

# HOME FOR ALL



Together  
we will end  
homelessness

**Crisis' campaign, Home for All, is calling on the Westminster Government to commit to a plan that will enable everyone across Great Britain to have the security of a safe and settled home;** and to implement the immediate policy changes and funding needed to continue to protect people experiencing homelessness and prevent homelessness for the duration of the pandemic.

People experiencing homelessness, particularly those who are sleeping rough, have been among those who are most exposed to the risks of COVID-19. Not only do they not have a safe home to self-isolate in or follow sanitation guidance, but people experiencing homelessness are also three times more likely to experience a chronic health problem including respiratory conditions.<sup>1</sup> It is therefore critical that everyone has a place where they can self-isolate and protect themselves from the risks of COVID-19. Given the wider economic impacts of the outbreak, it is also essential that people are given the support they need to keep a roof over their heads and avoid homelessness as a consequence of COVID-19.

Extraordinary action taken across Great Britain to get everyone into safe accommodation during the outbreak has shown that ending homelessness is within our grasp. In a just society, everybody should have a safe and settled home.

The Westminster Government must now seize this opportunity to ensure that as emergency COVID-19 measures are eased, no-one is forced to return to our streets or face prolonged stays in unsuitable temporary accommodation. While significant measures have been put in place by national governments in response to COVID-19, some areas such as welfare and immigration, are the responsibility of the Westminster Government across Britain, and changes in these areas will be critical to supporting progress made by national governments.

In the immediate future, the changes the Westminster Government must prioritise are:

- **The introduction of a new duty on local authorities in England, backed by funding, to provide emergency accommodation for people with nowhere safe to stay in the next 12 months;**

<sup>1</sup> Lewer, D., et al (2019) *Health related quality of life and prevalence of six chronic diseases in homeless and housed people; a cross-sectional study in London and Birmingham, England.* <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6501971/>

- **The national roll-out of Housing First in England;**
- **Changes to ensure no one across Britain is left without a safe place to stay because of their immigration status; and**
- **Changes to the UK welfare system, and protections for private renters alongside increased investment in the provision of homes for social rent in England to ensure everyone can afford a home.**

This document sets out in detail the steps taken by the Westminster Government to date in response to homelessness and the COVID-19 outbreak, and the immediate changes the Government must prioritise as part of a plan for everyone to have a safe and settled home across Great Britain.<sup>2</sup> Given the urgency of the legislative changes needed, the Westminster Government should consider the introduction of an emergency Homelessness (COVID-19 Response) Bill, to provide the protections needed as quickly as possible. This should include the introduction of a new duty to provide emergency accommodation to all those with nowhere safe to stay in the next 12 months; lifting restrictions for people with no recourse to public funds; and urgent protections to prevent people from becoming homeless from evictions that are set out in this document.

### **Actions taken by the Westminster Government to support people experiencing homelessness**

Since the start of the crisis, the Westminster Government has introduced a number of welcome measures to both protect people already experiencing homelessness, such as people sleeping on our streets, and to support people to keep their homes. These measures have spanned changes that protect people across England, Scotland and Wales, and others specific to England only where legislation is devolved and the responsibility of national governments.

One of the most significant steps taken has been the 'Everyone In' initiative in England, and parallel efforts by Scottish and Welsh governments and their partners. This resulted in national governments instructing all local authorities to accommodate people sleeping rough, in night shelters, and in hostels with shared facilities, into self-contained emergency accommodation. Critically, access to emergency accommodation has been based on need alone and regardless of tests in the respective homelessness legislation in each nation. In England, people who would normally not qualify for homelessness assistance because they are not considered to be priority need, do not have a local connection, are considered intentionally homeless, or as a result of their immigration status, have been supported into safe accommodation.

This has resulted in nearly 15,000 people supported into hotels, B&Bs, and hostels.<sup>3</sup> In England, the Westminster Government announced £3.2 million for local authorities to assist with the 'Everyone In' initiative, as part of £3.2 billion overall to assist people classed as vulnerable, which has principally resulted in supporting funding for social care;<sup>4</sup> and £6 million of ring-fenced funding to homelessness organisations to assist people. In Wales, the Welsh Government has made £10 million of ring-fenced funding available for local authorities to support people facing homelessness.

On 24th May the Westminster Government announced that it is bringing forward £160 million of the £381 million funding allocated in the 2020 budget to provide supported homes for 3,300 people moving on from rough sleeping in England, and an additional 3000 in the following year.<sup>5</sup> An additional £50 million will be added to the £144 million already allocated for support costs as well as the £237m for property leasing and acquisition, to support 6000 people previously sleeping rough in England, and now in emergency accommodation, over the next four years. This is an important first step in ensuring that those helped by the emergency measures to tackle rough sleeping will not be forced back onto our streets once emergency measures are eased, and that they can access housing and a package of support.

<sup>2</sup> Legislation on housing and homelessness are made by governments in England, Scotland and Wales, but policies on welfare and housing for non-British nationals are made in Westminster for the whole of Britain.

