

# Protecting Homes and Preventing Eviction

The role of social housing  
in sustaining tenancies

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Scottish Federation of  
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**In partnership with:**



**Homeless  
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ASSOCIATION OF LOCAL AUTHORITY CHIEF HOUSING OFFICERS

Scottish Federation of Housing Associations

The Scottish Federation of Housing Associations (SFHA) is the membership body for, and collective voice of, housing associations and co-operatives in Scotland. SFHA exists to represent, support and connect its members. Its mission is to sustain and strengthen the impact its members have on people and communities.

Homeless Network Scotland

Homeless Network Scotland (HNS) is a membership body for organisations and individuals that want to end homelessness. Founded in 1980, HNS works across Scotland with different sectors, creating opportunities to connect, learn and act on homelessness.

Association of Local Authority Chief Housing Officers

Association of Local Authority Chief Housing Officers (ALACHO) is a representative body for local authority housing in Scotland. ALACHO works with chief housing officers from each council to debate and formulate opinion about key housing issues. ALACHO promotes the interests of, information sharing between and productive relationships with local authorities and other agencies.

Simon Community Scotland

Simon Community Scotland deliver services and initiatives that help people to resolve their homelessness. Founded in 1989, Simon Community Scotland work with people experiencing homelessness. Simon Community Scotland want everyone to have a safe place to live and access to the support they need. Simon Community Scotland provide a diverse range of housing and support to across central Scotland.

Crisis UK

Crisis is a national charity for homeless people, providing help to rebuild lives and campaigning for change. Founded in 1967, Crisis works throughout Great Britain with people experiencing homelessness. Crisis believe that in 21st century Britain, everybody should have a place to live. Crisis operate 11 Skylight centres offering advice and support, a housing resource centre for housing professionals, and carries out research and campaigning.

Neil Morland & Co

Neil Morland & Co (NM&Co) are housing consultants. Formed in 2011, NM&Co work across England, Scotland and Wales with national and local governments, housing associations, voluntary organisations and others. NM&Co believe there should be adequate housing for everyone. NM&Co improve the quality and potential of housing services and strategies.

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## Executive summary

Over one million people in Scotland live in social rented housing<sup>1</sup> provided by local authorities and housing associations. Like people living in other types of accommodation, social tenants vary hugely in their lifestyles, incomes, occupations and interests.

Because social housing is usually allocated on the basis of need, many tenants have previously been homeless or living in unsatisfactory housing conditions before they moved into their current home.

It is a clear priority for social landlords and tenants that this experience is not repeated, and that tenants' experiences of living in social housing are good ones.

The evidence suggests that this is true in the large majority of cases. The Scottish Housing Regulator reports that almost 9 out of 10 social housing tenants are satisfied with the homes and services their landlord provides.<sup>2</sup>

In 2020/21 fewer than 5 out of every 1,000 social housing tenants lost their homes due to abandonment or eviction.<sup>3</sup>

Social Housing is critical to achieving the Scottish Government's 'Housing to 2040'<sup>4</sup> vision, which sets a new ambition to deliver 110,000 affordable homes by 2031/32, with the explicit aim to contribute to tackling child poverty and the continuing work to end homelessness.

Scotland is recognised as having one of the strongest homelessness safety nets in the world. This is supported by a strong legal framework and a collaborative approach to policy and practice which includes the Scottish Government, local authorities, housing associations and voluntary sector agencies in a shared commitment to preventing and tackling homelessness.

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1 <https://www.gov.scot/publications/social-tenants-scotland-2017/pages/4/#:~:text=There%20were%20an%20estimated%201.14,1.49%20million%20people%20in%201999>

2 <https://www.housingregulator.gov.scot/landlord-performance/national-reports/national-reports-on-the-scottish-social-housing-charter/national-report-on-the-scottish-social-housing-charter-headline-findings-2020-21#section-3>

3 2,196 abandonments plus 120 evictions from c. 590,000 tenancies: <https://www.gov.scot/publications/social-tenants-scotland-2017/pages/4/>

4 <https://www.gov.scot/publications/housing-2040-2/>

## About this report

This report has been commissioned by SFHA, ALACHO, Homeless Network Scotland, Crisis and Simon Community Scotland with a view towards better understanding what works and what more needs to be done to support the sustainment of social housing tenancies. This includes preventing evictions and abandonments and also reducing homelessness arising from social housing tenancies more generally.

It comes in the context of two years of the Covid-19 pandemic. This has radically altered the way social landlords have been able to work and has dramatically reduced the number of both evictions and abandonments from social housing tenancies in Scotland. There is now a question, in the light of this experience, of where to go from here in the way that social housing is managed and tenancies are supported in the future. This is also in the context of the recommendations from the independent Prevention Review Group<sup>5</sup>, set up at the request of the Scottish Government to develop recommendations for legislation to prevent homelessness. The proposals include duties on social landlords to take active steps to prevent homelessness amongst tenants.

The report is based on a combination of statistical data, a review of existing tenancy sustainment research, and interviews with social landlords, service providers and people with experience of being social housing tenants.

This enabled us to draw out the key factors that contribute to tenancy breakdown. We also identified the key factors that help protect a tenancy when the household wants to continue to live there.

Social landlords are invited to reflect on their tenancy sustainment practice using our online toolkit [here](#).

Whilst the available data records numbers of abandonments and evictions and the number of social housing tenants who become homeless, our view is that success in tenancy sustainment work goes beyond these quite narrowly defined statistics.

Tenancy sustainment does not have a clear, agreed definition. For the purposes of this report we have approached the idea of tenancy sustainment as meaning not only the avoidance of eviction and abandonment, but also including the objective that tenants would live happily and successfully in their homes.

This can include making a planned move to another home where this is the wish of the tenant, and so the ability to move can be an important component of successful tenancy sustainment in some circumstances. In some cases, the lack of ability to move from one social housing tenancy to another is a problem, especially if tenants are suffering violence or harassment.

It is worth noting here that some frontline organisations we talked to were concerned that abandonment gets much less focus than it deserves compared to evictions and that the focus of tenancy sustainment in social tenancies should be on tenancies ending in homelessness rather than just evictions.

5 <https://www.crisis.org.uk/media/244558/preventing-homelessness-in-scotland.pdf>

## Key learning points from the research

Statistically, both evictions and abandonments are lower as a proportion of all tenancies for RSLs than for local authorities, and have been over several years, although there are significant variations between landlords in both sectors.

Evictions from social housing in Scotland were already low before Covid, reflecting social landlords desire to house people and keep them on their homes.

Both evictions and abandonments fell significantly in 2020/21 compared to 2019/20 as a result of the Covid-19 pandemic and the measures put in place as a result of the pandemic, in particular the restrictions on possession proceedings. Although there are some signs of a rise in court proceedings in 2021/22, this has yet to translate into anything like the number of evictions seen in 2019/20 and previous years. Data on abandonments in 2021/22 is not yet available from the social housing regulator.

RSL evictions fell from 764 in 2019/20 to 86 in 2020/21, with abandonments falling from 1,557 to 1,040 over the same period.

Local authority evictions fell from 1,102 in 2019/20 to 34 in 2020/21, with abandonments falling from 1,823 to 1,156.

	2019-20	2020-21	+/-
<b>EVICCTIONS</b>			
Registered Social Landlord	764	86	-89%
Local Authority	1,102	34	-97%
TOTAL	1,866	120	-94%
<b>ABANDONMENTS</b>			
Registered Social Landlord	1,557	1,040	-33%
Local Authority	1,823	1,156	-37%
TOTAL	3,380	2,196	-35%

Despite the virtual moratorium on evictions on 2020/21, rent arrears rose by only a relatively small amount for local authorities from 7.3% of rent due over the year in March 2020 to 8.2% in March 2021 and actually fell for RSLs from 4.4% of rent due to 4.3% of rent due over the same period.

More recent data shows a further rise in arrears for local authorities to 8.9% in December 2021, with RSL arrears returning to 4.4% in December 2021.

The relatively low average rise in arrears for local authorities and the steady average arrears levels for RSLs may partly be due to increased use of DHP and grant funding to mitigate arrears incurred during the pandemic. Nevertheless, it appears to show that the relationship between the risk of eviction and the ability to collect rent may not be as clear cut as might have been assumed, especially if the increased efforts of many landlords to work to support tenants in financial difficulty during the pandemic continue.

It is also interesting to note that amongst new tenants (as opposed to transfers) one year tenancy sustainment rates are, and have been, virtually identical for tenants accommodated because they were previously homeless compared to housing list applicants.

Despite the reduction in eviction and abandonments from social housing tenancies in 2020/21, homelessness statistics from the Scottish Government indicate that the number of social housing tenants approaching local authorities as homeless remained at around the same levels, with a slight fall in homelessness applications from 3,530 to 3,365 for local authority tenants and a slight rise from 1,875 to 2,005 from RSL tenants. Neither of these figures include homelessness from emerging households growing up in social housing and being asked to leave.

Interestingly, for both local authorities and RSLs, a significant reduction in loss of tenancy due to rent arrears or other landlord action was balanced by increases in homelessness due to non-violent relationship breakdown, fleeing from non-domestic violence or harassment, and homelessness due to domestic violence or other abuse.

Even prior to the pandemic, more than twice as much homelessness was as a result of violence and harassment, than as a result of eviction or other landlord action. In 2020/21 that ratio rose much higher, as a result of much lower evictions but an increase in homelessness for other reasons.

The research on tenancy sustainment in Scotland, England and internationally is not clear enough to quantify the impact of different tenancy sustainment interventions in a robust way. Nevertheless, there is a relatively clear consensus on what is important in sustaining tenancies within the research, and this was also backed up by the views and responses of landlords, tenants and other agencies we talked to in our research.

## Summary of key factors for tenancy sustainment

Although expressed somewhat differently in different studies and by those engaged with in discussion, we have summarised the key factors for tenancy sustainment in a Scottish context in 20 points, which also provide the basis for the core elements of a self-assessment framework. These are:

### Referrals and allocations

1. Proper identification of support needs prior to referral to a new tenancy.
2. Appropriate information sharing between local authorities and RSLs and between local authority homelessness and landlord functions.
3. Sensitive allocation of properties to maximise the chances of tenants settling into their new home and sustaining their tenancy, including giving applicants a degree of choice about where they are housed.

