

Programme for Government 2020: Shelter Scotland's key asks

We have supported and welcomed many of the actions taken so far by the Scottish Government to protect people during this pandemic. The Programme for Government – the last of this parliamentary term – provides a fresh opportunity to deepen and broaden these protection measures, so that nobody is left behind and unreasonably disadvantaged as a result of this public health crisis. Scotland was already experiencing a housing emergency before Coronavirus hit – and the impact of the pandemic has only increased the difficulties many people are facing in paying their rent or in accessing a home that meets their needs. We need an urgent response from the Scottish Government to meet these challenges.

1. Tackling Covid-19 rent arrears

The Scottish Government has shown leadership in extending the emergency coronavirus powers for a further 6 months – helping to keep most people in their homes for the duration of this pandemic and throughout the winter months. While we know this is not a definitive ban on evictions – actions are beginning to go through the courts again, and we have evidence of a number of illegal evictions taking place – it has provided much needed extra security and comfort to tens of thousands of social and private renters that they will be able to stay in their homes this winter.

However, the Scottish Government must now make clear how it intends to tackle the issue of rent arrears built up over this period. Protecting most people from eviction due to rent arrears is very positive, but we also need to urgently address the issue of people who will be unable to clear their rent arrear debt by the time the protective legislation is lifted. If we do not support them we are unfortunately simply delaying eviction actions from happening. According to the Joseph Rowntree Foundation, almost half of tenants (45%) in the private rented sector have seen a drop in their incomes since March 2020.¹ The looming debt crisis needs tackled head-on.

We are calling on the Scottish Government to consider various options such as setting up a national fund to support tenants in the private and social rented sectors, who cannot access support elsewhere, so that rent arrears can be paid off and are not left hanging over people, leading to eviction and homelessness. The Landlord Loan Fund shows that this can be set-up and accessed quickly – and tenants should be given the same level of protection as their landlords have received.

2. Unsuitable Accommodation Order

We very much welcomed the Scottish government bringing forward the revised Unsuitable Accommodation Order (UAO) earlier this year, which means all homeless households are protected from unsuitable temporary accommodation and we also welcomed the firm commitment to end the use of unsuitable temporary accommodation. While we were not particularly happy with the exemptions included in the new UAO, we understood why they were included - as they were in relation to COVID 19 health considerations and would only be in place until the end of September.

We have recently been made aware of a new SSI which will believe will be introduced in the next few days, which will further extend these exemptions. We are disappointed this is being proposed, however we are more alarmed by a suggested, third exemption, which we believe may place people at risk of serious harm.

Scotland has some of the most progressive housing legislation and the UAO is a vital part of how we ensure homeless people's rights are upheld. Our housing advisers and legal team regularly rely on the UAO mechanism to enforce the rights of homeless households. We have already engaged with the

¹ <https://www.jrf.org.uk/press/almost-third-scots%E2%80%99-incomes-have-reduced-lockdown-half-affected-renters-worried-about-paying>

Scottish government homelessness team over the past few days on the new exemption highlighting our concerns. Some of which are in relation to the new exemption removing the rights, which have been in place for 16 years, for households with children and pregnant women to have a right to suitable temporary accommodation. We are very grateful to the Scottish government team for listening to our concerns, and for amending draft amendments to ensure this does not happen.

We are however concerned that the new exemption still allows hundreds of other homeless households to be at risk of extended stays in unsuitable temporary accommodation. The exemption will allow Local Authorities to continue to place people in unsuitable accommodation until 31 January 2021. The impact of staying in unsuitable accommodation on people's mental and physical health and wellbeing can be significant, especially during a health emergency. We must therefore avoid this further delay to ensuring Local Authorities prioritise all homeless households by offering suitable temporary accommodation.

We are therefore calling for this new exemption to not be laid before parliament and instead ensure that Local Authorities are properly funded to deliver on the right to suitable accommodation for everyone, as was announced earlier this year.

3. Affordable Housing Supply Programme

The Scottish Government must also signal their intent to deliver the affordable housing that Scotland requires to reduce housing need. The Scottish Government were on track to meet their ambitious 50,000 target during this parliament prior to the pandemic, but the work cannot stop there. Scotland still needs more affordable and social homes if we are to tackle homelessness and child poverty.

We are therefore calling for a new, ambitious affordable house building programme which will help to kick start our economy in the wake of the impact of the Coronavirus pandemic, provide much needed jobs and reduce housing need. Recent independent academic [research from Shelter Scotland, SFHA and CIH Scotland](#)² has shown the need to build a minimum of 53,000 affordable homes, of which 37,100 should be socially rented homes between 2021 and 2026. The Programme for Government needs to show that the ambition exists within government to achieve this goal which can be transformational for people across the country.

² Shelter Scotland, CIH Scotland, SFHA (2020) [Affordable Housing Need in Scotland Post-2021](#)