<sup>3</sup> MHCLG (2020) 'Dame Louise Casey calls on community partners to help with COVID-19 rough sleeping crisis'. [https://www.gov.uk/government/news/dame-louise-casey-calls-on-community-partners-to-help-with-covid-19-rough-sleeping-crisis?utm\\_source=5c201c3e-959c-40f4-a3ff-5252696dc61d&utm\\_medium=email&utm\\_campaign=govuk-notifications&utm\\_content=immediate](https://www.gov.uk/government/news/dame-louise-casey-calls-on-community-partners-to-help-with-covid-19-rough-sleeping-crisis?utm_source=5c201c3e-959c-40f4-a3ff-5252696dc61d&utm_medium=email&utm_campaign=govuk-notifications&utm_content=immediate)

<sup>4</sup> Inside Housing 2020 'Local authority coronavirus funding allocations revealed'. <https://www.insidehousing.co.uk/news/news/local-authority-coronavirus-funding-allocations-revealed-66247>

<sup>5</sup> See footnote 5

In addition to these immediate measures for people most exposed to COVID-19, further measures have also been taken that have undoubtedly prevented many from losing their homes and becoming homeless. This has included welcome investment in the welfare system. Local Housing Allowance (LHA) rates across the UK have been realigned to cover the bottom third of rents, and there has been an increase of £20 per month in the Universal Credit (UC) standard allowance. Practical changes have also been made to pause deductions for benefit overpayments, and to ensure no one is sanctioned during the public health emergency. There has also been a suspension of evictions from asylum accommodation across the UK for three months from 27th March.

The Westminster Government has also implemented a number of housing policy changes in response to COVID-19. As housing is devolved, the following apply mainly to England; though national governments in Scotland and Wales have also put protections in place in these areas:

- Suspension of all possession action for 90 days from 27th March, with the possibility of extending the suspension period.<sup>6</sup> This protection applies to all tenants and licensees entitled to protection under the Protection from Eviction Act 1977;
- Legislation to lengthen the period of notice that landlords must serve where they wish to regain possession of the tenant's home.<sup>7</sup> This means that with effect from 26th March and until 30th September, the period of notice must be three months and landlords cannot apply to the courts for possession until the three month notice period has expired.

- Urged landlords not to serve notice of possession during the COVID-19 emergency, given that tenants may be sick or may face financial hardship as a consequence of the crisis.<sup>8</sup> The Government has also advised private landlords that a process is to be put in place so that landlords will have to take steps to understand tenants' financial position and reach agreement with them on an affordable arrears repayment plan before starting eviction proceedings.<sup>9</sup>
- Ensured that buy-to-let mortgages will qualify for a three-month repayment holiday in England and Wales.<sup>10</sup>
- Made temporary changes to Right to Rent<sup>11</sup> checks to remove requirements for landlords to see original documents. Tenants and prospective tenants can now submit scanned copies of documents and checks will be carried out over video calls.

### **What needs to happen to ensure everyone across Great Britain has the security of a safe and settled home?**

The actions taken by the Westminster Government, and parallel actions taken by the Scottish and Welsh Government, will have undoubtedly saved lives and prevented people from losing their homes during the COVID-19 outbreak. However, there remain considerable gaps in the protections put in place by the Westminster Government. As a result many people continue to be at risk of homelessness during this health crisis. There are also increasing numbers of people being turned away from support into emergency accommodation and also people newly becoming homeless, forcing them to sleep rough in dangerous conditions. In addition, as some of the protections are also due to be lifted in the near future, the Westminster Government must seize this opportunity to end homelessness once and for all by ensuring continued support for people.

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6 [https://www.gov.uk/guidance/government-support-available-for-landlords-and-renters-reflecting-the-current-coronavirus-covid-19-outbreak?utm\\_source=2073cc74-35f1-4c38-be38-40d575f20697&utm\\_medium=email&utm\\_campaign=govuk-notifications&utm\\_content=immediate](https://www.gov.uk/guidance/government-support-available-for-landlords-and-renters-reflecting-the-current-coronavirus-covid-19-outbreak?utm_source=2073cc74-35f1-4c38-be38-40d575f20697&utm_medium=email&utm_campaign=govuk-notifications&utm_content=immediate)

7 Schedule 29, Coronavirus Act 2020 <http://www.legislation.gov.uk/ukpga/2020/7/schedule/29/enacted>

8 MHCLG (2020) Coronavirus Guidance for Landlords and Tenants: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/876500/Consolidated\\_Landlord\\_and\\_Tenant\\_Guidance\\_COVID\\_and\\_the\\_PRS\\_v4.2.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/876500/Consolidated_Landlord_and_Tenant_Guidance_COVID_and_the_PRS_v4.2.pdf)

9 MHCLG (2020) Coronavirus Guidance for Landlords and Tenants, para 1.7

10 See footnote 2

11 The Right to Rent scheme requires private landlords and agents to check the immigration status of the tenant or lodger and any other adults who will be living there to confirm that they have the right to rent a property in the UK.

As part of a plan that will enable everyone across Great Britain to have the security of a safe and settled home plan, Crisis is calling on the Westminster Government to urgently prioritise the following:

### **The introduction of a new duty on local authorities in England, backed by funding, to provide emergency accommodation for people with nowhere safe to stay in the next 12 months**

The 'Everyone In' initiative in England, and parallel efforts by Scottish and Welsh governments and their partners, has meant that emergency accommodation has been provided to people based on need alone and regardless of tests in the respective homelessness legislation in each nation. In England, people who would normally not qualify for homelessness assistance because they are not considered to be priority need, do not have a local connection, are considered intentionally homeless, or as a result of their immigration status, have been supported into safe accommodation.