### Welcoming new tenants

4. The importance of taking the time to establish positive relationships from the outset when a tenant moves into their new home.
5. Not assuming that new tenants have all the knowledge they need about benefit entitlement, utilities, budgeting and the other issues and responsibilities involved in managing a tenancy, especially those moving after a traumatic situation such as domestic abuse or homelessness, or those who have never managed a tenancy before.
6. Where a need is identified, tenants should be assisted to furnish and equip their properties quickly after moving in. A welcome pack of local information, kitchen essentials and other basics can be a simple and immediate way to help.
7. Practices such as requiring rent in advance to tenants who cannot afford to pay it or causing tenants to have to pay rent on two properties at the same time should be avoided.

### Understanding and advancing equality

8. Taking account of protected characteristics and disadvantages people experience as a result of who they are or where they live their life is paramount – and equalities training for staff is key. Tenant profiling exercises can be a useful way of understanding what services are needed by whom.
9. The importance of communicating appropriately with tenants who have different communication and language preferences and literacy levels. People with visual impairments may struggle to communicate online whilst some tenants may be unused to communicating by telephone. Some tenants may have difficulties with complex written material, including tenancy sign up packs. It is important to go beyond the use of standard letters to communicate with tenants, as these may not always be read or understood. Home visits may be needed to follow up written communications.



Identifying risks and intervening early

- 10. Using data and risk identifying information to intervene early. It is better to pick up issues ranging from rent arrears to domestic abuse as early as possible and approach tenants sensitively.
- 11. Use should be made of services like caretaking, maintenance or informal visits to spot warning signs of issues like hoarding or domestic abuse.
- 12. Staff may need specialist training to be able to respond sensitively and appropriately to issues like domestic abuse.

Collaborating with partners

- 13. Some tenants may be reluctant to share information with their landlord, especially if they are in debt. In some cases, this may be best resolved by support being provided by an external organisation. Other organisations have had success by developing distinct functions within one organisation to provide support and collect rent. Where possible, tenants should be given some choice about where they get support.
- 14. Multi-disciplinary and multi-agency approaches can work well, especially when tenants may be facing a range of issues.

Tackling anti-social behaviour

- 15. Effective handling of anti-social behaviour is essential to maintaining settled communities and helping people to feel safe in their homes, as well as to avoid abandonments due to fleeing violence and harassment. This can include flexible use of transfers and identifying the cause of anti-social behaviour (for example, support needs or lack of furniture and carpeting causing noise nuisance).

Building positive tenant and community connections

- 16. It may take multiple attempts or reaching a trigger point before some tenants will engage. In general, early intervention is preferable, but prevention should be attempted at every point of a homelessness crisis.
- 17. Connection into local communities and services can make a big difference to the success of a tenancy. It is also important that existing links to support services are not lost as a result of moving to a new area. Community and peer support can be effective ways to support engagement.

Supporting tenants with arrears and debt

- 18. Provision of specialist debt advice can be extremely valuable. Early advice on budgeting and income maximisation may be preferable to waiting until tenants are in rent arrears before helping.
- 19. Payment plans to clear rent arrears should be realistic if tenants are to keep to them.
- 20. A very low level of possession proceedings are defended, so encourage tenants to act early. In addition to reflecting a lack of accessible legal support and court duty services to support tenants in possession cases, this may also be linked with a proportion of tenants abandoning properties rather than attending court.

There was much evidence of good practice, innovation and dedication to tenancy sustainment amongst the housing associations and local authorities we spoke to for the research.

However, discussions with tenants and with organisations working at the frontline of supporting tenants in difficulty indicate that this good practice is not always adopted by all social landlords.

The keys to effective tenancy sustainment, according to almost everyone we spoke to, are the establishment of strong relationships with tenants as early as possible, providing the support and advice needed by each individual when they need it, and not setting people up to fail by starting tenancies in debt or without the ability to secure the furniture and equipment they need to make a home.

There is much to learn from and share between social landlords in Scotland about exactly how to do this well. Although not explicitly covered here, some of this learning is also relevant to tenancy sustainment in the private rented sector.

# Wider recommendations

It was clear from discussions with local authorities, RSLs, voluntary sector organisations and tenants that it would be helpful in improving tenancy sustainment in Scotland if the following issues were addressed:

- The way the Scottish Welfare Fund is administered in many local authority areas was perceived to be too slow and bureaucratic to be effective in helping new tenants to establish themselves quickly in a new tenancy. As a result, some local authorities have resorted to setting up quick access funds to support tenants in equipping their homes, which avoids having to use the Scottish Welfare Fund.
- The effectiveness of Section 11<sup>6</sup> referrals varies across Scotland, with some local authorities being much more proactive than others in their response and in the way they use S11 as a trigger for homelessness prevention work.
- The Sustainable Housing on Release for Everyone (SHORE) standards<sup>7</sup>, are intended to ensure that everyone should have suitable accommodation to go to on release from custody. However, these were reported as being applied inconsistently and sometimes ineffectively, with too many tenants losing their homes unnecessarily when imprisoned for short periods or on remand.
- Barriers to information sharing can make it difficult for support providers to work effectively to sustain tenancies. More clarity around what is permitted would be helpful.
- Difficulties in accessing mental health services can be a limiting factor in tenancy sustainment, with some landlords setting up their own counselling services for tenants in response.
- There are inconsistencies in the approach of different RSLs and local authorities to payment of rent in advance of a tenancy starting. A requirement to pay rent in advance can create financial difficulties for tenants. Some local authorities allow Discretionary Housing Payments (DHP) to be used to mitigate the impact of this on tenants, but this reduces the amount of DHP available for other purposes, including to support private tenants or to prevent homelessness.

- The loss of ability to pay rent on two homes which has occurred through the transition from Housing Benefit to Universal Credit was also reported to have caused difficulties, as tenants required to give notice on their old home may either have to find money to pay rent on two homes, move before they have had a chance to furnish the new property, or fall into rent arrears on one of the two properties.
- A number of tenants and organisations commented on the lack of mobility within social housing in situations which make tenancies hard to sustain and may lead to abandonment and/or homelessness, such as in cases of harassment, domestic abuse or overcrowding.
- Some respondents felt that greater clarity on who should fund tenancy sustainment work would be helpful. Some, but not all, social landlords provide their own tenancy sustainment services, with evidence varying on the ability to access effective services funded by local and national government.

6 Section 11 of the Homelessness etc. (Scotland) Act 2003 places an obligation on landlords and creditors to inform the relevant local authority where they plan to evict a tenant by raising proceedings for possession or serve certain notices relating to the standard security.

7 <https://www.sps.gov.uk/Corporate/Publications/Publication-5363.aspx>

# Introduction

**This report has been commissioned by the Scottish Federation of Housing Associations (SFHA), in partnership with Homeless Network Scotland, Crisis, Simon Community Scotland and the Association of Local Authority Chief Housing Officers (ALACHO).**

The intention of the report is to gather evidence around the nature and scale of tenancy sustainment practice in housing association and local authority housing in Scotland, and to create a practical resource to assist social housing providers to protect homes, prevent eviction, maximise tenancy sustainment, and prevent homelessness in Scotland.

An online self-reflection framework has been created to support housing associations, local authorities and their partners to review and where relevant make improvements to their own practice, based on the good work that already exists in Scotland in this important area.

The research to produce this report has been conducted through a combination of analysis of existing literature on tenancy sustainment, statistical evidence from the Scottish Housing Regulator (SHR), the Scottish Government and elsewhere, and interviews with experts in the field from a number of housing associations, local authorities, voluntary sector providers and campaigning organisations, and the Scottish Government.

We are particularly grateful to TPAS Scotland and All in For Change for enabling consultation with tenants and former tenants of social housing which has been an essential pillar of the research.

The work has been carried out following the profound shock to the whole housing system delivered by the Covid -19 pandemic, the longer-term effects of which on housing management practice, tenancy sustainment and homelessness are still uncertain, but from which important learning and practice change has emerged and is still developing.

There are real opportunities for this experience to lead to better tenancy sustainment practice in the future.

# Methodology

**A highly structured approach was used to carry out this project, using reliable evidence to inform the advice and good practice promoted about preventing evictions and sustaining tenancies. Our work has been informed by referencing academic research, good practice promoted by sector membership organisations, and guidance published by national governments and other public bodies. We have also had full regard to all relevant statute.**

We recognise that whilst the project has an ultimate focus on preventing evictions and sustaining tenancies, effective practice should have much wider aims including prevention of anti-social behaviour, maximising tenant income, ensuring tenants are living in sustainable circumstances and obtaining the help they need, avoiding loss of rental income, developing effective partnerships and other areas with relevance to preventing homelessness and will be looking for practice in these and other relevant areas.

We carried out a mixture of primary and secondary research, involving:

- One-to-one interviews with organisations that currently work with people at risk of eviction from social rented housing, such as Crisis, Shelter Scotland and Citizens Advice Scotland, to understand the strengths and weaknesses of current practice and policies.
- Guided focus groups with housing associations from all regions of Scotland
- Guided focus groups with current and former tenants of social housing
- Analysis of existing literature on causes of social housing evictions and potential solutions.
- A call for practice inviting housing associations to inform us of successful approaches they have already adopted, which can then be followed up in more detail.
- Review of existing information available to social housing tenants at risk of eviction.
- Case studies of existing good practice in use to prevent evictions and abandonments, and support improved rent collection.
- Analysis of statistics held by the Scottish Government or other authoritative sources, to identify trends relating to which housing association might be more likely to evict their tenants, localities where eviction rates might be higher, any relevant demographic features or support needs, the main reasons for evictions and other trends that might inform how policy and practice might need to be improved.



# What the data tells us about loss of tenancies in Scotland

The main two sources of published data on tenancy sustainment in social housing tenancies are the Scottish Housing Regulator (SHR) and the homelessness statistics published by the Scottish Government.

SHR data<sup>8</sup> on evictions and abandonments reported between 2014/15 and 2020/21 from RSLs is shown in Figure 1., with the same data for local authority (LA) tenancies shown at Figure 2.

There are roughly equal numbers of local authority and RSL dwellings in Scotland, with around 310,000 lettable self-contained RSL properties and 290,000 LA properties recorded in the 2020/21 SHR data.

