

June 2010

## Consultation Response



### GHA Allocation Policy

#### **About Scottish Refugee Council**

Scottish Refugee Council (SRC) provides help and advice to those who have fled human rights abuses or other persecution in their homeland and now seek refuge in Scotland. We are a membership organisation that works independently and in partnership with others to provide support to refugees from arrival to settlement and integration into Scottish society. We provide a range of specialist services including housing advice and community development. We campaign to ensure that the UK Government meets its international, legal and humanitarian obligations and to raise awareness of refugee issues. We are also an active member of the European Council on Refugees and Exiles (ECRE), a network of over 68 refugee-assisting organisations across Europe.

Scottish Refugee Council welcomes the opportunity to respond to this consultation. Our response is based on our experiences of providing services, including housing advice, to asylum seekers and refugees in Scotland. It is also based on recently published research (Navigating the Maze, available on our [website http://www.scottishrefugeecouncil.org.uk/pub/Housing\\_maze\\_pdf](http://www.scottishrefugeecouncil.org.uk/pub/Housing_maze_pdf)) we commissioned into refugees' experiences of accessing stable housing in Scotland.

The Refugee Housing Team at Scottish Refugee Council provides an advice, information and advocacy service to refugees who have been granted leave to

exercise their rights to access all forms of housing, including the social rented sector.

More recently, the Scottish Government has funded the post of a Housing Development Officer to join the Housing Team with the aim of increasing the awareness about housing rights and entitlements of refugees within the social housing sector, and ultimately increasing the access of refugees to better housing options in safe communities. There is potential for future joint working between Scottish Refugee Council and Glasgow Housing Association through this post.

#### **Questionnaire responses**

##### **1. What are your views on the aims of the Allocation Policy (to give preference to people in housing need, to prevent homelessness and to help people to sustain their tenancies)?**

Scottish Refugee Council welcomes the fact that Glasgow Housing Association is developing an allocation policy that will be more transparent, based on housing needs and will promote the prevention of homelessness. However, we would wish to see that housing needs are described more widely in the policy so housing needs of other vulnerable client groups, as listed in Scottish housing legislation, are taken into consideration in the allocation process.

In relation to priority detailed in Section 4, point 4.4 and Section 7, point 7.1, we would welcome that all statutory homeless applicants are given the highest priority

whether they are referred from Glasgow City Council or have self referred. Statutory homelessness should be sufficient to be awarded the highest priority. To empower their clients, the SRC Housing Team assists them to make waiting list applications for housing and to provide the necessary evidence to be awarded the highest priority. This has proved to be an efficient way to secure housing.

In relation to preventative measures, although we welcome that priority is given to people leaving the armed forces, leaving tied accommodation or going through a relationship breakdown, it is disappointing that priority is only given to these categories of applicant.

Scottish Refugee Council would recommend the addition of 2 other categories to be awarded priorities: refugees and victims of hate crime.

Refugees are likely to be most vulnerable to both homelessness and destitution at the point of receiving a positive decision on their asylum claim. Support and accommodation provided by the UK Border Agency is terminated after 28 days. At that point refugees have to access accommodation, usually requiring them to apply as homeless to their local authority, access mainstream benefits and access the labour market. Since 2007 and the inception of the UK Border Agency's New Asylum Model initial decisions on asylum claims have been made much faster, in some instances in less than 1 month of arrival in the UK. As a result, those who now receive a positive decision on their asylum claim will have had little time to learn about their new environment or develop support mechanisms in Scotland and have little understanding about their rights and housing options.

We would recommend that as soon as refugees are notified that they must leave their NASS accommodation within 28 days,

they should be accepted on the housing list with the highest priority. Aiming for prevention of homelessness, priority should be awarded before a homelessness assessment is completed and a decision is provided by Glasgow City Council.

Victims of hate crime should be given priority when applying for housing. When applicants experience hate crime in addition to other difficulties such as overcrowding, they should be awarded the highest priority as having multiple needs. According to the latest legislation changes, a hate crime is any criminal offence committed against a person or property that is motivated by an offender's hatred of someone because of their: race, colour, ethnic origin, nationality or national origins, religion, gender identity, sexual orientation, disability.

**2. What are your views on our proposal to give a priority to GHA tenants who want to move to a smaller property (under-occupation)? Do you think that we should help with removal costs in these cases?**

Our Housing Team assists many families in overcrowded situation who live in temporary accommodation and secured housing, we therefore welcome initiatives which aim to free up larger properties. In our research, mentioned above, nearly two thirds of the respondents stated that access to appropriately sized accommodation was a problem. This included a household in which four children (a mix of boys and girls) slept in one room. Two individuals stated that they were currently living in over-crowded accommodation because they had applied for accommodation before other family members had joined them in Scotland and had only been allocated accommodation on the basis of the previous size of their household.

