



In Focus

Homelessness

Homelessness is defined more widely than sleeping rough on the streets and includes those living in shelters, temporary accommodation, ‘sofa surfing’ with friends or relatives or living in squats. Individuals may also be statutorily homeless if they meet specific legislative criteria. Individual, interpersonal and structural factors play a role in the cause of homelessness.

Statutory Homelessness

Part 7 of the Housing Act 1996 as amended by the Homelessness Act 2002 and the Localism Act 2011 provides the principal statutory framework for homelessness legislation in England. Broadly, a person is ‘homeless’ if they are not legally entitled to occupy accommodation that is accessible, physically available to them (and their household), and reasonably fit to live in. Individuals are ‘threatened with homelessness’ if they are likely to become homeless within 28 days. Upon receipt of an application for assistance, the local authority will consider the applicant’s eligibility and what, if any, duty is owed.¹ The ‘main homelessness duty’ to secure suitable settled accommodation (with suitable interim accommodation if necessary) is owed to those that are ‘not intentionally’ homeless and fall within a priority need group.² This duty can be discharged with an offer of social housing or private sector rented accommodation. Where an applicant falls within a priority need group but is ‘intentionally’ homeless, the local authority must ensure accommodation is available to the applicant for a period to give the applicant a reasonable opportunity to find suitable accommodation.³ Duties are also owed to those that are ‘threatened with homelessness’ and in a priority need group but the extent of it depends on intentionality.⁴

According to Department for Communities and Local Government (DCLG) statutory homelessness statistics, 56,500 of 113,310 (around 50 percent) of the applications for housing assistance in England were accepted as being owed the main homelessness duty in 2015.⁵ Of that 50 percent, 38,040 households included dependent children as a priority need category and 7 percent of households included a pregnant woman.⁶ The numbers in temporary accommodation—such as those accommodated pending enquiries, those awaiting settled accommodation and those ‘intentionally’ homeless priority need individuals housed for a reasonable opportunity to find accommodation—was 69,140 at the end of the fourth quarter of 2015. Of this total, 54,260 were households with children and 18,670 were placed in another local authority district.⁷ According to Shelter, one in four homeless households in England and one in three homeless households in London live in out of area temporary accommodation.⁸

For applicants that are not owed the main homelessness duty, mainly those not falling in a priority need category—such as individuals without dependent children and individuals not deemed vulnerable—the local authority has a duty to provide advice and assistance only.⁹ These groups are often referred to as the ‘single homeless’. In 2015, there were 19,540 applicants classed as homeless but not in priority need.¹⁰ Crisis examined the quality of advice and information provided to single homeless individuals (using mystery shoppers) and found that 50 out of 87 received “inadequate or insufficient help”.¹¹

Rough Sleeping and Hidden Homelessness

'Single homeless' individuals or those that have not approached their local authority may seek other forms of accommodation or sleep rough.

Crisis highlight the "issues" with rough sleeper enumeration methodologies—such as, "no street count can ever be wholly comprehensive" and "given the shifting populations involved—'snapshot' counts inevitably understate the numbers of those affected over a given time period (eg month or year)".¹² According to DCLG's annual rough sleeping in England statistics, the total of street counts and estimates in England in autumn 2015 was 3,569.¹³ The Combined Homelessness and Information Network (CHAIN)—a database used by outreach teams working with rough sleepers—states a total of 8,096 rough sleepers were contacted by outreach workers or building-based teams in London during 2015–16, an increase of seven percent from 2014–15.¹⁴ Crisis state that in England, "rough sleeping is on a sharp upward trajectory with the national total having doubled between 2010 and 2015".¹⁵

Crisis state that the 'hidden homeless' are "people who may be considered homeless but whose situation is not 'visible' either on the streets or in official statistics" and include those living in overcrowded housing, squatters, 'sofa-surfers', long-term sharing and rough sleeping in hidden locations. In terms of concealed households—family units or single adults living within other households—Crisis estimate there were 2.35 million households containing concealed single persons and 267,000 containing concealed couples in early 2015. In particular, they state that "on the most recent figures 701,000 households (3.1 percent) were overcrowded in England".¹⁶

Youth Homelessness

According to the DCLG, of the 56,500 applications accepted as being owed the main homelessness duty in England in 2015, 13,260 were by applicants aged 16–24. In 2010, it was slightly higher at 15,480 out of 42,390.¹⁷ The Cambridge Centre for Housing and Planning Research combine official statistics and other data to estimate that 83,241 young people (statutory and non-statutory homeless) used homelessness services in 2013–14.¹⁸ Research by the charity Centrepoin, based on Freedom of Information requests, finds that at least 30,000 young people experiencing or at risk of homelessness are turned away from their local authority every year in England and Wales.¹⁹