## 1.1 Abandonments and eviction trends

It is clear that for both RSLs and local authorities, more tenants abandon their properties than are evicted each year, but with this becoming much more marked in 2020/21 as the number of evictions reduced to almost zero for both types of landlords as a result of the Covid pandemic.

Abandonments also reduced in 2020/21 for both local authorities and RSLs. It is not clear from the data why this is the case. One possible contributory factor could be that a proportion of abandonments are by tenants who are the subject of court action but decide to leave before the conclusion of the case. There were many fewer court actions initiated in 2020/21, and so this type of abandonment may have reduced as a consequence. It is also possible that tenants were more reluctant to abandon because of the Covid-19 pandemic. However, there is no hard data to back up either hypothesis.

"We had to learn welfare rights the hard way!" – tenant

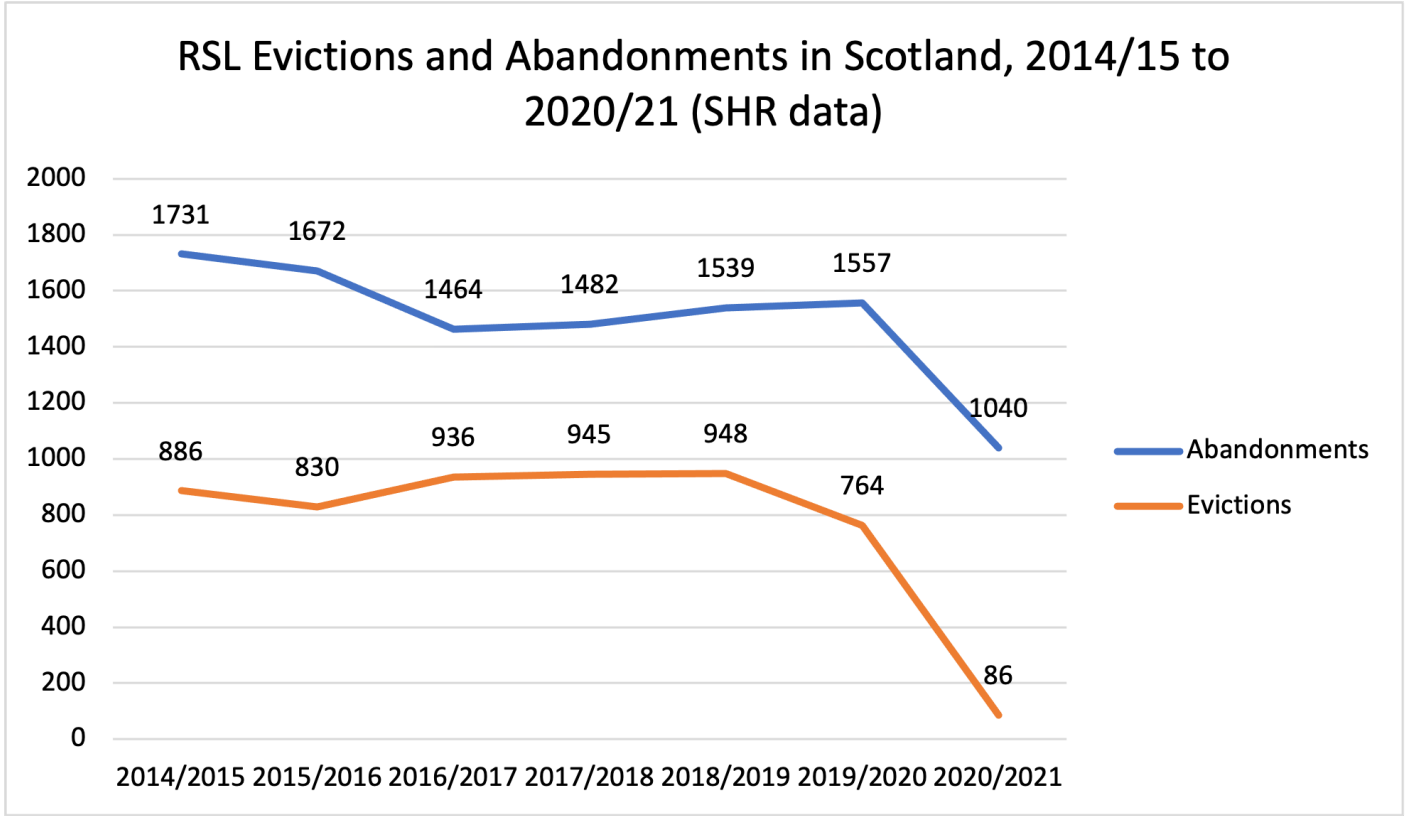
"It's not about stopping eviction, it's about starting belonging!" – tenant

Overall, 27% more tenants abandoned a local authority property between 2014/15 and 2020/21 than abandoned an RSL property<sup>9</sup>, with 38% more evictions of LA tenants than RSL tenant over the same period.<sup>10</sup>

This, however, disguises wide variations between individual landlords of both types.

Of those evicted by social landlords over the whole period, RSLs reasons for recovering properties were non-payment of rent in 88% of eviction cases, for anti-social behaviour in 9% of cases and for other reasons in 2% of cases. This compares with LA evictions for non-payment of rent in 96% of cases, 3% for anti-social behaviour and 1% for other reasons. This appears, as a general trend to indicate a significant difference between RSLs and LAs in willingness to evict for anti-social behaviour.

Figure 1

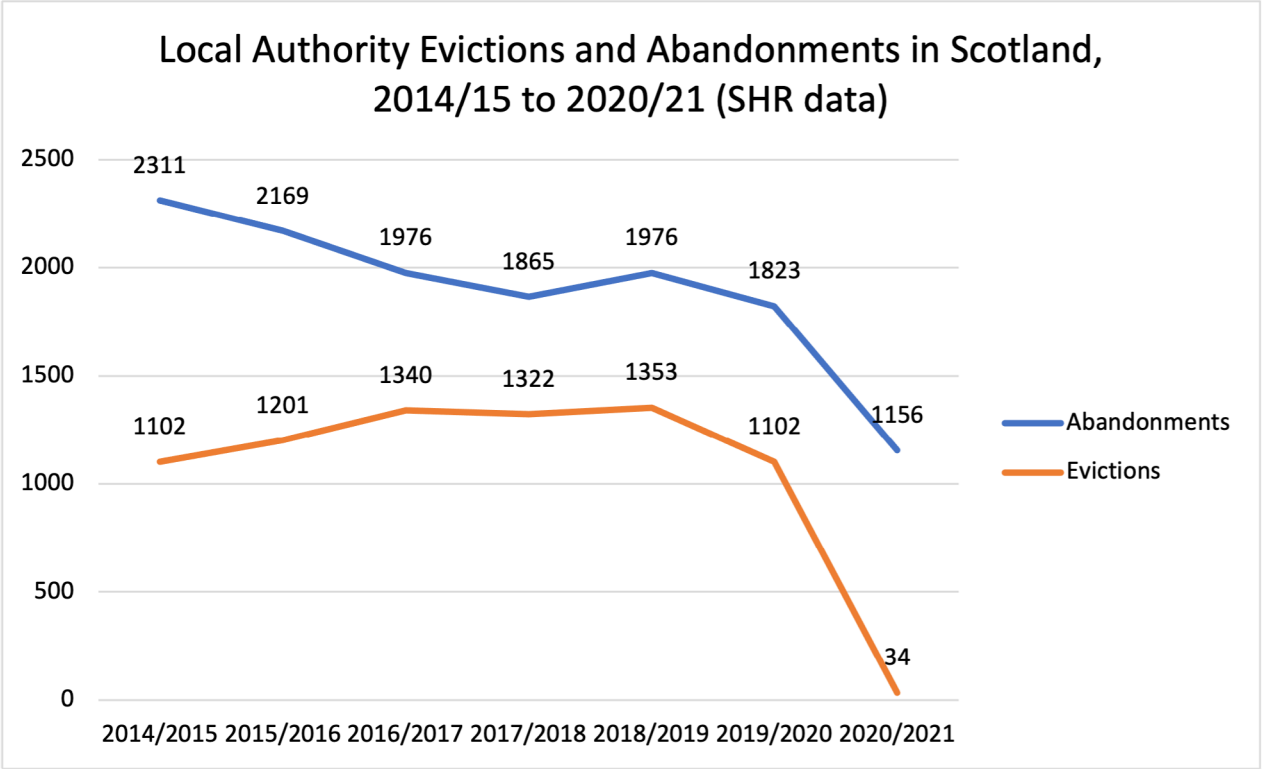


8 <https://www.housingregulator.gov.scot/landlord-performance/statistical-information> Charter data

9 13,276 LA abandonments vs 10,485 RSL abandonments over the whole period

10 7,454 LA evictions vs 5,395 RSL evictions over the whole period

Figure 2



1.2 Impact of Covid-19 on evictions and rent arrears

During Covid the most marked reduction in evictions was for rent arrears, with this dropping from 697 in 2019/20 to 56 in 2020/21 for RSLs and from 1062 in 2019/20 to 24 in 2020/21 for LAs.

Interestingly the impact of this virtual moratorium on evictions for rent arrears in 2020/21, which was also associated with a radical drop in initiation of court proceedings, does not seem to have had as large an impact on rent arrears as might have been expected. Figure 3. shows that whilst gross rent arrears as a proportion of rent due did rise for LAs from 7.3% at the end of 2019/20 to 8.2% at the end of 2020/21, in what appears to have been an acceleration of an existing upward trend, the rent arrears figure for RSLs actually fell slightly during 2020/21 from 4.4% to 4.3%.

More recent SHR data<sup>11</sup> show a further rise in arrears for local authorities to 8.9% in December 2021, with RSL arrears returning to 4.4% in December 2021.

11 <https://www.housingregulator.gov.scot/landlord-performance/national-reports/covid-19-dashboards/covid-19-quarterly-dashboard-report-2021-22-quarter-3>

Court proceedings and evictions have also begun to rise. However both court actions and evictions remain much reduced from the levels of 2019/20. LA evictions for rent arrears for the nine months between April 2021 and December 2021, at 16, were at similar levels to 2020/21. This compares to 121 evictions for rent arrears over the same period for RSLs, which is higher than 2020/21 but still less than a quarter (pro rata) of the 697 for the whole of 2019/20.