#### **The case for a new duty**

However, there is considerable evidence that across England some people who have become homeless since the initiative was put in place are struggling to access emergency accommodation, and are being forced to sleep rough. This includes people who have been turned away because they didn't have a local connection, weren't considered to be in priority need or because of their immigration status. Yet the health impacts of COVID-19 remain a risk to people experiencing homelessness. It is essential the urgent support into emergency accommodation for everyone sleeping rough, or in accommodation where they cannot self-isolate, is continued.

The introduction of the Homelessness Reduction Act (2017) in England extended entitlements to support for adults experiencing or at risk of homelessness who are not considered to be in priority need and introduced new duties for local authorities to prevent and relieve homelessness for all eligible households. However, it did not include entitlements to housing and emergency accommodation meaning many people are still forced to sleep rough.

Given the health impacts of COVID-19, now more than ever it is critical it is that everyone has somewhere safe to stay.

#### **The changes needed alongside a new duty**

The Westminster Government must introduce a new duty for local authorities to provide emergency accommodation to all those with nowhere safe to stay for the next 12 months, regardless of whether they have a priority need, a local connection, are considered intentionally homeless, or are not eligible for support because of their immigration status. The emergency accommodation provided must allow people to be able to self-isolate, in the case of future increases of COVID-19 cases. This change would ensure that everyone who needs it would have access to temporary accommodation and would provide time for Housing Options and homelessness outreach teams to work with someone to help them move into settled accommodation.

To ensure that no one is forced to return to the streets while legislative changes are being implemented, the Westminster Government should also give clear instructions to local authorities that they should continue to provide emergency accommodation for anyone who would otherwise be forced to sleep rough or remain in a hostel with shared facilities where they are unable to self-isolate. Providing emergency accommodation to everyone who needed it enabled 'Everyone In' to be highly effective. People who are newly rough sleeping, or at risk of rough sleeping, or remain on our streets because they have not been able to access this support, must receive this same, urgent help.

These measures should also be backed by a dedicated funding stream for accommodation and support. In England, the 'Everyone In' initiative was backed by funding to support local authorities to respond to the pandemic. However, the amount that has been allocated to homelessness teams varies and the uncertainty around funding directly impacts the ability and willingness of local authorities in paying for emergency accommodation. This is especially the case when it comes to providing accommodation and support for people who do not have recourse to public funds as they will not have access to housing benefit to help cover some of their accommodation costs.

Beyond these immediate measures in response to the current public health emergency, the Westminster Government should also assess the impact of the priority need, local connection, intentionality, and immigration tests on access to housing, and the risk of homelessness, for people affected by the ongoing economic impacts of COVID-19. The success of temporarily not applying these tests through the 'Everyone In' initiative points to a further need to scrutinise the impact and role of these legal tests.

## **Roll-out Housing First across England**

The Westminster Government must ensure that a commitment to the national roll-out of Housing First is at the heart of a plan for everyone to have a safe and settled home. As a priority, this must include an immediate offer of Housing First for people who need it and are currently living in emergency accommodation because of the COVID-19 outbreak.

National governments must work with hotels and B&Bs currently housing people in emergency accommodation in response to the pandemic, to ensure that not everyone is moved out at the same time following a lift of lock down, and while the right measures for securing the housing and support needed are put in place.

### **The case for Housing First**

Housing First provides ordinary settled housing for people whose experience of homelessness is compounded by multiple challenges. These challenges are often rooted in past trauma, poverty or experiences such as time spent in local authority care or prison. Housing First provides an offer of secure housing alongside unconditional, personalised support to address needs associated with mental ill health or substance dependency. Many, though not all, of those in the 'Everyone In' cohort would be best helped by Housing First.

There is a considerable body of evidence demonstrating that Housing First is the most sustainable way to end homelessness for most people facing such challenges.<sup>12</sup> Housing First is the cornerstone of several successful national homelessness strategies worldwide. When it is integrated within a wider, housing-led homelessness strategy, it can reduce the number of people facing homelessness. One of the most striking examples of its success is in Finland. Here, as part of a national homelessness strategy, it has helped reduce rough sleeping to very low numbers, and all forms of homelessness to a 'functional zero'.<sup>2</sup> According to FEANTSA<sup>13</sup> Finland is the only European Union country where homelessness continues to decrease.<sup>3</sup> In Helsinki rough sleeping has been virtually eradicated, with only one hostel now remaining, following the successful implementation of Housing First.

In England, findings from a feasibility study that considered the potential for introducing Housing First in the Liverpool City Region found it is more cost effective at achieving successful outcomes for people with high and complex needs who are homeless than the current system. The study also found it has the potential to save up to £5 million if implemented at scale in the Liverpool City Region as part of a wider housing-led response.<sup>4</sup>

Further evidence also shows that Housing First sustainably ends homelessness and can lead to positive improvements in health, wellbeing and social integration. Recent evidence from Scotland's five Housing First pathfinder areas shows that 92% of the 252 people housed by March 2020 had sustained their tenancies.<sup>5</sup> The Threshold Housing First project in Greater Manchester supported 39 women with a history of offending between 2015 and 2018. An independent evaluation found that over the first two years 90% of tenancies were sustained and there has been no recorded reoffending. Further, a 2015 evaluation of Housing First pilots in England found that, among 60 users of Housing First there was a 15% drop in the number of clients reporting poor physical health and an 18% drop in those reporting poor mental health.<sup>6</sup>

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12 Blood, I., Goldup, M., Peters, L., Dulson, S. (2018) *Implementing Housing First across England, Scotland, and Wales*. London: Imogen Blood and Associates, Homeless Link, Crisis.