A review into youth homelessness by Watts et al, researchers at Heriot-Watt University, suggests that the decline in statutory homelessness has been offset by increases in other forms of homelessness. They suggest the link between young age and homelessness "appears to be explained by the disproportionate experience of poverty among young people, rather than their youth, per se" and that young people being asked to leave the family home was the "most common immediate trigger" of homelessness. Further, factors associated with "high risk" of homelessness include "experiencing domestic violence, mental health or substance issues within the family home".²⁰ In relation to rough sleeping statistics, they suggest that "in 2014/15, a total of 871 18–25 year olds were seen rough sleeping in London, up 40 percent since 2011/12" and the number of under 18 year olds sleeping rough "is consistently very low at 0.1–0.2 percent of cases".²¹

Research by Homeless Link—a charity for organisations working directly with people who become homeless in England—found that 47 percent of young people in their study became homeless due to "parents/care-givers no longer able or willing to accommodate".²²

Causes of Homelessness

Homelessness is said to be "complex" with "no single trigger" for it to occur but that there are interactive roles played by "individual, interpersonal and structural factors".²³ The overall supply of

affordable housing is said to be a key structural factor in homelessness, with demand pushing rents up alongside a declining social housing sector.²⁴ The Chartered Institute of Housing refers to “the reliance by low-income households on the [private rented sector], the effects of welfare reform and above all the shortage of affordable rented accommodation” as potential causes.²⁵ Further, Crisis suggest individual “vulnerabilities, support needs and ‘risk taking’ behaviours” implicated with homelessness are “often, though not always” associated with poverty and other forms of structural disadvantage, whilst “stressful” financial circumstances can also put social relationships under strain. Therefore “deteriorating economic conditions in England could also be expected to generate more ‘individual’ and ‘interpersonal’ vulnerabilities to homelessness over time”.²⁶

Discussing the potential impact of welfare reforms—such as changes to the Shared Accommodation Rate, Local Housing Allowance cap and benefit sanctions—Crisis state that “two thirds of [local authorities] in England reported that the 2010–15 welfare reforms had increased homelessness in their area” and that “new welfare reforms announced in the Summer 2015 Budget and Autumn Statement” will have “marked consequences both for families with more than two children, and for young single people”.²⁷

Watts et al suggest that “relationship breakdown has historically been and continues to be a primary cause of homelessness across the UK”.²⁸ In addition, a 2011 report by St Mungo’s—a homelessness charity—suggested relationship breakdown, domestic violence and mental health conditions as contributing factors to homelessness.²⁹

Government and Local Authority Policies and Strategies

In addition to assessing applications from homeless households, the Homelessness Act 2002 places duties on local authorities to carry out a review of homelessness in their area and to formulate a homelessness strategy based on this review.³⁰ Local authorities also engage in homelessness prevention and relief work outside of the statutory framework though statistics in relation to this were deemed not to “meet the standard to be national statistics”.³¹

On 17 December 2015, the Government announced a “radical package of measures” to tackle homelessness, that included a measure to maintain and protect homelessness prevention funding for local authorities through the provisional local government finance settlement totalling £315 million by 2019 to 2020; a measure to increase central government funding for homelessness programmes to £139 million over the Spending Review period; and to consider options, including legislation, to prevent more people from becoming homeless.³² The 2016 Budget also included the provision of £115 million intended to support the homeless and to reduce rough sleeping.³³

Responding to a parliamentary question on 9 June 2016 asking whether the Government planned to review legislation in light of a review undertaken by Crisis, Marcus Jones—Parliamentary Under Secretary of State with responsibility for government policy on homelessness—said the Government was “considering all options, including legislation”.³⁴

The parliamentary question related to an independent panel set up by Crisis and chaired by Professor Suzanne Fitzpatrick that reviewed existing legislation in England in light of changes brought in in Scotland and Wales. It proposed amendments to the Housing Act 1996 that would: place a stronger prevention duty on local authorities regardless of ‘priority need’ status, local connection or intentionality; extend the definition of ‘threatened with homelessness’ from 28 to 56 days to help tackle homelessness earlier; and place a new relief duty on local authorities requiring them to take reasonable steps to help to secure accommodation for all eligible homeless households who had a local connection.³⁵

Responding to a further parliamentary question asking what legislative options were being explored by DCLG on 18 July 2016, Mr Jones said they were still considering options “including legislation” and

whether changes implemented in Wales would work in an English housing market.³⁶ The House of Commons Library briefing, [Comparison of Homelessness Duties in England, Wales, Scotland and Northern Ireland](#) (23 November 2015) provides further details of duties across the UK.