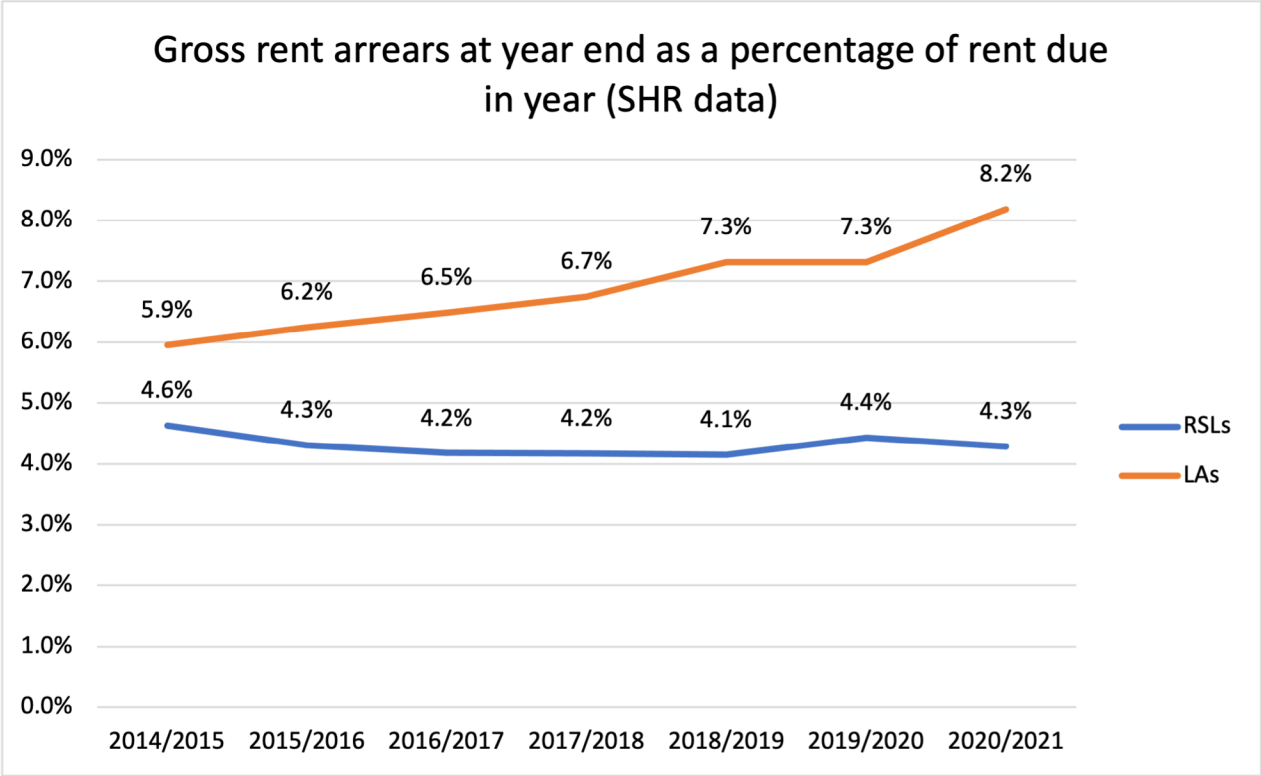
The relatively stable level of arrears, especially for RSLs, may in part be due to more intensive engagement by landlords to support tenants in difficulties, which can be resource intensive, and some use of Discretionary Housing Payments (DHP) and charitable grants available to support people who lost income due to the pandemic. The temporary £20 pw increase in Universal Credit may also have been a factor, and the withdrawal of this increase may lead to arrears rising.

Nevertheless, it does seem that the evidence from the pandemic period suggests a radical reduction in evictions and the initiation of court proceedings may not necessarily need to lead to a loss of income, especially when the cost of court proceedings and evictions are taken into account.

This is not to say, of course, that the removal of the risk of eviction has no impact on the willingness of some tenants to pay rent, and it is also hard to draw firm conclusions from what happened in 2020/21, as it was such an unusual year.

It is also interesting that whilst RSL arrears have remained static at around 4.4%, LA arrears rose from 7.3% in March 2020 to 8.9% in December 2021. The reasons for this divergence between LAs and RSLs are not clear but seem to be a continuation of an existing trend, as shown in Figure 3.

Figure 3



1.3 The costs of eviction

A recent report by Shelter Scotland into the costs of evictions<sup>12</sup> suggests that the average cost to the public purse of an eviction could be as high as £24,000 per case. Costs of evictions include court costs, bailiff costs, void works, lost rental income whilst properties are empty and written off former tenant arrears, as well as the costs of the temporary accommodation required if a household becomes homeless. Social landlords interviewed for this research consistently identified the high costs of evictions as being an important reason to reduce them.

The Shelter report does not quantify the wider social costs of eviction, but these can be profound. As the report says, the negative impact that eviction has on tenants, and particularly children, is well documented. Going through the eviction process is highly stressful and can be damaging to both mental and physical health. The upheaval of being evicted and potentially having to move away from friends and family and changing schools also adds an extra layer of emotional distress. Housing upheaval can have a lasting impact on children in particular: children who are homeless are three to four times more likely to have mental health problems than other children, even one year after being rehoused (Shelter Scotland, 2009).

Having said this, few if any of the people we spoke to said they felt that the possibility of eviction as a last resort should be completely withdrawn. The implications of continued anti-social behaviour, including criminality and domestic abuse, can be very serious and directly detrimental to the wellbeing of other tenants. Refusal to pay rent by tenants who can afford to pay affects other tenants indirectly and is unfair.

The assessment of the cost of evictions, to the social landlord and to tenants strengthens the case for investment in tenancy sustainment and support.

In summary, the SHR data shows a very significant drop in both abandonments and evictions from April 2020 to March 2021, with the fall in evictions being sustained up to September 2021<sup>13</sup>. This has not led to a significant rise in rent arrears so far, although this may be in part due to additional funds which have been made available in various forms to assist people who have lost income due to Covid-19.

Looking at the published homelessness statistics<sup>14</sup>, however, the situation around tenancy sustainment appears to be more complex.

12 [https://scotland.shelter.org.uk/media/press\\_releases/evicting\\_tenants\\_from\\_social\\_housing\\_cost\\_at\\_least\\_28\\_million\\_](https://scotland.shelter.org.uk/media/press_releases/evicting_tenants_from_social_housing_cost_at_least_28_million_)  
13 Data on abandonments since the end of March 2021 is not yet available.  
14 <https://www.gov.scot/collections/homelessness-statistics/>

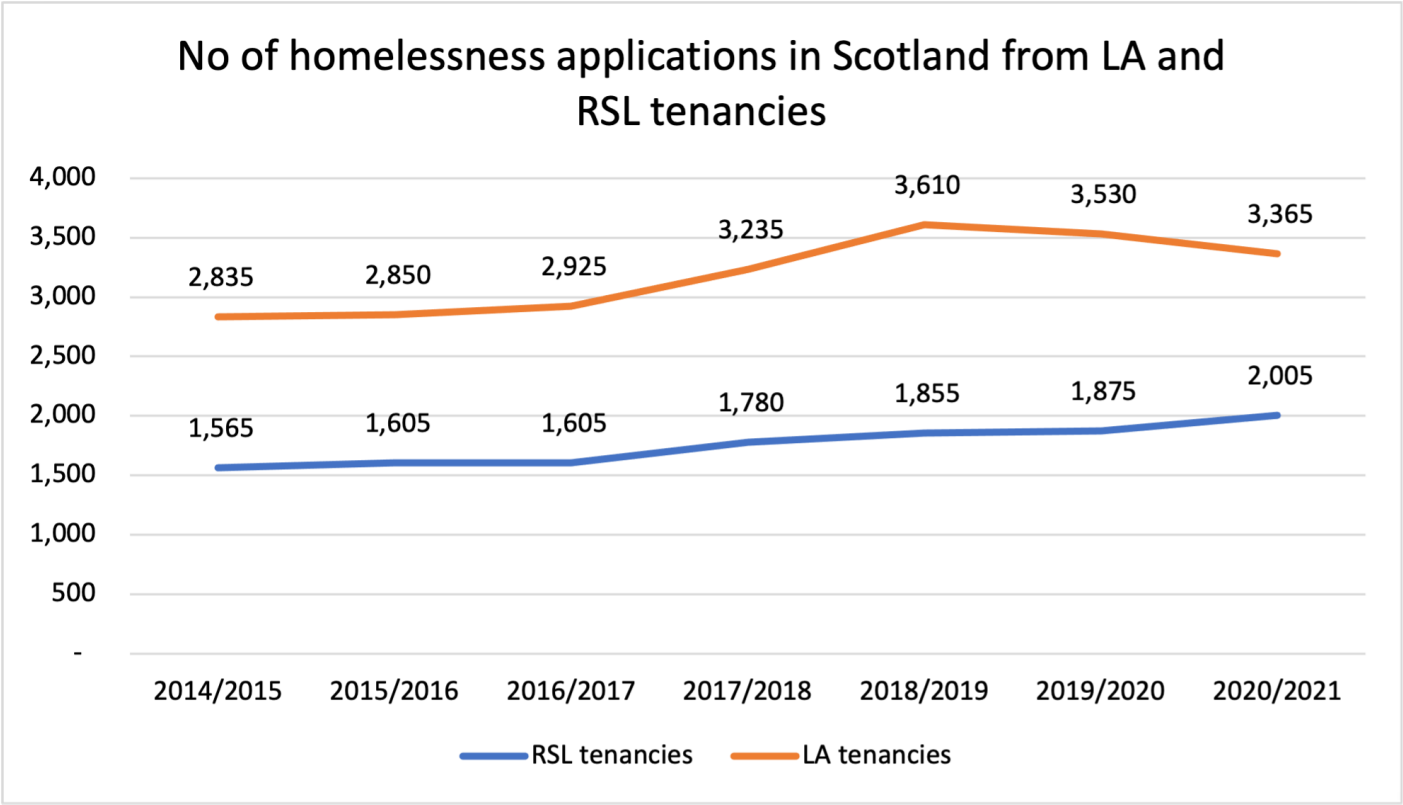
1.4 Homelessness from social housing tenancies

According to the homelessness data, 2,600 households were assessed as homeless in 2020/21, who became homeless from a local authority tenancy. 1,490 households were assessed as homeless coming from an RSL tenancy.