13 FEANTSA is the European Federation of National Organisations working with the Homeless



The Westminster Government has provided £28 million in funding to deliver Housing First pilots across three city-regions; Merseyside, Greater Manchester and the West Midlands. Crisis is calling on the Westminster Government to build on these pilots and roll out Housing First nationally so that it can be provided to all those who need it. Research commissioned by Crisis and Homeless Link suggests that 16,500 people in England would need a Housing First approach to end their homelessness.<sup>14</sup> However, data on Housing First schemes in England suggests significantly fewer people are receiving Housing First.<sup>15</sup>

### **The immediate changes needed to scale up Housing First**

The Westminster Government will need to focus immediately on scaling up Housing First to provide an offer to people who are newly sleeping rough, or have been supported under the 'Everyone In' initiative. A portion of the additional funding announced for 6000 new supported homes in England for people previously sleeping rough should be used to offer Housing First to those in the 'Everyone In' cohort that need it.

While there is currently no national data detailing the support needs of people helped under 'Everyone In', Crisis has made an initial estimate of the proportion of those people that would need Housing First using available evidence about the profile of people sleeping rough.<sup>16</sup> We estimate that across England around 50 per cent of people sleeping rough are considered as having complex needs and would require Housing First. This will vary by location and from the latest available evidence. For example, there are suggestions that in London a lower proportion of people that have been supported by 'Everyone In' have support needs that require Housing First.

Crisis is undertaking further work with local authorities to refine this analysis and provide a more detailed assessment of the scale of housing and support requirements, but our estimate implies a need for significant growth in Housing First provision. Concerted and co-ordinated action from national and local government, the third sector and housing providers will be required deliver this.

To make this possible, and to support the national roll-out of Housing First, the Westminster Government will need to:

### **1 Commit funding for the support services needed to enable 16,500 Housing First tenancies over the current Government term.**

This commitment is essential to support the Government's manifesto commitment to end rough sleeping before the next election. It must also include a funding commitment to ensure there is a tailored offer of support for the 'Everyone In' cohort. Government should provide an assurance that for those receiving a Housing First offer there is an ongoing commitment to fund support, in addition to a wider commitment to restore dedicated funding for housing-related support services to prevent homelessness.<sup>17</sup>

### **2 Put in place a package of measures to ensure there is a supply of homes to meet the scale of need for Housing First and wider housing-led provision to tackle homelessness.**

This should include:

- Issuing further guidance to social landlords to ensure they temporarily prioritise nominations for people experiencing homelessness and those who need to move from unsuitable, unsafe, or overcrowded accommodation. This should include the 'Everybody In' cohort and survivors of domestic abuse. The guidance should also ensure local authorities and housing associations do not allow housing eligibility criteria to restrict access to social housing for this client group;
- Supporting the use of the private rented sector in areas where there is a supply of housing available within LHA rates, by committing additional resources to local authorities and implementing a national rent deposit guaranteed scheme, and by making essential reforms to the welfare system (see section 3)

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14 Blood, I., Goldup, M., Peters, L., Dulson, S. (2018) *Implementing Housing First across England, Scotland, and Wales*. London: Imogen Blood and Associates, Homeless Link, Crisis.

15 <https://hfe.homeless.org.uk/>

16 This evidence has been taken from data from the Combined Homelessness and Information Network (CHAIN), the most robust and comprehensive rough sleeper data set in Great Britain, and survey data on homelessness. CHAIN records flows of people sleeping rough in London, including support needs.

17 <https://www.mungos.org/app/uploads/2019/04/WPIE-Research-summary-briefing.pdf>

- Committing funding to rapidly increase the supply of housing available to people moving on from homelessness (see section 3). Analysis is being conducted by Crisis and the Homes for Cathy Group to quantify grant requirements for tenure conversion and market acquisition to boost the supply of one bed social rent homes and increase capacity for social housing providers to assist the 'Everyone In' client group;
- Considering the need for a national or regional approach to property acquisition and development, and potentially a dedicated national procurement agency, to increase supply for single people moving on from homelessness. Analysis for Crisis has highlighted the continuing challenges associated with securing a supply of social housing to tackle single homelessness, relating both to the acute shortage of one bed roomed homes in many areas, and the impact of social housing eligibility criteria that often restrict access for people moving on from homelessness.<sup>18</sup> Government should engage with Homes England, the Greater London Authority and other key stakeholders to examine options for delivering a step change in supply for this client group in England, including exploring the feasibility and cost-benefits of creating a dedicated national procurement agency.<sup>19</sup>

## **Ensure no one across Great Britain is left without a safe place to stay because of their immigration status**

The Westminster Government must ensure that everyone has somewhere safe to stay throughout the pandemic and no one is forced to return to sleeping rough when the emergency measures come to an end, regardless of their immigration status. To achieve this, the Westminster Government must ensure local authorities can continue to provide emergency accommodation for anyone who would otherwise be forced to sleep rough or remain in a hostel with shared facilities; lift no recourse to public funds restrictions so people across Britain can access homelessness assistance and Universal Credit; suspend the Habitual Residence Test; and support EEA nationals to apply for the EU Settlement Scheme.

