

Welsh Women's Aid Briefing: *Housing (Wales) Act 2014*

The Welsh Government's Housing (Wales) Act became law in May 2014, and aims to improve the supply, quality and standards of housing in Wales.

The key elements of the Act are the introduction of a compulsory registration and licensing scheme for private rented sector landlords, letting and management agents, and reform of homelessness law. This includes placing a stronger duty on local authorities to prevent homelessness and allowing them to use suitable accommodation in the private sector, and placing a duty on local authorities to provide sites for Gypsies and Travellers where a need has been identified.

Welsh Women's Aid were involved in the evidence and scrutiny during the Bill's process, and have continued to monitor the subsequent secondary legislation under the Act. Whilst these new regulations are being introduced, there are still opportunities to consult on elements of the guidance, and there is a lot of training and good practice guidance being issued to housing providers to ensure they are up to date with all changes and are able to implement them effectively.

Currently, there are two issues that members will be aware of that will effect both specialist services and the women they support:

Code of Guidance to Local Authorities on the Allocation of Accommodation and Homelessness 2015

Welsh Women's Aid responded in regards to development of this guidance, after consultation with member services. There is nothing released to date indicating any changes to this draft version, but Welsh Women's Aid will circulate any information received.

In summary, our main points we raised included:

- There should be consideration within the allocations section of the code of guidance, largely around eligibility for housing support, in relation to immigration status and for women with no recourse to public funds who suffer from any form of violence against women;
- The definitions of domestic violence used throughout the guidance are not consistent with other legislation and the current definition used within the guidance does not explicitly state the recognised definition of 'coercive control';
- The use of local authority housing and encouraging the use of safety measure to keep women in their own homes, including target hardening and sanctuary schemes;
- The importance of safe and accessible move-on accommodation for women leaving refuge;
- To recognise and reference CEDAW and Istanbul Convention in order to meet European and international requirements around violence against women;
- Use of specific criminal justice system options to ensure women's safety in remaining in their homes. For example Domestic Violence Protection Orders, injunctions and Forced Marriage Civil Protection Orders;
- Recognition of the needs of specific groups including BME and the gypsy traveller movement;
- Remove 'mediation' as tool for addressing domestic abuse as cause for family breakdown;
- Safely address issues surrounding resettlement of ex-offenders and women leaving the criminal justice system;
- The importance of advisory services and specialist services in preventing homelessness;
- The use of a commissioning framework for specialist services to ensure high quality services (as in England) and the use of Welsh Women's Aid service delivery standards for this;

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- The use of specialist third sector organisations like Welsh Women's Aid and its members to facilitate training on specific issues effecting homelessness.

Local authority's ability to discharge duty to rehouse into the private rented sector

A local authority in Wales, when presented with someone who is homeless, are now able to discharge their duty to rehouse them in to the private rented sector (PRS). Previously local authorities who had a duty to rehouse, would do so through council and housing association (HA) stock, but this had become an increasing barrier to rehousing people due to a lack of available housing and additional barriers including policy changes from the central UK Government such as the Spare Room Subsidy and changes to Right to Buy.

Members have brought this to our attention and some are concerned about the effect this may have on the rehousing of women once they leave refuge. There is concern that a woman who has accessed refuge, leaving their council or HA property, should not be expected to occupy in the PRS, which may be regarded as traditionally less secure than that of council/HA properties, and without any additional support mechanisms in place through housing officers.

However, there is a strong argument for using the PRS in this way. This is due to the reduction in housing stock available to local authorities, with further barriers to people accessing housing due to welfare reform. The PRS now makes up over 15% of housing stock nationally, so it is now an integral preventative model, especially when budgets are shrinking and fewer houses are being built.

There is also considerable work going into this allocation option, to ensure that it is a safe and secure tenure for anyone accessing a house through the homelessness system. Local authorities also continue to have a critical role to play in assisting people in housing who need to access good quality affordable rented homes.

Housing markets and housing needs vary across Wales. There is therefore no single solution and authorities will need to develop arrangements that best support and encourage the provision of good quality affordable rented homes that best meets local needs. All local authority housing teams have been asked to work in partnership with other stakeholders including Environmental Health, Supporting People, Public Protection and Housing Benefit to come up with a range of housing solutions to ensure renting through the PRS is accessible and manageable. This might include the authority working through:

- **'Social Lettings Agency'** This approach develops a portfolio of properties / landlords which are managed for the landlord, but with a charge. Some authorities have developed / are developing this in-house, others are utilising outside agencies;
- **'PRS Access Agency'** This approach develops a portfolio of properties / landlords which are 'co-managed' by the local authority with the landlords involved. In this scenario the landlord retains overall management, but is supported by staff working locally. There is no charge for the landlord;
- **'Bond Scheme'** The service will issue a paper bond to landlords and offer some management and support. Usually this sits with an agency operating outside the Council, but there are some Councils who issue their own bonds and one who retains the bond scheme in-house;

There are also many external agencies who are operating social lettings agencies. In the North these include Pennaf who operate Offa Lettings and Agorfa who operate Cefni Lettings (they also operate in Powys). The Ceredigion Care Society operate social lettings in Ceredigion and through South Wales there are schemes delivered by Cadwyn HA (Can Do Lettings, which has been particularly successful in Cardiff), Hafod Housing who operate in Rhondda Cynon Taf and Charter Housing who deliver social lettings in Newport, Monmouthshire and Torfaen.

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There are others who are considering other options to investing in social lettings, and employing specialist staff to work with PRS landlords to help and support tenants maintain tenancies. For example, Gofal officers, who are based within certain local authority housing departments offer responsive support and advice to people accessing services, but also provide intensive support to those who need it in order to maintain a tenancy. More examples can be seen in a report produced by the Welsh Local Government Association (WLGA).¹ The findings from the WLGA into progress is impressive, and will be updated again in the coming months to reflect the changes implemented through individual action plans.

Within the WLGA report, there is recognition for the need to develop floating support services to further reach individuals with specific needs. This is a service the majority of Welsh Women's Aid specialist members provide, so it is important that at a national and local level conversations happen with Supporting People teams as well as Homelessness teams to ensure that the valuable resource provided by the specialist sector is utilised, and potentially access further funding due to a likely increase in demand.

Next steps

We hope that this briefing will help to alleviate any anxieties over these policy changes, as it is clear that although the housing and homelessness landscape in Wales is changing, a lot of effort has gone into ensuring no one is worse off for the changes – especially within the violence against women sector. Welsh Women's Aid will continue to monitor these changes and represent the views and experiences of our specialist member services and survivors to decision makers.

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¹ The current WLGA report can be found here, although it will be updated imminently;
<http://www.wlga.gov.uk/housing-e/preparing-to-prevent-report-how-prepared-are-local-authorities-for-the-homelessness-changes>