In fact, 9% of all homelessness recorded in the Scottish homelessness statistics in 2020/21 was for households coming from LA tenancies and 5% from RSL tenancies. These proportions have been about the same since 2017/18 and compare favourably with around 12% of all dwellings being local authority accommodation and 11% being housing association dwellings<sup>15</sup>. However, the homelessness figures for LA and RSL tenants are not intended to include ‘emerging’ households growing up in social housing and then becoming homeless, as these are not social housing tenants and would be recorded in the statistics as living in their parental/family home or with relatives.

Figure 4. shows that, unlike the trend in evictions and abandonments from the SHR data, homelessness applications from LA and RSL tenancies did not fall dramatically in 2020/21, and homelessness applications from RSL tenancies actually rose.

Figure 4



15 <https://www.gov.scot/publications/housing-statistics-stock-by-tenure/>

The overall trend from Figure 4. includes falls in some causes of homelessness, including evictions, but rises in others.

The breakdown of the main reasons for making a homelessness application of those who approached local authorities for homelessness assistance between 2014/15 and 2020/21, who were RSL tenants is shown in Figure 5., with Figure 6. showing the same data for local authority tenants.

Figure 5

	Reason for making homelessness application—from RSL						
	2014/2015	2015/2016	2016/2017	2017/2018	2018/2019	2019/2020	2020/2021
All	1,565	1,605	1,605	1,780	1,855	1,875	2,005
Termination of tenancy to rent arrears: RSL tenancy	230	255	225	290	260	215	60
Other action by landlord resulting in the termination of the tenancy	145	155	145	140	155	135	90
Applicant terminated secure accommodation	80	75	75	90	85	85	75
Emergency (fire, flood, storm, closing order from Environmental health etc.)	20	35	20	20	20	10	20
Other reason loss of accommodation	45	55	70	75	40	45	60
Dispute within household: violent or abusive	340	330	345	335	390	430	445
Dispute within household / relationship breakdown: non-violent	230	260	250	280	280	270	355
Fleeing non-domestic violence	210	210	165	190	215	230	340
Harassment	115	100	110	120	120	130	165
Overcrowding	5	5	10	5	5	10	10
Asked to leave	50	65	75	90	96	100	90
Other reason for leaving accommodation / household	95	90	115	145	190	215	295

Of the 2,005 RSL tenants approaching local authorities in 2020/21 only 60 (3%) reported the main reason for homelessness as eviction due to rent arrears with only another 90 (4%) reporting other action by the landlord. Far more common reported reasons for homelessness were domestic disputes involving violence or abuse (18%) or non-violent relationship breakdown (17%) or fleeing non-domestic violence (17%) or harassment (8%).

"Putting someone in a house is the start not the end. You have to provide the support to help people sustain it." – tenant

As a result, despite evictions and abandonments reducing, the overall level of homelessness from RSL tenancies remained about the same in 2020/21 as 2019/20, with significant increases in non-violent relationship breakdown and fleeing from non-domestic violence in 2020/21 compared to the previous year.

For homelessness from local authority tenancies, a similar picture emerges, with termination of tenancy for rent arrears or other reasons only accounting for 6% of the 3,365 homelessness approaches in 2020/21 whilst domestic violence or abuse accounted for 26%, with 17% for non-violent relationship breakdown, 19% fleeing non-domestic violence and 9% from harassment.

Figure 6

	Reason for making homelessness application—from LA Tenancy						
	2014/2015	2015/2016	2016/2017	2017/2018	2018/2019	2019/2020	2020/2021
All	2,835	2,850	2,925	3,235	3,610	3,530	3,365
Termination of tenancy to rent arrears: RSL tenancy	285	380	365	430	430	355	60
Other action by landlord resulting in the termination of the tenancy	195	190	220	205	220	245	135
Applicant terminated secure accommodation	190	160	175	175	160	170	136
Emergency (fire, flood, storm, closing order from Environmental health etc.)	50	50	45	45	55	55	55
Other reason loss of accommodation	95	90	110	90	100	115	100
Dispute within household: violent or abusive	635	620	620	660	715	805	890
Dispute within household / relationship breakdown: non-violent	355	380	415	485	505	470	560
Fleeing non-domestic violence	365	340	345	435	570	560	650
Harassment	285	240	230	245	340	295	290
Overcrowding	10	15	10	15	5	10	10
Asked to leave	155	145	145	170	155	195	185
Other reason for leaving accommodation / household	215	240	245	280	355	275	295

It is unclear how many of these non-eviction cases would have been recorded as an abandonment in the SHR statistics, with the likelihood being that whilst there will be some overlap, many of these cases will not be recorded as abandonments and many people who abandon tenancies will not be recorded by local authorities as becoming homeless from a social housing tenancy.

This creates an interesting question for landlords. If, typically, more than twice as many households become homeless from a social housing tenancy as a result of fleeing violence or harassment than as a result of eviction or other landlord action (with this being a much higher ratio in 2020/21), this may require a greater emphasis on these areas as part of tenancy sustainment work.

"Abandonment is the backdoor of housing loss – nobody seems to be interested in it." – voluntary sector support provider

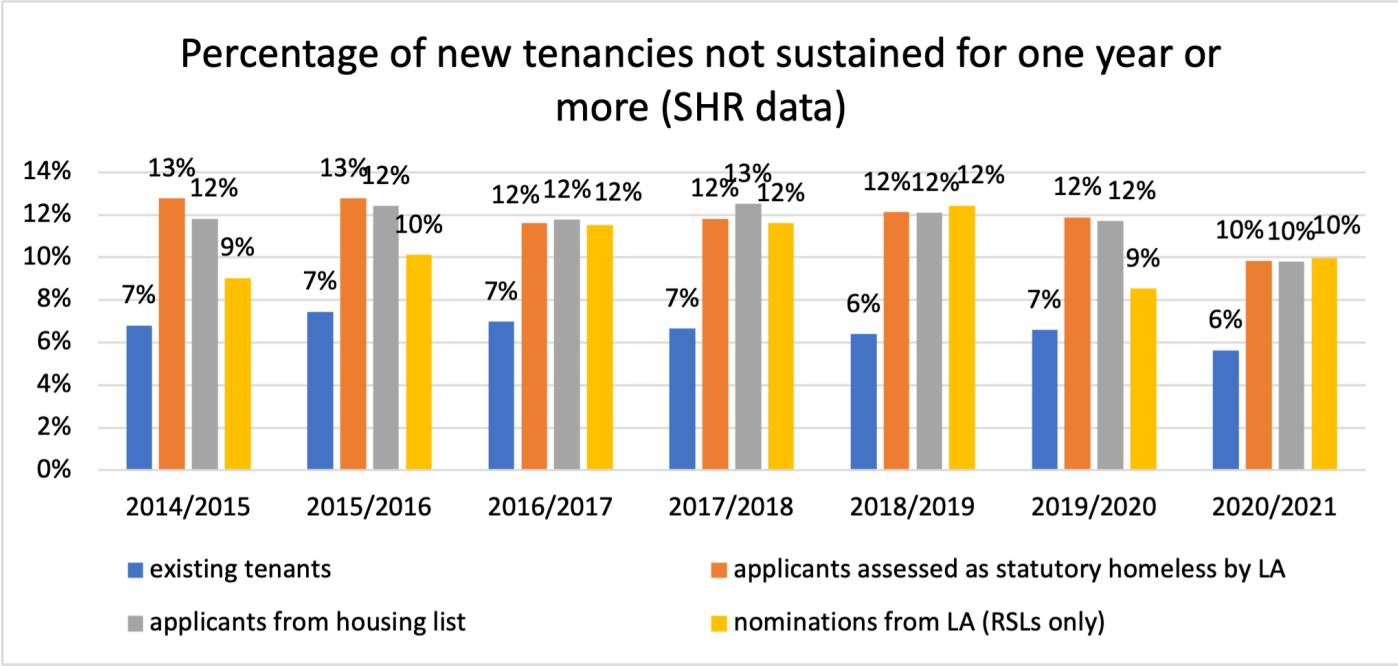


1.5 One-year tenancy sustainment data

Another interesting statistic from the SHR data concerns the proportion of new tenancies which are sustained for a year or more<sup>16</sup>. As shown in Figure 7., only 6% or 7% of existing tenants who move to another property do not sustain their new tenancy for at least a year. For new tenants (i.e. excluding transfers of existing tenants), this proportion rises to between 9% and 13%, but the proportions are almost exactly the same for new tenants who come from the housing list as for those who have been assessed as statutorily homeless or referred to an RSL from a local authority. As with evictions and abandonments, there are significant variations between individual landlords around these averages.

This appears to suggest that, while experience of having sustained a tenancy previously makes it more likely that a new tenancy will be sustained, whether a new tenant has been assessed as homeless or not is, by itself, a poor predictor of future success or failure in sustaining a tenancy.

Figure 7



16 Some people we spoke to highlighted that using 1 year tenancy sustainment as a performance indicator can be problematic, both because some people leave tenancies within a year for positive reasons and because tenancies can be in significant difficulties but nevertheless not end in the first year.

Section 2

Evidence from research on tenancy sustainment

Whilst there is relatively little hard evidence which quantifies the impacts of different tenancy sustainment practices, there is a significant degree of consensus in the research about what works.

2.1 Glasgow research 2006

The 2006 report Investigating Tenancy Sustainment in Glasgow<sup>17</sup> is still cited in the Scottish Prevention of Homelessness Guidance<sup>18</sup>

The Glasgow report states that causal factors implicated in early tenancy termination include:

- being allocated a home in an unwanted area
- the inability to secure adequate furniture and equipment
- dissatisfaction with property condition
- debt problems resulting from poverty and an inability to maximise income and/or manage money
- social isolation

According to ex-tenants’ own testimony, however, the most common single reason for giving up a tenancy within its first year was being affected by anti-social behaviour, with it accounting in part for at least half of tenancy terminations among the ex-tenants interviewed.