Awarding a priority to tenants who are applying for smaller accommodation will help achieve this objective. However, a more proactive approach may be needed and incentives may have to be offered to support households moving to smaller accommodation. It can be expected that most households in under-occupied properties may

be elderly and may need practical and financial support to move.

### **3. What are your views on the proposal to give a priority to people who are leaving Armed Forces accommodation?**

SRC welcomes any policy and procedure which aims to prevent homelessness. However, SRC does not support people who are leaving Armed Forces accommodation and therefore is not able to elaborate on this question.

### **4. What are your views on the proposal to award a priority to people who need to leave tied housing?**

Same as above.

### **5. Are there any other housing needs which should be included in the policy?**

As mentioned in the answer to the first question, we would wish to see that refugees being given priority and victims of hate crime.

### **6. Do you think that the policy will have different impacts on different groups (such as older people, disabled, ethnic minorities and women)? What impacts should we consider?**

#### Impact on people needing information in a different format

The policy states in point 5.4. that applications are recorded when the application is received. This date is critical as time on the waiting list is taken into account when allocating a property to people with similar priority. People who need to request an application in another format or language may be disadvantaged by this practice if there is delay in providing a form in the suitable format. We would recommend that efficient procedures are put in place to guarantee that applicants who need an application form in a different format are provided with it in a timely fashion to

avoid any disadvantage.

In Appendix 3, on GHA Homechoice, it is stated that GHA will work to ensure that all communities have access to the Choice Based Letting system.

In line with this statement and following SRC Housing Team experience with the Homechoice pilot in the west of the city, we would recommend that the Homechoice website is translated to ensure that people for whom English is not their 1<sup>st</sup> language have an effective access to the waiting list and to the Homechoice letting process.

#### Impact on asylum seekers and refugees

In section 9 on Restriction, it is stated that *“Asylum seekers: We will accept housing applications from asylum seekers and other people subject to immigration control. However, we will suspend these applications until the household has received a positive decision on their leave to remain and can demonstrate how they will meet the tenancy obligations.”*

We assume that all potential tenants are required to commit to fulfilling their tenancy obligations when they take up a tenancy with GHA. We do not believe it is helpful to highlight this condition solely in respect of asylum seeker applications.

We believe that this risks communicating an inaccurate negative message about GHA's attitude towards asylum seekers and refugees, and may mislead the staff who will implement GHA's policy with negative consequences for applicants.

#### Impact on different social groups

We welcome the fact that tenants who are victims of racially motivated harassment may be considered for management transfer. However in order to reflect the latest change in legislation, we would recommend that any tenants victims of hate crime are also considered for management transfer, granting protection to a wider range of people (please see definition above).

### Potential negative impact on vulnerable tenants

According to Section 9, on breaching a tenancy agreement, a transfer will be suspended if an applicant's property is not in a clean and tidy condition (...), this section does not seem to fully take into account that the poor condition of the property may be the consequences of unmet support needs of the tenant. Although point 9.6 states that tenants who have a long-term or enduring illness, mental health condition or disability which prevent them from keeping their home clean and tidy will be referred to appropriate agencies for support, we would recommend that this list is not exhaustive in order to guarantee that other support needs are identified. We would recommend that when a property is not kept in a clean and tidy way, a support need assessment is completed to support tenants to sustain their tenancies.

### **7. Other comments on the policy – to be placed within other answers**

#### Vulnerable applicants

In Section 8 of the policy on Information and Supporting vulnerable groups, we would welcome that refugees are added to the list as they may require additional support.

In order to identify needs for future tenancy support, it may be useful to ask applicants at the application stage to mention if they are refugees.

#### Empowerment and choice promoted for all applicants

In Appendix 3 on GHA Homechoice, it is mentioned that homeless applicants referred by Glasgow City Council do not participate in GHA Homechoice but are offered accommodation through the managed allocation process. If so, GHA will seek to make a suitable offer within 6 weeks.

We would like to express concerns about this practice which is not empowering for the applicant and may cause disadvantage in accessing housing. We are satisfied that GHA

has put in place a managed allocation process to respond to Section 5 referrals from Glasgow City Council, however we do not welcome the fact that an applicant who is statutory homeless would be de facto stopped from bidding for properties of his/her choice. This goes against the whole ethos of Homechoice.

This practice is already in effect as part of the Homechoice pilot, and the Housing Team of the Scottish Refugee Council has already seen some of their clients unable to bid for a property meeting their needs because they were placed on the Managed Housing List. This makes them too dependent on the availability of their caseworker to make section 5 referrals on a regular basis. The caseworkers of our clients in those instances had not made Section 5 referrals to GHA and our clients have missed legitimate opportunities to secure housing.

### **For further information please contact:**

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