

Homelessness

Introduction

Homelessness policy and strategy is largely devolved to the Welsh Assembly Government. Statutory duties to assist those who are homeless, or who are threatened with homelessness, are placed upon local authorities both by primary legislation from Westminster, and Welsh secondary legislation.

The principle legislation that can assist those at risk of homelessness, or experiencing homelessness are:

- Part 7 of the [Housing Act 1996](#), which places a statutory duty on local authorities to assist certain categories of homeless persons;
- The [Homeless Persons \(Priority Need\) \(Wales\) Order 2001](#) was introduced to add to the categories of those treated as in priority need for accommodation.
- The [Homelessness Act 2002](#) placed extra homelessness duties on local authorities, including reforms to the way they allocate housing;
- The [Homelessness \(Suitability of Accommodation\) \(Wales\) Order 2006](#) sets out the standards that must be met when providing temporary accommodation to homeless persons, such as their health and support needs.

Homelessness can be attributed to many social, medical and economic factors, including:

- The availability of affordable housing, including social housing;
- The tax and benefits system;
- Global, national and local economic conditions;
- Having been in care as a child;
- Leaving the armed forces;
- Mental health problems;
- Substance/alcohol misuse;
- Leaving prison;
- Relationship breakdown, including domestic abuse;
- Unfit housing;
- Emergencies such as fire or flood.

Homelessness statistics:

- During the first quarter of 2008 in Wales 1,694 households were accepted as being unintentionally homeless and in priority need;
- On 31 March 2008 2,880 households were in temporary accommodation provided by the local authority, 282 of whom were in bed and breakfast accommodation.

Homelessness funding:

- In addition to unhypothecated funding that local authorities can use to tackle homelessness, the Assembly Government makes funding available for specific projects to tackle homelessness through its Homelessness Grant. This funding is provided under Section 180 of the *Housing Act 1996*.ⁱ

Current and proposed legislative competence of the Assembly

Under the *Government of Wales Act 2006*, the National Assembly for Wales can seek legislative competence through Acts of Parliament or Legislative Competence Orders (LCOs) to make a piece of law in the form of an 'Assembly Measure'. Measures can only be made in a specific policy area (or 'Matter') added to one of the 20 'Fields' (or broad subject areas) which are contained in Schedule 5 of the Act.

As "Housing" is Field 11 of Schedule 5 to the Act, the National Assembly for Wales can seek Measure-making powers in this area. There are currently no Matters in this Field.

During the Third Assembly, one LCO in the field of housing has been proposed: the National Assembly for Wales (Legislative Competence) (No.5) Order 2008 (Affordable Housing). This LCO was proposed by the Welsh Assembly Government and, if approved, the Assembly Government has stated it will propose a Measure allowing the Right to Buy (in relation to local authority housing) and Right to Acquire (in relation to RSL properties) to be suspended for a set period of time in areas of housing pressure.

One Wales commits the Welsh Assembly Government to seeking new powers where necessary under the *Government of Wales Act 2006* to tackle homelessness and help implement the new Homelessness Plan that is being developed.ⁱⁱ

Key Welsh Government strategy documents and action plans:

The Assembly Government is currently developing a 10 year Homelessness Plan, with the aid of an external working group. Work began on this in December 2007, with the intention that the Plan will be ready for adoption by December 2008.

The current [National Homelessness Strategy](#) covers the period 2006-2008.

The Assembly Government issues a [Code of Guidance](#) to local authorities on the allocation of accommodation and homelessness. This 2003 guidance is due to be updated in light of the new Housing Strategy and Homelessness Plan that are being developed.

Useful links

- The Welsh Assembly Government homelessness web pages:
<http://new.wales.gov.uk/topics/housingandcommunity/housing/homelessness/?lang=en>
- Shelter Cymru is the leading housing rights organisation in Wales. It campaigns to eradicate homelessness, provides housing advice, including representation in court and conducts research in homelessness that can be viewed on its website: www.sheltercymru.org.uk.
- The Local Government Data Unit provides quarterly statistics on homelessness:
www.dataunitwales.gov.uk.
- A summary of the *Homelessness Suitability of Accommodation Wales Order 2006* is available on the Assembly Government website:
<http://new.wales.gov.uk/topics/housingandcommunity/housing/publications/suitabilityaccom?lang=en>

Further information

For further information on homelessness policy please contact Jonathan Baxter, Members' Research Service, (Jonathan.Baxter@wales.gsi.gov.uk), 029 2089 8993

ⁱ Welsh Assembly Government, [Homelessness Grant new project funding 2008 to 2011](#), 18 March 2008

ⁱⁱ Welsh Assembly Government, [One Wales](#), p18.