Following its inquiry, the House of Commons Communities and Local Government Committee published its report on 18 August 2016 entitled *Homelessness*, in which it stated that the “scale of homelessness in this country is such that a renewed, cross-Departmental Government strategy is needed”.³⁷

¹ See part 7 of the Housing Act 1996, in particular sections 175–199.

² *ibid*, under section 189, priority need includes, for example, pregnant women, a person with dependent children, a person who is vulnerable, emergencies like floods or fire, 16–17 year olds and 18–20 year old care leavers.

³ Duties under sections 190(2)(a) and 193 of the Housing Act 1996.

⁴ Duties under section 195(2) and (5)(b) of the Housing Act 1996.

⁵ Department for Communities and Local Government, [‘Live Tables on Homelessness’](#), table 770, accessed 27 July 2016.

⁶ *ibid*, [table 773](#), accessed 27 July 2016.

⁷ *ibid*, [table 775](#), accessed 27 July 2016.

⁸ Shelter, [Home and Away: The Rise in Homeless Families Moved Away from their Local Area](#), May 2016, p 2.

⁹ Section 190, 192 and 195 of the Housing Act 1996.

¹⁰ Department for Communities and Local Government, [‘Live Tables on Homelessness’](#), table 770, accessed 25 July 2016.

¹¹ Crisis, [Turned Away: The Treatment of Single Homeless People by Local Authority Homelessness Services in England](#), October 2014, p iv.

¹² Crisis, [The Homeless Monitor: England 2016](#), January 2016, p 50.

¹³ Department for Communities and Local Government, [Rough Sleeping Statistics, Autumn 2015](#), 25 February 2016.

¹⁴ House of Commons Library, [Rough Sleeping \(England\)](#), 11 July 2016, p 28.

¹⁵ Crisis, [The Homeless Monitor: Great Britain 2016](#), April 2016, p 6.

¹⁶ Crisis, [The Homeless Monitor: England 2016](#), January 2016, pp 1, 73 and 76.

¹⁷ Department for Communities and Local Government, [‘Live Tables on Homelessness’](#), table 781, accessed 27 July 2016.

¹⁸ Cambridge Centre for Housing and Planning Research, [Estimating the Scale of Youth Homelessness in the UK](#), July 2015, p 3.

¹⁹ Centrepont, [Youth Homelessness Databank: Beyond Statutory Homelessness](#), September 2015, p 3.

²⁰ Beth Watts et al, [Youth Homelessness in the UK](#), Heriot Watt University, November 2015, pp 10–11.

²¹ *ibid*, pp 55–60.

²² Homeless Link, [Young and Homeless 2015](#), December 2015, p 19.

²³ Crisis, [The Homeless Monitor: England 2016](#), January 2016, p 2.

²⁴ House of Commons Library, [Statutory Homelessness in England](#), 5 July 2016, p 5.

²⁵ Chartered Institute of Housing, [UK Housing Review 2016 Briefing Paper](#), 30 June 2016, p 14.

²⁶ Crisis, [The Homeless Monitor: England 2016](#), January 2016, p 2.

²⁷ *ibid*, p 48.

²⁸ Beth Watts et al, [Youth Homelessness in the UK](#), Heriot Watt University, November 2015, p 64.

²⁹ St Mungo’s, [Battered, Broke, Bereft: Why People Still End Up Sleeping Rough](#), October 2011.

³⁰ [Section 1\(4\) Homelessness Act 2002](#) though some authorities exempt under [SI 2009/714](#).

³¹ House of Commons Library, [Rough Sleeping \(England\)](#), 11 July 2016, p 29.

³² Department for Communities and Local Government, [‘Radical Package of Measures Announced to Tackle Homelessness’](#), 17 December 2015, accessed 27 July 2016.

³³ HM Treasury, [Budget 2016](#), 16 March 2016, HC 901 of session 2015–16, pp 39 and 126.

³⁴ House of Commons, [‘Written Question: Homelessness’](#), 9 June 2016, 39487.

³⁵ Crisis, [The Homelessness Legislation: An Independent Review of the Legal Duties Owed Towards Homeless People](#), 25 April 2016.

³⁶ House of Commons, [‘Written Question: Homelessness’](#), 18 July 2016, 42543.

³⁷ House of Commons Communities and Local Government Committee, [Homelessness](#), 18 August 2016, HC 40 of session 2016–17, p 4.

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