work and Pensions

**Sidonie Edey**, Homelessness Policy Lead, Department for Work and Pensions

**Mark Baigent**, Director of Place Limited, Interim Divisional Director, Housing and Regeneration, London Borough of Tower Hamlets, and Director of Place Limited and Capital Letters

## Living in Limbo: London's temporary accommodation crisis

During the investigation, members of the team also heard from:

**GLA peer outreach team** – 30 November 2018. Members of this group of young people aged 15-25 talked about their experiences of homelessness, temporary accommodation and welfare benefits. One young person provided a more detailed case study on her current situation in temporary accommodation.

**Justlife Temporary Accommodation Board** – Hackney, 13 July and 26 November 2018. Following on from successful projects in Manchester and Brighton, homelessness charity Justlife set up a trial temporary accommodation board in Hackney. These 'boards' pull together the relevant stakeholders: council representatives, residents, landlords, voluntary services, health, police, fire serves and any others — to arrive at collective solutions to problems in temporary accommodation through collaboration on an equal footing. Borough councils, including: Southwark, Westminster, Hackney, Tower Hamlets, Lewisham, Croydon, Camden and Redbridge.

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### References

<sup>1</sup> The primary homelessness duties are provided under Part 7 of the Housing Act 1996. For guidance, see MHCLG, [Homelessness Code of Guidance for Local Authorities](#) (latest update, 15 April 2019), chapter 6. See also, Shelter, [What is homelessness?](#)

<sup>2</sup> This decision is made under section 188 of the Housing Act 1996.

<sup>3</sup> The council will then accommodate an applicant under the main homelessness duty: section 193(2) of the Housing Act 1996.

<sup>4</sup> For guidance on the law, see [Nzolameso v City of Westminster](#) [2015] UKSC 22 ; MHCLG, [Homelessness Code of Guidance for Local Authorities](#) (February 2018), last updated 15 April 2019, chapter 17.

<sup>5</sup> MHCLG, [Live tables on homelessness](#).

<sup>6</sup> Data collected by Inside Housing: Nathaniel Barker, [The cost of homelessness: council spend on temporary accommodation revealed](#), Inside Housing, 31 August 2018.

<sup>7</sup> Nathaniel Barker, [The cost of homelessness: council spend on temporary accommodation revealed](#), Inside Housing, 31 August 2018.

<sup>8</sup> For ongoing data on homelessness and its causes, see Crisis, [The Homelessness Monitor: England 2018](#) and previous editions. For a review of the increasing demand for temporary accommodation in London, including an analysis of the causes of homelessness, see Julie Rugg, [Temporary Accommodation in London: Local Authorities Under Pressure](#), University of York and London Councils (February 2016). NB. This report was written before the implementation of Universal Credit and the Homelessness Reduction Act 2017.

<sup>9</sup> London Assembly press release, [Stop landlords evicting tenants without reason](#), 5 July 2018

<sup>10</sup> MHCLG, [Government announces end to unfair evictions](#), 15 April 2019..

<sup>11</sup> Helen Cobain, [Job Centre Plus](#). Accessed via [Flickr](#) on 09 May 2019. Licence available at: <https://creativecommons.org/licenses/by/2.0/legalcode>

<sup>12</sup> Valuation Office Agency, [Local Housing Allowance \(LHA\) rates applicable from April 2019 to March 2020](#) (31 January 2019).

<sup>13</sup> Our focus group members became homeless for a variety of reasons, but housing officers from councils and law centre solicitors all reported rent arrears as a common catalyst for homelessness, with benefit difficulties often lurking behind those arrears. See, for example, the transcript of evidence of Panel A at the [Housing Committee meeting of 22 January 2019](#).

<sup>14</sup> Chris O'Leary, [Homelessness and the Private Rented Sector](#), Residential Landlords Association (November 2018), p 28, fig.7.

<sup>15</sup> MHCLG, [Local Authority Housing Data](#).

<sup>16</sup> MHCLG, [English Housing Survey: Private rented sector 2016-17](#) (July 2018)

<sup>17</sup> MHCLG, [English Housing Survey: Private rented sector 2016-17](#) (July 2018) p 18 and annex table 2.10.

<sup>18</sup> MHCLG, [English Housing Survey: Private Rented Sector 2016-17](#) (July 2018) p. 18 and annex table 2.10

<sup>19</sup> MHCLG, [Local Authority Housing Statistics – year ending March 2018](#).

<sup>20</sup> Sarah Dobie et al, [Turned Away: The treatment of single homeless people by local authority homelessness services in England](#), (2014) Crisis.

<sup>21</sup> Anonymous, [I work in a council homeless unit, where not helping people is seen as a good job](#), The Guardian, 11 June 2016.

<sup>22</sup> London Assembly Housing Committee, [Hidden Homelessness in London](#) (September 2017).

<sup>23</sup> MHCLG, [Homelessness Code of Guidance for Local Authorities](#) (February 2018), last updated 15 April 2019; Homelessness Reduction Act 2017, s 2.

<sup>24</sup> Department for Work and Pensions press release, [Citizens Advice to provide support to Universal Credit claimants](#), 1 October 2018.

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<sup>25</sup> Evidence of Vincent Lawal, Housing Solutions Manager, LB Southwark, [Transcript of Housing Committee meeting on Hidden Homelessness](#), 27 June 2017.

<sup>26</sup> Ministry of Justice, [Civil Legal Aid Statistics Quarterly: October to December 2018](#) (28 March 2019). For a summary of changes and developments since LASPO 2012, see [House of Commons Library Debate Pack: The future of legal aid](#) (31 October 2018).

<sup>27</sup> For example, Hackney Council's cabinet voted in March 2019 to cut the Community Law Centre's budget from £203,000 to £115,000 for the coming year, a 45 per cent reduction in council funding.

<sup>28</sup> Ministry of Justice, [Post-Implementation Review of Part 2 of LASPO 2012](#), 7 February 2019.

<sup>29</sup> Housing Act 1996, s 206.

<sup>30</sup> *Nzolameso v City of Westminster* [2015] UKSC 22 ; MHCLG, [Homelessness Code of Guidance for Local Authorities](#) (February 2018), last updated 15 April 2019, chapter 17.

<sup>31</sup> MHCLG [Live Tables on Homelessness](#): Temporary Accommodation tables.

<sup>32</sup> See Mayor of London Director's decisions [DD 2175](#) (12 October 2017) and [DD 2346](#) (17 April 2019),

<sup>33</sup> Louisa Clarence-Smith, [Insurer invests in Housing for the Homeless](#), The Times, 17 April 2019.

<sup>34</sup> Mayor of London, [Response to Longer Tenancies Consultation](#), 18 September 2018. See Annex 2 for early draft 'London Model' proposals.

<sup>35</sup> For a summary of recent changes to the Universal Credit roll-out and legacy benefits, see <https://revenuebenefits.org.uk/>. A list of recent changes is available at: <https://revenuebenefits.org.uk/universal-credit/policy/policy-changes/>. Citizens Advice provides online and personalised support to claimants, running the 'Universal Support' service on behalf of the Department for Work and Pensions.

<sup>36</sup> For a recent article on these issues, see Jules Birch, [Housing policy's left hand does not know what the right is doing](#), Inside Housing, 5 March 2019.

<sup>37</sup> London Assembly Housing Committee, [Hearing Resident Voices in Social Housing](#) (November 2018).

<sup>38</sup> Rachel Yates and Christa Mackiver, [Are Temporary Accommodation Boards Feasible: A Hackney Case Study](#), Justlife and Trust for London (June 2018).