17 [https://www.academia.edu/18545215/Investigating\\_Tenancy\\_Sustainment\\_in\\_Glasgow](https://www.academia.edu/18545215/Investigating_Tenancy_Sustainment_in_Glasgow)  
18 <https://www.gov.scot/publications/prevention-homelessness-guidance/pages/11/>



This all very much continues to ring true, based on the consultation conducted with social landlords, tenants and support providers undertaken for the current research and is also backed up by the homelessness data already cited, showing that harassment of various kinds underlies much of the homelessness coming from social housing tenancies.

The recommendations for change in the Glasgow research can be briefly summarised as follows:

- Giving applicants a degree of choice about where they are housed
- Sharing information with landlords prior to letting, enabling them to understand the types of support and assistance that may be required
- Letting properties sensitively to match client needs and reduce the risk of harassment and anti-social behaviour
- Making appropriate (but not excessive) use of management transfers to avoid abandonments as a result of domestic abuse or anti-social behaviour
- Supporting tenants to equip and furnish their home as soon as possible
- Supporting tenants to address debt problems
- Providing effective support at the beginning of tenancies which matches tenants needs
- Tackling anti-social behaviour

These same themes continue to crop up as being key to success.

2.2 Systematic review of international tenancy sustainment research

Findings study:

A systematic review of 38 international tenancy sustainment research studies published in November 2018<sup>1</sup> looked at the findings of 22 studies which were conducted in the United States, 10 in Canada, five in the United Kingdom, and one in Australia.

The reviews findings are summarised as follows:

- ➔ No clear association between gender and tenancy sustainment
- ➔ Four of the seven studies that examined mental health showed that adults with mental illnesses were no less likely than those without such illnesses to maintain stable housing.
- ➔ Six studies reported a negative relationship between substance misuse and tenancy sustainment.
- ➔ Social contact with other housed individuals was seen as having a positive impact. Having regular contact with relatives or housed friends was significantly associated with tenancy sustainment.
- ➔ Four studies investigated the role of support workers in tenancy sustainment, and all reported positive associations. Positive determinants included at least fortnightly contact and rapport and a strong working relationship with a person’s case manager.
- ➔ A range of community factors were associated with tenancy sustainment. Four qualitative studies identified integrating or re-engaging with “housed” society as a key theme contributing to tenancy sustainment.
- ➔ Neighbourhood attributes such as close proximity to shops and good transport links had a strong influence on tenancy sustainment outcomes.

1 <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6187778/>

### 2.3 The Rebuilding Lives Study

**The Rebuilding Lives Study, published in 2016<sup>19</sup>, is the largest UK study to have examined the experiences of homeless people who have been rehoused through planned resettlement programmes, and the only study to have followed up formerly homeless people for five years after they were rehoused. The study followed up 297 participants, some of whom were living in the private rented sector as well as social housing tenants.**

Over the five years since being resettled, one-fifth of participants showed signs of marked housing instability<sup>20</sup>, including 16% who had become homeless at least once. Young people were more likely than other age groups to have become homeless again. This applied to 37% of those aged 20-24 years. There were no significant differences in housing outcomes according to whether or not people had mental health, alcohol or drug problems, although this is a different result to some of the studies in the international systematic review already mentioned.

136 Rebuilding Lives participants were no longer in their resettlement accommodation at 60 months. Amongst the 121 of these where information is known, 45% had left of their own accord, 26% had been evicted, and 29% left for reasons beyond their control (e.g. property to be demolished). Their main reasons for leaving were: the poor condition of the property, moving to accommodation that was larger or had better facilities, problems with neighbours or with local people, and the need for more accessible or supported housing because of ill health or difficulties coping.

The Rebuilding Lives study recommendations included the following:

- Provision of tenancy support including reaching out to those who are vulnerable but do not seek help
- Regular, long-term tenancy support should be available to formerly homeless people with multiple problems and needs.
- Flexible and easily-accessible tenancy support should be available to those with lower support needs at times of difficulties and crises, to prevent problems exacerbating and tenancies being put at risk.
- More attention should be given to the support needs of young homeless people who are resettled and to other formerly homeless people who have little experience of independent living.
- Workers supporting formerly homeless people who are living in squalid or risky conditions, or are hoarders or self-neglecting, should consult with staff in the local authority, such as safeguarding teams, and collaboratively draw up personalised support plans to address the problem and support the individual.

19 <https://kclpure.kcl.ac.uk/portal/files/52107014/RebuildingLives2016Report.pdf>

20 Defined as having four or more tenancies and/or at least one episode of homelessness

- More advice and training should be available to homeless people both before and after they are resettled on day-to-day budgeting, and the management of personal finances including credit and debt.
- Tenancy support staff and homelessness sector workers should encourage people who have large debts to access specialist debt advice services.
- The importance of paying rent and utility bills, including water charges, should be emphasised to homeless people both before and after they are resettled.
- Monitoring systems should be set up that alert housing managers at an early stage of rent arrears. The 'warning signs' include changes in the pattern of rent payments and uncharacteristic defaults, particularly if a person has recently moved into a tenancy, lives alone, or is known to be vulnerable.
- In instances where people have arrears but have not responded to a standard letter or appointment, home visits should be carried out by housing staff to assess the reasons for the arrears.
- Support workers should emphasise to homeless and formerly homeless people the importance of complying with social security benefit rules and claimant commitments to avoid having their benefits stopped and their tenancies being put at risk. It should not be assumed that all people have the understanding and skills to complete complicated, online renewal forms.
- Effective and accessible mental health services, including talking therapies, should be available to homeless and formerly homeless people who require such help.
- There should be greater recognition of the need for psychological support for formerly homeless people who are trying to rebuild their lives and come to terms with, or resolve, past traumas and difficulties.
- Co-ordinated treatment and support should be available to formerly homeless people who are affected by concurrent mental health and substance misuse problems, in order to reduce their substance misuse, improve their mental health and ensure housing stability.

Once again, these recommendations are very much in line with the responses we had to our discussions in Scotland for this research.

**"Anti-social behaviour happens because people aren't connected to their neighbours. You won't commit anti-social behaviour on people you care about." – RSL**

2.4 Fife research on homelessness as a result of domestic or sexual abuse

Another key piece of research relating to tenancy sustainment in Scotland is the study carried out by Fife Community Research Team and Scottish Women’s Aid on homelessness as a result of domestic or sexual abuse between 2013 and 2015<sup>21</sup>.

This found a range of inadequacies in the response to women faced with homelessness as a result of domestic abuse, and that many women would prefer to be able to remain in their family home, which in many cases was a social housing tenancy, rather than have to move out into temporary accommodation.

Having to move out of their homes and into temporary accommodation had a significant impact on women’s lives. Although a few women had a positive experience, many women wrote about multiple and interrelated losses that they struggled to cope with. These losses related to the physical and emotional loss of the family home, furnishings and belongings; to the loss of friends and family and the sense of belonging to an area or community that felt familiar. Women talked about the loss their children experienced as a result of moving school and leaving friends. This sense of loss was reinforced by feelings of social isolation and loneliness that women talked about after being moved into a ‘strange’ area where they had no support.

As a result of the report Fife Council has made significant revisions to its policy and practice on responding to domestic abuse in social housing.

More broadly, the research led to the development by Scottish Women’s Aid, working with ALACHO, SFHA, CIH Scotland and Shelter and endorsed by the Scottish Government, of good practice guidance for landlords on domestic abuse<sup>22</sup>. The guidance includes a 13 point checklist covering policy, service provision, training, partnerships, inclusion and other areas to support social housing residents experiencing domestic abuse more sensitively and effectively. This includes, where possible, supporting a tenant who has experienced domestic abuse to remain in their existing accommodation if that is their choice.

21 <https://womensaid.scot/wp-content/uploads/2017/07/Change-Justice-Fairness.pdf>  
22 <https://womensaid.scot/wp-content/uploads/2019/08/Domestic-abuse-guidance-for-social-landlords-FINAL.pdf>

2.5 Perth and Kinross research on risk factors

Based on an analysis of tenancies that failed in 2018/19 and 2019/20 Perth and Kinross Council has identified a number of risk factors for potential tenancy failure and which the council now uses as a way of helping to target support to tenants.

These include:

Person-related factors

- Chaotic lifestyle
- Addiction or substance misuse
- Previous tenancy failure
- History of poor engagement
- Escalating offending behaviour
- In and out of prison
- Mental health issues
- Victim of domestic abuse
- Financial hardship
- History of anti-social behaviour
- Previous care experience

Property-related factors

- Didn’t really want the property but accepted it
- Refused the property and appealed but appeal unsuccessful
- Condition of property
- Environmental issues
- No furniture and white goods
- Lack of skills to decorate if required
- Previously in temporary accommodation but had not been staying there consistently

2.6 Health and Homelessness in Scotland research

Whilst not directly looking at tenancy sustainment, research published by the Scottish Government in 2018 on the relationship between health and homelessness<sup>23</sup> may also be relevant when looking at risk factors in the sense that some homelessness results from the loss of a tenancy.

This study considered 435,853 people who had been in households assessed as homeless or threatened with homelessness between June 2001 and November 2016. These households had been assessed by Scottish Local Authorities under section 28 of the Housing (Scotland) Act 1987.

Key findings included that:

- At least 8% of the Scottish population (as at 30 June 2015) had experienced homelessness at some point in their lives.
- Of those who had experienced homelessness at some point:
  - over half (51%) had no evidence of health conditions relating to drugs, alcohol or mental health. This was much lower than in the control groups
  - Around 30% had evidence of a mental health problem at some point during the study period (with no evidence of drug or alcohol-related conditions at any point). This was higher than in the control groups
  - There was evidence of drug and/or alcohol-related interactions for the remaining fifth of people (19%), higher than in the control groups. Of these, the vast majority (94%) also had evidence of mental health issues.

23 <https://www.gov.scot/publications/health-homelessness-scotland/pages/1/>

2.7 Evidence for the success and cost effectiveness of tenancy sustainment

Despite the broad consensus on what is important to promote tenancy sustainment there are nevertheless significant evidence gaps in terms of quantifying the specific impact and cost effectiveness of applying any particular policy intervention or increase in resources.

