

Everyone should have a home

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Shelter

Maximising the use of section 5 referrals

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- 1. Background
- 2. Scale of referrals
- 3. Law and guidance
- 4. Practice areas

Background

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1977

Housing associations / co-operatives

PUBLIC HOUSING

2004

Registered social landlords: 40%

Council housing: 60%

Section 5 referrals 2004-05

- RSLs housed 4233 “homeless referrals” in 2004-05
- Equivalent to 14.45% of all RSL lets (cf 28% of council lets go to homeless people)
- 3 “LSVT” RSLs account for 1,868 referrals housed, or 44% of total.
- Removing 3 LSVT RSLs means that 11% of all RSL lets go to homeless referrals.
- Over a third of referrals do not result in a homeless person being housed.

Section 5 referrals: law and guidance

Guidance:

www.scotland.gov.uk/library5/housing/homelessupdate.pdf

- A RSL must respond to a request by a LA to house a homeless person unless it has good reason not to.
- No appropriate accommodation available within 6 weeks.
- If RSL and LA cannot agree then arbitration can kick in (section 6 of the 2001 Act).

Local framework

- SFHA & CoSLA model protocol
- Less than a third of possible protocols in place
- Key components:
 - Housing context
 - Detailed processes
- Day to day liaison
- Information sharing
- Training

Nominations

- Mainstream housing registers
- Nominations and quotas
- Section 5 referrals and nominations: mutually exclusive?

Referral process

Pre-referrals

- Rationale
- Information sharing or screening?
- Discussions or reasons for rejection
- Monitoring

Rejections

- “Refusal” and “rejection”
- Offers policy
- Reasons for rejection

Conclusions

- Sufficient examples of good practice to be confident that progress is being made.
- But still many examples of confused roles.
- Emerging area for training and sharing of practice.
- New challenges in shape of homelessness changes and changes to allocations policy.