### **The case for ensuring everyone has somewhere safe to stay, regardless of immigration status**

Currently our immigration system stops many people living in the UK from receiving help to prevent or resolve their homelessness. Many people who move to the UK have a 'no recourse to public funds' condition attached to their immigration status that stops them from receiving state support. People who have moved here from the EU or European Economic Area (EEA) don't have this restriction, but do need to pass a habitual residence test, proving both that they have the right to claim benefits in the UK and that the UK is their main home, before they can get state support. People without confirmed status in the UK are unable to access any kind of state support at all. This could include people who have lost documents proving their immigration status, people who have overstayed a visa and refused asylum seekers.

The no recourse to public funds condition puts people at risk of homelessness. These restrictions mean many people cannot get housing benefit or Universal Credit to help pay their rent if an illness or an unexpected event like the COVID-19 outbreak harms their ability to work. Currently, people are losing work, becoming ill and taking on additional caring responsibilities due to COVID-19. Research shows that migrants are at greater risk of losing their income in the current

<sup>18</sup> Rowe, S., and Wagstaff, T. (2017) *Moving On: Improving access to housing for single homeless people in England*. London: Crisis.

<sup>19</sup> In Finland, to address the shortage of flats for people living alone and tackle homelessness for this client group, a dedicated agency was set up in 1985. Known as the Y-Foundation the organisation supplemented the delivery of homes by local authorities, initially through acquisition, and has since developed and acquired over 17,000 flats. It operates in over 50 municipalities and is the fourth largest landlord in Finland.

crisis because they are more likely to be working in sectors affected by the lockdown and to be self-employed or in temporary work. Migrants are also significantly more likely than people born in the UK to live in private rented accommodation, putting them at greater risk of eviction if they experience a sudden drop in their income.<sup>20</sup> The COVID-19 outbreak is exerting huge and sudden pressures on people already pushed to the brink by low wages and high rents. Without access to essential support people are being pushed into homelessness.

Similarly, the habitual residence test is a barrier to support for many EEA nationals living in the UK. To pass the test, EEA nationals must show that they have the right to reside in the UK and that the UK is their main home. Whether someone has the right to reside will depend on a number of factors, including how long they have lived in the UK for and whether they have been working here. The rules that determine when EEA nationals are eligible for benefits in the UK are complex and this can lead to people being wrongly denied support they are entitled to.<sup>21</sup> This can leave people facing destitution and homelessness as they are unable to access benefits if they lose their job, or become ill and cannot work.

Asylum seekers are also particularly vulnerable to homelessness. They are not generally permitted to work and most are reliant on the financial support and accommodation provided by the Home Office while they wait for a decision on their application. The point at which someone receives a decision on their asylum accommodation is often when they will be at most risk of becoming homeless as they will usually only have 28 days before the asylum support and accommodation provided by the Home Office is ended. This does not give people the time they need to access financial support and housing.

## **The immediate changes needed to support people with no recourse to public funds**

As outlined above, it is critical that the Westminster Government gives clear instructions to local authorities that they should continue to provide emergency accommodation for anyone who would otherwise be forced to sleep rough or remain in a hostel with shared facilities where they are unable to self-isolate, regardless of their immigration status.

This must include people who do not have confirmed status in the UK, so that they too are not forced to return to the streets when emergency measures end. To do so, the Westminster Government should instruct all local authorities in England to provide emergency accommodation to everyone who does not have regularised status using their powers under the Localism Act 2011. This will allow time for local authorities and expert third sector organisations to work together to establish a pathway into more suitable temporary accommodation with wraparound support. This must include access to good quality immigration advice and specialist advocacy services so that people are able to make an informed choice about their future, and move on into settled housing.<sup>22</sup>

In addition to continuing this support into emergency accommodation, the Westminster Government must prevent people with no recourse to public funds from becoming homeless by:

### **1 Temporarily suspending NRPf conditions for at least the next 12 months.**

This will mean people who have a NRPf restriction attached to their visa and whose income has now been affected by the COVID-19 pandemic can access Universal Credit and homelessness assistance. This is vital to ensure that, across Britain, people currently in emergency accommodation or who are at risk of being pushed into homelessness can cover the cost of their rent and access help from their local authority. The Westminster Government must also suspend the habitual residence test so that EEA nationals are able to access benefits if they need support from the welfare system during the outbreak.

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20 IPPR (2020) Migrant workers and coronavirus: risks and responses. <https://www.ippr.org/blog/migrant-workers-and-coronavirus>

21 Butler, P. and Rankin, J. (2019) Surge in EU citizens unfairly refused access to universal credit, *The Guardian*, 5th August. <https://www.theguardian.com/society/2019/aug/05/surge-in-eu-citizens-unfairlyrefused-access-to-universal-credit>; Sandbach, J. (2012) Out of scope, out of mind: Who really loses out from legal aid reform. London: Citizens Advice Bureau.