Queens Cross Housing Association has seen dramatic falls in notices of proceedings (NOPs), evictions, and abandonments since 2016/17<sup>24</sup>. These are likely to be attributable in large part to its focus on tenancy sustainment work, but this is difficult to prove definitively. Also, these measures alone do not capture the full range of improvements to tenants’ quality of life which are likely to have been achieved through this activity.

Wheatley Group has carried out research on the impact of providing tenancy sustainment support which has shown good outcomes. Tenants who have received support have shown improvements in well-being, reductions in tenancy breakdown, reduced void loss, and improved rental income. The group are focussing on improving their ability to capture and quantify these positive outcomes. Wheatley uses a specially developed version of the Outcomes Star called Tenancy Star<sup>25</sup> to help with this.

**"Energy issues are a real problem for people. People self-disconnect to avoid getting into debt, but then go and stay with a friend to keep warm and may end up abandoning their home." – tenant**

24 QCHA NOPs 144 in 2016/17 to 24 in the first 9 months of 2021/22; evictions 12 in 2016/17 to 0 in the first 9 months of 2021/22; abandonments 29 in 2016/17 to 6 in the first 9 months of 2021/22 – Source QCHA

25 <https://www.outcomesstar.org.uk/using-the-star/see-the-stars/tenancy-star/>



# When it doesn't go right: evidence from tenants and people with experience of homelessness

Whilst the data on evictions, abandonments and homelessness associated with social housing and published research on tenancy sustainment are clearly important, a more rounded view of the issues requires direct insight from people with lived experience. With help from TPAS and Homeless Network Scotland, we were able to gather evidence in this area as set out below.

## 3.1 Homeless Network Scotland 'All In for Change' and TPAS Scotland

As part of the research for this report, three focus groups were carried out with current and former tenants, including people with experience of homelessness, domestic abuse, mental health problems, addiction and related issues. This comprised one focus group with the Homeless Network Scotland 'All In for Change' programme and two focus groups with TPAS. All three groups included some frontline workers in housing and support as well as tenants and former tenants. Some of the frontline workers were themselves tenants or had had their own experience of homelessness.

The findings from all three groups have been merged in order to support the confidentiality of the process. It is important to note that some of the experiences reported may reflect previous rather than current practice, although in many cases experiences were either current or relatively recent.

It is also important to note that, whilst there were a number of tenants who talked about how they had been helped by their landlords, the nature of the discussion inevitably tended to focus on areas where members of the focus groups had experienced difficulties.

As a result, the examples highlighted below are intended to show areas where good practice is needed and problems can arise. They are not intended to suggest that good practice is not already widespread, and this evidence needs to be understood in the context of the Scottish Housing Regulator's data, reporting that almost 90% of tenants are satisfied with the services provided by their landlord.

### 3.1.1 Difficulties in understanding welfare rights and feeling as though support was not on offer

One person with disabilities reported having been to court twice because of rent arrears. They had agreed to pay what they owed but were disappointed that nobody approached them to ask why they were not paying or to offer to help. An important contributor to the problem was that they were trying to claim disability benefits, which they found very difficult to manage on their own.

The problem was eventually helped when they were referred for support with debt management, who referred on to welfare rights and a large backdated payment came through.

The rent arrears were due to health issues, disability and not knowing what could be claimed.

The tenant felt they had had little support or help and were going through the system thinking it was all their fault. They were not asked if they had any health issues, and they were only helped when they got into high levels of debt.

Some other tenants reflected that this tallied with their own experience as being quite common, with a feeling that if you go to the housing association or the council they say *"this is nothing to do with us."*

### 3.1.2 Environmental problems not dealt with

Another former social tenant with experience of homelessness reported having a serious damp problem, where they would have to put towels on the window sill to collect the water, but could not get help from their landlord who said it was their responsibility to deal with.

According to the tenant *"the house was covered in mould and there were three leaks and at one point the ceiling fell in."*

The perception of the tenant was that the landlord only wanted their rent and were not interested in helping.

### 3.1.3 Delayed welfare grant

Another tenant reported having to wait for a long period for a welfare grant, so having to move into a property without the things they needed and starting off *"on the back foot"* without the things they felt they should have.

### 3.1.4 Short term support when longer term support was needed

Housing support had been provided for one tenant for three weeks for an hour at a time to set up council tax and utilities but then stopped. *"People often need longer e.g. to help with community integration. Without family support people often don't know how things work."*



3.1.5 Feeling pressure to abandon due to lack of options to move away

**A tenant reported living with an abusive partner and wanting to get away from a substance abuse situation, but with no way to be able to move.**

With respect to abandonments, they felt that *“you must be in a desperate situation to give up your home”* and that there should be more ability for people with social housing tenancies to move if they need to.

This tenant’s house had been broken into twice and she was living in fear. However, because they hadn’t been through the police procedure in the correct timescales, they were not able to get help.

*“We were in addiction, and phoning the police to get them to come to your house with drug paraphernalia was very difficult. Felt like no choice but to leave everything behind and move on.”*

3.1.6 Difficulties in accessing support when needed

**One tenant observed that they had not been “enough of an addict or had enough of a mental health problem” to get a support service.**

The same tenant felt it was important to empower people, but that not everyone will ask for help unless they are actively encouraged to do so. *“I had never lived on my own before and was completely shocked that somebody was expecting that I knew what to do.”*

*“People should be asked if they need help. It’s not about doing for people, but it is about asking.”*

Another tenant thought that there are too many rules and regulations making things inflexible, for example severely overcrowded families not being able to bid for a transfer because of rent arrears accrued during the transition to Universal Credit. *“If you can’t tick the box, that’s you.”*

3.1.7 Getting the right type of support and information when moving in

**One tenant felt that people need to be made to feel settled in their new accommodation. They felt that this is not just about the paperwork and that people were not getting things explained and not getting the right support.**

*“I moved into a property which had not been properly vetted before I moved in. The previous tenant had rigged the meter and I ended up getting trouble for it.”*

It was also felt by some that lack of transparency about how things work was an issue e.g. access to advocacy and mediation services.

*“The information pack I was given was 50 pages long and very jargon based. I was very young and didn’t have the experience or know how to understand what this meant. It took a month and a half to get a key fob to get into my own building, so I was dealing with issues like that, rather than asking what the information pack meant.”*

Another person did not realise ‘PAT’ tests were to do with electrical safety.

3.1.8 Moving from a homeless hostel to accommodation with no furniture

**One person worked in a homeless hostel in one of Scotland’s cities. They noted that people were routinely moving out of the hostel into properties with no furniture. They compared this unfavourably with their experience of the support available from the tenancy sustainment teams (TSTs) provided for people with experience of sleeping rough moving into tenancies let through the Clearing House<sup>26</sup> in London.**

They pointed out that housing benefit transfers from the hostel to the new property immediately on sign up, but that Community Care Grants take two months or longer to come through in their part of Scotland.

*“The amount of people I have seen over the years move from the hostel into properties that are inadequately furnished is shocking!”*

This picture was backed up by a tenant who stated they were early into recovery from addiction, moving from supported housing, but were *“put into a house with absolutely nothing – no flooring, a second hand two seater couch that I was sleeping on, and you’re stuck in that house all day. It’s no wonder people go back to addiction. You want to go to somebody’s house you know just to get a bit of heat and company.”*

26 <https://www.mungos.org/our-services/clearing-house/>

### 3.1.9 Anti-social behaviour issues

**A number of tenants and former tenants had experienced issues dealing with anti-social behaviour from other tenants and felt that they had not had an adequate response from their landlord, however, they could understand that such issues can be difficult for landlords to deal with.**

One tenant reported having had problems with a neighbour over a number of years. On one occasion the neighbour had taken her to court because of her dog fighting with the neighbour's dog.

She had been threatened on a number of occasions and is disabled. She reported this to the RSL who said she should report it to the police. *"I didn't feel protected and had no support. The landlord was doing nothing."*

*"What could appear to be nothing to other people can be really difficult."* In this case the tenant's husband was really ill and she felt she was getting little or no support for being a carer. *"I could have easily walked away because of the harassment."*

Another tenant reported an incident when a new tenant moved into her block. The tenant didn't like her and is continuing to harass her and her children. This situation has caused the tenant to move in with her mother, who is living a few streets away in overcrowded conditions.

*"The housing officer said they would try and get mediation, but the one who is harassing won't go to mediation."*

*"You don't just have one person who has rights. What are the rights of good tenants?"*

Another tenant waited eight years to get a disabled flat. *"From day one my neighbour took offence and started harassing me."*

The tenant felt they did not get much support, with messages to her landlord not returned. Her experience was that she had to appeal higher up the organisation to get any help.

*"In the end it turned out this lady has attacked every tenant who has moved into this property. They knew all about this but made me feel like I was making all this up in my head. I've got mental health problems. This lady's got mental health problems, but you don't have to bully people. I've had this for a whole year and I've got no support from anybody. I was so upset at the way the staff were talking to me."*

When asked how she would have preferred that the social landlord had dealt with the situation, the tenant stated that she would have liked them to be more sympathetic. *"They just didn't seem to want to know and, in the end, told me to stop messaging them unless it's a housing problem."*

### 3.1.10 Communication with young people

**A representative with experience supporting young people felt that in a lot of cases young people are not going to come forward with problems like debt or being the victim of anti-social behaviour, because they will worry it puts their tenancy at risk or gets them into trouble.**

*"It's the same if people are asked at the beginning if there are any issues or anything they need help with. They will say no because they are worried it will get held against them down the line. Especially if this is their first tenancy."*

Because of this, they felt strongly that landlords need to be proactive when working with young tenants and looking for warning signs e.g. if the rent comes in a week late.

*"A young person will often not know they might be eligible for Universal Credit – they may think they need to work two jobs."*

### 3.1.11 Communication with older people

**A number of tenants felt that there were real difficulties for some older people in communicating online, with some tenants getting very confused and others much preferring to speak to someone.**

One tenant reported that their landlord had provided training for tenants on how to use a laptop, which had been very helpful.

