

# Practitioner article

## The Task Force agenda: abolishing priority need is the most radical step yet

Written by Liz Nicholson,  
Director, Shelter Scotland

September 2005

[www.shelter.org.uk](http://www.shelter.org.uk)

© 2005 Shelter. All rights reserved. This document is only for your personal, non-commercial use. You may not copy, reproduce, republish, post, distribute, transmit or modify it in any way.

This document contains information and policies that were correct at the time of publication.

The views expressed in the article are those of the author and not necessarily those of Shelter.

# Shelter

## The Task Force agenda: abolishing priority need is the most radical step yet

**Liz Nicholson, as a former member of the Homelessness Task Force, and a member of its predecessor, the Homelessness Monitoring Group, introduces our series of articles on the effect of the abolition of priority need within different social groups. She then goes on to outline the challenges inherent in bringing about the abolition successfully, so that it contributes to everyone in Scotland having a home by 2012.**

### Article series

The theme for this series of articles couldn't be timelier; two years after the passage of the 2003 homelessness legislation, the Scottish Executive last week published an eagerly awaited two-month consultation on the abolition of priority need. The 2003 Act provided for the scrapping of the priority need distinction within a decade, giving every homeless person in Scotland the right to a home by 2012. The consultation, leading up to a Ministerial statement by the end of this year will determine how this is done. This is a major milestone in giving everyone the right to a home.

In the lead up to the Ministerial statement, Shelter has commissioned a series of articles from key players across Scotland; those working with vulnerable groups on the ground, to ask them what needs to be done to get us to 2012, how we should learn from the lessons of the initial expansion in 2004, when the Code of Guidance groups were given priority need under the law, and what Ministers need to do to ensure we meet the holy grail of the right to a home. I look forward to articles from colleagues in the children's sector, those working with prisoners, and the other vulnerable groups given priority need in 2004. Angela Yih, from Age Concern Scotland kicks off our series with her assessment of how priority need has impacted on older people in housing need.

### Abolishing priority need

We'll hear a lot in future months about the technicalities of how we should progress between now and 2012, giving everyone priority need - and those debates need to happen. But as part of that discourse it's critical that we remember why priority need should be abolished in the first place. The homelessness tests are a reminder of the 'deserving/undeserving poor' arguments that have dogged social policy for centuries, and led to policy being formed on the basis that homeless people deserved their lot. The homelessness tests have nothing to do with the urgency of one's housing condition. One of the greatest achievements of the Scottish Parliament has been an acknowledgement that society has a role to play in responding to injustice. The homelessness legislation is a

perfect example of cross party consensus for legislation that will change the way homeless people are treated in Scotland.

## Matching new rights with new homes

As a former member of the Homelessness Task Force, and a member its predecessor, the Homelessness Monitoring Group, I am all too aware of the challenges for practitioners in implementing the Task Force's vision. The reasons for this are obvious. We're not expanding priority need just for the sake of giving vulnerable people new rights; if we did, we'd simply be signing families up to a lifetime in temporary accommodation. We're abolishing the test so that homeless people across Scotland can get a permanent home. Expectations have been raised and must be met, which means that the new rights must be matched with new homes.

It is this that presents the biggest challenge. Practitioners regularly demand of me answers to the following questions, '**how will we ever get to 2012?**' and '**where will the homes come from?**'. The answers are, of course, mostly in the hands of the Scottish Executive but there's much that we can do.

Firstly, we can respond positively to the Scottish Executive consultation and propose that priority need expansion, as the legislation intended, takes place at a rate that takes into account the ability of local authorities to cope. By phasing in the abolition of priority need we can learn lessons from progress across Scotland to help take us to 2012.

Secondly, we can put pressure on the Scottish Executive to allow local authorities discretion in phasing out priority need. No system between now and 2012 will be perfect; there will be winners and losers. However, on balance, Shelter believes that it should be possible to develop a model where local authorities are given discretion to map out and submit their own ways of meeting the 2012 target, on the basis of local circumstances, provided that:

- it is clear that the 2012 target itself is non-negotiable
- there is detailed monitoring of local authorities and the extent to which they are progressing meaningfully towards the 2012 endpoint.
- the Scottish Executive sets out the various options for meeting the 2012 target that local authorities might choose from, for example, by deciding not to apply an additional test of 'vulnerability' to homeless applicants.

Thirdly, we can accept the change in culture for everyone who works with homeless people. The 2003 legislation will change the approach to homeless applicants from 'how can we test what you are eligible for?' to a more responsive 'how can we help?'. What's more, giving a short tenancy with support to those who are intentionally homeless creates

an incentive to prevent repeat homelessness, given that the responsibility for intentionally homeless applicants stays with the council anyway.

Fourthly, we can ensure that we learn lessons from the initial expansion of priority need in 2004. Forthcoming research from Shelter will report that young people have yet to feel the benefits of priority need expansion in 2004 and official statistics confirm that. Returns from local authorities show that only a small percentage of young people who are awarded priority need ever get a permanent tenancy. Awarding priority need must therefore be more than having eligibility to a permanent tenancy; it should ensure a stable home.

Fifthly, we must find solutions to increasing supply. An approach that maximises use of the current housing stock will remove pressure on the housing system, and reduce waiting times in temporary accommodation. For every new home being built by a council or housing association, 3.5 are sold through the Right to Buy. A freeze in the Right to Buy for new tenancies would make more homes available every year. Better use of Section Five referrals would give local authorities a much bigger pool of homes in which to house their homeless applicants. Shelter is due to publish a good practice guide on section five referrals in the autumn in the hope that innovative use of the housing stock will take us closer to 2012.

Finally, the importance of this agenda means dispelling some of the myths that still exist around homelessness. For local authorities specifically, meeting the 2012 target will undoubtedly require an increase in lettings to homeless people. There will be, of course, the sceptics who believe that it will encourage people to apply as homeless instead of sitting on a waiting list. Let's be clear though: the homelessness test has not been changed. If an individual can successfully apply as homeless, then they shouldn't have been on the waiting list in the first place.

## **Practitioners' views**

Thankfully there are more supporters of the legislation than there are sceptics. At a series of seminars in 2002, practitioners told the Homelessness Monitoring Group of their support for the homelessness agenda. Their worries were based on their knowledge of homelessness and their view that the Scottish Executive must deliver the homes to match their ambitions. Since then less time has been spent listening to practitioners and we are in danger of prescribing policy from above, without fully understanding its impact on the ground. It is my hope that the Scottish Executive will reinstate an annual seminar with practitioners, giving the Homelessness Monitoring Group an opportunity to hear the concerns of those working on the frontline, making it much more likely that we'll reach 2012 from the point of view of consensus, and a real understanding of the impact of the Task Force's vision to lives of homeless people.