22 Petch, H., Perry, J. and Lakes, S. (2015) *How to improve support and services for destitute migrants*. York: Joseph Rowntree Foundation; Migration Observatory (2019) Migration to the UK: Asylum and Resettled Refugees. <https://migrationobservatory.ox.ac.uk/resources/briefings/migration-to-the-uk-asylum/>



## **2 Supporting EEA nationals to apply for the EU Settlement Scheme throughout the COVID-19 outbreak.**

Crisis services are working with a significant number of people who are not able to complete their application to the EU Settlement Scheme because they do not have the necessary ID or documentation proving the length of time they have lived in the UK. Access to technology, including smartphones, tablets and/or laptops will be needed to enable people who are experiencing homelessness to apply.

Further, in London Crisis is working as part of a partnership of eight organisations to support vulnerable EU citizens who are homeless to apply to the EU Settlement Scheme. During the lockdown, it has been harder to reach new clients as many of the homeless drop-in services and outreach clinics where referrals would normally have come from are closed or working remotely. The partner organisations are working on a model of support that will allow them to take referrals from some of the GLA-funded hotels that have been provided as part of the emergency response for people sleeping rough or staying in night shelters. The aim is to ensure all residents who need it receive OISC accredited advice over the phone. Where possible people will then be supported to make an application to the EU Settlement Scheme. This support should be made available across the country for EEA nationals who have been accommodated as part of the emergency response to COVID-19 and will be an integral part of helping people move into long-term housing.

## **3 Supporting people who are ready to work to access support to find employment**

while they are staying in emergency accommodation and as they are supported to move into more settled housing. We know that significant numbers of people have lost employment as a result of the pandemic and will be looking for opportunities to get back into work as soon as possible. This will be especially important for EEA nationals who do not have settled status as it may make them eligible to receive housing benefit. This approach could be modelled on the Migrant Employment and Accommodation Service (MEAS) currently being delivered by Crisis Skylight Croydon in partnership with Croydon Council to provide accommodation and intensive support for EEA nationals rough sleeping, or at risk of rough sleeping, in the

borough. Individuals supported through the MEAS project are provided with 12 weeks in temporary accommodation whilst Crisis provide intensive support to ready clients to secure employment and move-on accommodation in the private rented sector.

## **4 Extending the suspension of evictions from asylum accommodation so no one is evicted into homelessness.**

Evictions from asylum accommodation have been temporarily suspended for 90 days from the 27th March. Many people will be facing a cliff-edge and the risk of homelessness once this period comes to an end. It is vital that this period is extended to allow time for new refugees to access support to find settled housing. Extending the suspension of evictions will also ensure that refused asylum seekers, who are not entitled to work or to receive benefits, are not forced into destitution and homelessness. It will allow time for local authorities and expert third sector organisations to work together to help people understand their options and make an informed choice about their next steps.

Finally, it is likely there will be some situations where people are unable to regularise their status in the UK and will want to consider the option of returning to their country of origin. Reconnection should always be voluntary and people must have the opportunity to make a fully informed decision after receiving specialist advice. Any reconnections should be properly considered and planned to ensure that someone is not returning to a situation where they will be homeless or at risk of other harm or exploitation, and appropriate support should be provided at every stage. It would not be appropriate to make single offers of reconnection when people's emergency accommodation is being ended as this would not allow sufficient time for a properly supported and voluntary reconnection process and is likely to result in people returning to rough sleeping.

## Prevent people from becoming homeless by ensuring everyone can afford a settled home

The Westminster Government must also ensure people are prevented from becoming homeless in the first place. There is a significant human and economic cost to homelessness. Repeat and entrenched homelessness damages people's physical and mental health, family relationships, employment prospects and life chances. In England, prior to the COVID-19 outbreak, local authorities were spending around £1 billion per year on temporary accommodation alone.<sup>23</sup>

This highlights the long-standing need for more housing to provide people on low incomes with security, decent living conditions and rents they can afford. The COVID-19 crisis has magnified the problems that already existed with housing for people on the lowest incomes, and leaves many thousands more households exposed to the risk of eviction.

As the initial protections from eviction introduced by the Westminster Government come to an end on 26th June, many people living in the private rented sector will be at significantly greater risk of homelessness. Urgent action is needed to provide protections through the UK welfare system and through the reform of renters' rights to ensure that the many thousands of households facing homelessness are not forced to turn to local authorities for help to find alternative housing. Failure to take these steps risks local authorities being overwhelmed by applications for help to prevent their homelessness in the short-medium term. In the longer term, the Westminster Government must prioritise increased investment in providing homes for social rent in England to end homelessness.

In parallel with these reforms, the Westminster Government must ensure that effective homelessness prevention measures are embedded in every local authority area. These measures should include supporting people who are often at highest risk of homelessness, including people leaving prison, hospital, or immigration detention, so they are quickly supported into safe accommodation where they can self-isolate. To do so, a triage system should be put in place to assess housing and health needs, and determine suitable accommodation and support.

## Reforming the UK welfare system to prevent homelessness

The UK welfare system plays a critical role to provide support to protect people from the impact of COVID-19, to both safely house people during this health emergency and to help ensure no one is forced into homelessness because they have lost their job or become ill during the pandemic. In these exceptional circumstances, the right support from the welfare system is needed more than ever.

### 1 Continued support through LHA rates

Earlier this year, the Westminster Government announced the welcome change to restore LHA rates to cover the bottom third of rents (the 30th percentile) for 12 months, providing much needed help for households with strained incomes across the UK. Research by Alma Economics, commissioned by Crisis and carried out prior to the COVID-19 outbreak, modelled that this change could prevent thousands of households from becoming homeless and lift 35,000 children out of poverty.<sup>24</sup>

#### Case study - the benefit of restored LHA rates

In Edinburgh, our analysis shows that under the previous LHA rate, just 20 – 30 lettings were affordable. This has now increased to around 400 with the new rates. Crisis frontline staff are already reporting the positive change this is having to help support people out of homelessness. For example in Edinburgh, Crisis was able to support a client who is at significant risk of COVID-19 out of homelessness (a B&B) and into his own flat. This covers the cost of his rent, meaning he is able to use his other income for essentials such as food, as intended. Our client has said this has significantly helped with his mental health and wellbeing, as well as meaning he can follow public health guidance on COVID-19 and stay safe.

In these uncertain times, it is critical the Westminster Government extends this welcome certainty by ensuring the rates continue to cover the bottom third of rents after a year. Tenancies must be able to last beyond the lockdown, but our housing support staff have reported concerns amongst clients, lettings agents and landlords about the risk of evictions if LHA were to drop below the 30th percentile again.

23 Inside Housing (2018) 'The cost of homelessness: council spend on temporary accommodation revealed'. <https://www.insidehousing.co.uk/insight/insight/the-cost-of-homelessness-council-spend-on-temporary-accommodation-revealed-57720>

24 Alma Economics (2019) Local Housing Allowance: Options for reform, Crisis: London

## 2 Ensuring the benefit cap does not undermine support from LHA and UC

As well as hearing of the positive impact of restoring the rates, Crisis frontline staff are also reporting that in some cases, there is an unintended interaction between LHA rates and the benefit cap. This is putting some people at risk of homelessness. The Resolution Foundation has found that a couple living with two children in a three-bedroom home will run up against the benefit cap in 107 out of 152 local areas in England and Wales.<sup>25</sup> As a result of COVID-19, the population affected by the benefit cap will be significantly higher, hitting families and those with high rental costs. For families and individuals that have been low-income to begin with, and have no savings to cushion them, this is a significant additional pressure that puts them at risk of falling into rent arrears.

### Case study – the impact of the benefit cap on homelessness

In one case in outer London, Crisis staff had supported a client into a tenancy, but their entitlement increased due to the LHA investment, bringing them into the benefit cap. This is now leaving our client £30 off worse each month and is putting strain on the tenancy and our clients' finances. This also means our client will not benefit from the £20 a week increase in the Universal Credit standard allowance.

For the duration of the pandemic, the Westminster Government must suspend the benefit cap to ensure it does not unintentionally hinder the support given by the investment in LHA rates and the increase of the UC standard allowance by limiting this support and putting people at risk of homelessness.

## 3 Continued suspension of conditionality

Another welcome change from the Westminster Government has been to temporarily suspend conditionality, as people struggle to cope with the disruption to their lives from the COVID-19 outbreak. However, the prospect of sanctions being imposed again is a significant concern, as conditionality in any form will be extremely challenging for people experiencing, or at risk of, homelessness.

People who experience homelessness face systemic barriers to meeting conditionality requirements. Prior to the pandemic, they were significantly more likely to be sanctioned if they were experiencing homelessness. Evidence shows that this is not from a lack of willingness to comply with conditionality, but the impossibility of complying without a secure home. Further, sanctions also directly cause homelessness for those at risk by taking away critical financial support when needed. Analysis of the experiences of 1,000 homeless people in the welfare system found that one fifth (21%) of people became homeless because of a sanction, and 16 per cent had to sleep rough.<sup>26</sup>

The Westminster Government must commit to continuing the suspension of sanctions to prevent people from becoming homeless as a result of COVID-19.

## 4 Exploring expanding Trusted Partner arrangements to social lettings agencies in England

In England, the private rented sector will have a critical role to play alongside social housing in providing homes for many of those provided with emergency accommodation. Social lettings agencies<sup>27</sup> play a critical role in enabling people on very low incomes to access and sustain private renting. Their ability to expand provision can be directly impacted by changes to the welfare system; for example cash flow difficulties caused for landlords by arrangements for the first payment of Universal Credit. These problems in turn risk limiting Social Lettings Agencies' ability to grow provision to support people moving on from homelessness, including the 'Everyone In' client group. The Westminster Government

25 Housing Outlook Quarter 2 2020, Resolution Foundation

26 E. Batty, C. Beatty, R. Casey, M. Foden, L. McCarthy, K. Reeve (2015) Homeless people's experiences of welfare conditionality and benefit sanctions, London: Crisis

27 Social letting agencies are not-for-profit letting agents or charities working with low income households and people moving on from homelessness

could help address this by putting in place an accreditation framework that would enable accredited social lettings agencies to become Trusted Partners in England. Trusted Partner status is currently only awarded to social landlords, and enables them to identify tenants who will struggle to pay their rent and secure support for the tenant, such as direct payments, with the Department for Work and Pensions.

Crisis has in the past called on Government to establish a national tenancy deposit scheme linked to accredited status, and has produced principles for the operation of help to rent providers, including social lettings agencies, that could provide the foundation of a national accreditation scheme.<sup>28</sup> This could also provide a pathway to Trusted Partner status in Universal Credit. We recommend that Government explores this further.

### **Preventing an increase in evictions caused by the COVID-19 crisis**

Further protections are needed by the Westminster Government to protect private renters from losing their homes in England. A survey by Opinium found that 43% of renters whose work had been impacted by the outbreak have struggled to pay rent or to pay for other essential items like food. The survey also found that a quarter of renters whose work has been impacted have either voluntarily left their home or requested an early end to the tenancy because they cannot pay their rent.<sup>29</sup> But most tenants have no alternative but to stay put; they cannot move to cheaper accommodation during lockdown, and many do not have the option of moving in with friends and family.

While the measures put in place to ban all possession action in England – and in Wales with the consent of the Welsh Government – for 90 days from March 27th protects these tenants now, many will be facing a cliff-edge and the risk of homelessness once this period comes to an end. Research by Citizens Advice shows that 2.6 million private renters have already missed a rent payment, or expect to do so, as a result of the COVID-19 crisis,<sup>30</sup> leaving them at risk of arrears and eviction when the protections are lifted.

The Westminster Government must ensure further protections are in place for private renters by:

#### **1 Strengthening the pre-action protocol to ensure affordable repayments.**

The Government has said that it intends to strengthen the pre-action protocol for possession claims by social landlords and extend this to private landlords in England and Wales. Crisis is calling for the Westminster Government to strengthen the protocol by including guidance on what level of repayment of arrears is affordable proportionate to income, and on what is an acceptable repayment length, to make sure that people are left with enough to live off. It must also include a requirement for landlords to notify the relevant local authority when they do serve a notice. This measure is currently in place in Scotland, under the Homelessness etc Scotland Act (2003).

#### **2 Enabling emergency legal provisions so judges can prevent evictions.**

Even with this guidance in place, the pre-action protocol alone will not be enough to offer the protection needed to the significant numbers of people who will be at risk of eviction. Landlords will still be able to evict tenants on grounds of possession under Section 21 or the mandatory arrears grounds of the Housing Act 1988. To ensure protection from eviction for all private renters at risk, the Westminster Government must put in place emergency legal provisions so that judges can prevent evictions for example where people have complied with reasonable and affordable repayment arrangements or are waiting for decisions on their benefit entitlements.

#### **3 Providing additional dedicated funding for rent arrears and debt management for everyone impacted by COVID-19.**

To support people who are struggling to keep up with paying their rent and who are falling into arrears, the Westminster Government should provide additional dedicated funding to give support for rent arrears and debt management for everyone impacted by COVID-19. This could be done via Discretionary Housing Payments

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28 [https://www.crisis.org.uk/media/236951/prs\\_key\\_principles.pdf](https://www.crisis.org.uk/media/236951/prs_key_principles.pdf)

29 Opinium (2020) Impact of COVID-19 on Renters, Opinium for the Guardian: London

30 Citizens Advice (2020) Near the cliff-edge: how to protect households facing debt during COVID-19. [https://www.citizensadvice.org.uk/Global/CitizensAdvice/Debt%20and%20Money%20Publications/FINAL01\\_05%20-%20Near%20the%20cliff-edge\\_%20how%20to%20protect%20households%20facing%20debt%20during%20COVID-19.pdf](https://www.citizensadvice.org.uk/Global/CitizensAdvice/Debt%20and%20Money%20Publications/FINAL01_05%20-%20Near%20the%20cliff-edge_%20how%20to%20protect%20households%20facing%20debt%20during%20COVID-19.pdf)

(DHPs) in England and Wales. DHPs are a useful tool, allowing local authorities to support local households in a flexible and responsive way through a dedicated fund that cannot be repurposed elsewhere. As an existing mechanism, investing in this part of the system would not require changes to the other aspects of the welfare system or homelessness services in order to function. Although DHPs are a useful mechanism for preventing homelessness, they are sometimes not used to their fullest extent. Local authorities should be actively encouraged to spend their full DHP budgets to address needs during this crisis and should be resourced to cover the administrative cost of processing DHPs would help them to support more people.

The COVID-19 crisis has highlighted the importance of safe, settled housing to protect our well-being. Without investment to deliver the homes we need, many thousands of households will continue to face intolerable choices about accepting unsafe, insecure and overcrowded housing, and many thousands more will face homelessness as a consequence. It is essential that Government prioritises investment to ensure everyone has access to a safe and settled home.

### **Preventing homelessness by increasing the supply of homes for social rent in England**

While these short-term reforms are critical, the Westminster Government must also go further to increase the supply of housing in England that people on the lowest incomes can afford. To achieve this, Government must deliver a step change in the supply of social rented housing. Research for Crisis and the National Housing Federation has identified a need for an additional 90,000 homes each year for social rent to end homelessness and address wider housing needs.<sup>31</sup> Increasing investment to deliver these homes in the longer term must be a priority, alongside the urgent and immediate reforms that are needed to protect people from eviction.

In the wake of the pandemic, it will take time for the construction industry and social housing providers to respond to Government intervention to increase the supply of new homes for social rent. In the meantime, Government must implement other measures to increase the supply of homes at social rents, and increase the capacity of councils and housing associations to respond to the scale of housing need that will follow the pandemic. These measures include funding social landlords to convert homes currently in the newbuild pipeline for shared ownership to social rent, and the acquisition of market housing for social renting.

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<sup>31</sup> Bramley, G. (2018) *Housing supply requirements across Great Britain for low-income households and homeless people*. London: Crisis and the National Housing Federation.