### 3.1.12 More contact and awareness between housing officers and tenants

**Housing officers needed to be more aware if there might be a problem.** *"Needs more care and attention to their tenants' well-being. Is everybody doing OK?"*

For example a checking up phone call – *"Are you OK"* – is more helpful than *"You're a week behind with your rent."*

*"The benefit side of things is the biggest stumbling block for anybody moving into a tenancy. Moving off Housing Benefit and Employment Support Allowance on to Universal Credit causes immense stress. Just doing an application for furniture can take an hour."*

Some participants felt more use could be made of community groups, who could, for example pay for paint, or help to decorate. *"Can be a lot of small things that pushes someone over the edge of coping."*

### 3.1.13 Lack of enough housing officers to do the job well

**More than one tenant felt that the problem lies with the lack of housing officers.**

*"Many years ago housing officers would be the friendly people who would knock on the door, just to check if you were alright, did you need any repairs, have you got any problems, but you don't see housing officers now. They only appear when there is a problem."*

*"Housing officers are very thin on the ground: eight housing officers to cover several thousand houses."*

*"Housing officers are overstretched. If your rent's being paid, they don't care about anything else."*

*"I was fleeing domestic violence and the council actually contacted my abuser. Led to a very fraught situation. Almost an apathy and a 'you're not welcome, go away' attitude."*

### 3.1.14 Moving into a tenancy as a victim of domestic abuse with poor mental health

**A few participants had moved into a tenancy following domestic abuse and spoke about difficulties they had had.**

*"People taking on tenancies for the first time, it's a huge thing for them. I was a victim of domestic violence with poor mental health. Having to take on applying for benefits, sorting out housing issues was really very difficult. Housing officers need to take a much greater role in helping people e.g. moving out of prison, care leavers. It's not just about paying your rent. It's about managing a home."*

### 3.1.15 Empathy, engagement and communication

**There was a feeling amongst some tenants that housing officers need more training in being empathetic and sympathetic and communicating effectively. That way tenants would be more likely to contact the council when they are in difficulty.**

*"People's experiences can lead to people not wanting to approach. Digitisation is leading to losing the personal touch. Older people would like to speak to someone, rather than leaving lots of text or answerphone messages, which are never returned."*

Spotting early signs, such as a missed payment, and acting upon them was perceived to be really important, but not in terms of *"you haven't paid your rent"*, more in the way of *"something must be wrong. How can we help?"*

*"Landlords need to have more of a personal touch. Not just knocking on the door saying you have rent arrears. I pretended I wasn't home. I was depressed and inherited debt from my ex."*

*"Sometimes being nice just opens that door so somebody will seek the help they need."*

### 3.1.16 Allocations issues

**Some tenants felt that issues were often the result of a lack of care and attention in the allocations process, sometimes leading to inappropriate placement of people, especially young people with no training about what sustaining a tenancy would entail.**

An example was given of placing young people *"wanting to have all night parties"* next door to elderly people.

Another tenant felt that a lot of properties are being allocated to people with experience of homelessness, *"which is only right, but they very often need support and are not getting that support."*

*"We need to think about where we are putting people, not just what property is available."*

### 3.1.17 Landlords addressing these issues

**Several tenants and staff members said that their social landlords are attempting to address these issues.**

One person said their council is employing more housing officers, who are also housing support officers, taking on both roles and having smaller patches.

They hoped this will *"engender a small community with housing officers knowing their tenants and who needs support. There are a huge number of organisations who can provide support."*

Another person said that their landlord has tenancy sustainment officers who will meet every single tenant. They will discuss issues, contact previous support providers and try to bring the support together to support the transition to mainstream housing. They felt this had been very positive. *"The tenancy sustainment officer meets people at sign up and the settling in visits, so tenants tend to know the officer well."*

An officer working for a housing association reported that the association was implementing a business transformation programme to create neighbourhood officers. Patches will be smaller, at 200 tenants per neighbourhood officer. Despite this, the association had decided to keep money advice, tenancy support, energy advice out of the neighbourhood officer role and these will be retained as separate functions. Work will be community led with housing officers *"knocking on doors."*

The same association has just implemented a new system for feedback with tenant surveys linked to the housing IT system. For example a recent survey on Covid-19 asked if people needed particular services or if they were in any difficulties. If a survey respondent asked for help in a particular area, this would automatically generate a referral to the relevant team.

3.1.18 Reasons why tenants don't always engage

A number of tenants agreed that it can be hard for tenants to approach their landlord if they are in difficulties, especially if they are in debt, and especially in response to standard letters.

“Being in debt is a very personal thing. A lot of people won't even discuss it with their family and friends. So letters from the landlord saying you are in rent arrears will just go largely unanswered and might not even be opened.”

Some participants felt that it sometimes takes things to get to a critical point, for example being taken to court, before some tenants will engage.

*“I was in rent arrears and was taken to court and it was clear that what I was being asked to pay wasn't possible taken alongside all the other things I had to pay. I was very fortunate because my council got me specialist debt advice. The adviser was wonderful. I had a carrier bag full of bills. He sorted it out for me. He went to the court and explained my outgoings and income and what I could afford. It prevented me becoming homeless, which would have split up my family.”*

One tenant was very grateful for the support he had received from his landlord, but admitted that he had been reluctant ask for help.

*“When my mother died just after I graduated from University, I had no income. I got into debt with rent arrears. It was very quick action that really helped me. My housing officer referred me to a debt adviser. If it wasn't for my housing association being proactive. I would not have asked for help. I am very independent. Some people resist help. It can be a macho thing.”*

Section 4

Getting it right: Evidence from social landlords and support organisations

We interviewed or received written information from a number of organisations including local authorities, housing associations, support providers and campaigning organisations.

It was clear that there was significant agreement among the local authorities and housing associations we spoke to about the issues, and what kinds of things landlords can do to help sustain tenancies. It was also clear that these landlords are working actively to be effective at supporting their tenants and to minimise the number of people at risk of losing their homes.

However, this was a only a section of landlords in Scotland. The feedback from frontline and campaigning organisations tends to corroborate the impression from tenants in the previous section that some tenants have difficult experiences and that more can be done.

The areas discussed with organisations are grouped into broad subject areas below. It is recognised that in some cases, the subject areas overlap.



## 4.1 Allocation of properties and work done prior to allocation

**The importance of information sharing before tenancies begin, in order to allocate properties well and to ensure that any support needed can be provided was acknowledged. There can be a balance between allocating properties in a way that ensures those in the greatest need are housed quickly and allocating properties sensitively so that tenants have the greatest possibility of success.**

Perth and Kinross council ensures that all new tenants have a risk assessment and, it has have Three or more identified risk factors based on the council's research, then additional support will be provided. The council has also extended its work under the duty to assess and now provides support for any homeless applicant who is likely to be offered a property in advance of the offer.

The council is also looking at ways to help potential tenants to consider their areas of choice in the allocations system and ensure they are suitable, e.g. by developing locality profiles explaining the location of doctors' surgeries, bus routes and other important local information. The council is also considering an enhanced voids standard.

Inverclyde council is a non-stock holding authority. For Section 5 referrals to RSLs of households being accommodated due to homelessness, the council will assess what support is needed, provide the support plan and commission the support required, which is then monitored by the homelessness service. This includes being able to refer straightaway to addiction services if needed.

Inverclyde Council also reflected that a major cause of difficulty is with people being allocated properties in areas or accommodation they don't want, as this can mean they don't put in the effort to sustain them. Unfurnished accommodation can also be an issue. If a property doesn't feel like a home, this can mean that no emotional attachment to it is formed. Some RSLs zone properties to try to reduce anti-social behaviour problems. While this can be helpful, it can lead to exclusion of homeless applicants. Also, Section 5 referrals outside the Choice Based Lettings (CBL) system may have less choice in where they can live. There can be a balance between moving people out of temporary accommodation quickly and giving them choice.

Queens Cross Housing Association has a strong focus on tenancy sustainment and has changed and adapted its approach over some years to become more effective. The philosophy of the organisation is as far as possible to get to know tenants early and build relationships, with spotting problems and early intervention very much the focus. Queens Cross takes care to make sure that people are allocated an appropriate property which they want and can afford.

West of Scotland Housing Association (WSHA) ensures that each new tenant has a pre-let visit or call before they get an offer. WSHA will assess support needs and the ability to sustain the tenancy, leading to referrals to appropriate internal services as required.

Referrals are made to WSHA's in house welfare rights team, money advice team, fuel advice team and income maximisation team prior to sign up, with referral to community services at sign up. The association also provide its own starter packs and food parcels.

One frontline and campaigning organisation reported that in their experience local authorities are not always transferring enough information to RSLs on referral on support needs and risks. This can be because of inconsistent assessments being carried out by the local authorities, but may also be based on worries about RSLs cherry picking tenants.

The organisation also said too many people get moved into their first tenancy from homelessness and are 'left to get on with it'. This includes people who are still in recovery. People often lack the knowledge of what's needed to sustain a tenancy and some people have language barriers and don't understand their rights and options. Financial literacy is a big issue and some tenants don't understand it's their responsibility to manage their Universal Credit account.

Where these issues exist it is imperative to identify them early if tenancies are to have a good chance of success.

Officers from another frontline organisation identified a tension in Rapid Rehousing policy. Offering people homes quickly and offering them what they want can be two very different things - one supports rapid rehousing policy, the other may be more likely to support tenancy sustainment.

How should maximising choice in allocations for people referred as statutorily homeless sit alongside rapidity when there is limited stock of the right size?



## 4.2 Establishing positive relationships with tenants and supporting them to settle into their home successfully

**The consensus among frontline and support organisations, housing associations and local authorities was that it is really important for landlords to engage with tenants early and to build relationships.**

Simon Community Scotland's experience, for example, is that tenants can face real difficulties orienting in new communities and that much more could be done to help with this by some landlords. The relational model is what works. If you build trust with people, then they will still work with you when things get tough.

Frontline organisations reported, however, that practice varies a lot between landlords and in different parts of the country.

Frontline organisations also found the practice of some social landlords that tenants have to pay a deposit upfront or rent in advance to be frustrating. In their experience it was routine for some housing associations to ask for rent in advance. Tenants often have to borrow to find the money, with the consequence that they are starting off their tenancy in debt and that their first benefit cheque often goes to pay back the loan, so they end up in rent arrears anyway.

Sometimes Discretionary Housing Payments (DHP) are used to cover rent in advance for housing associations. This happens in Inverclyde, for example. However, some organisations questioned if this is the best use of DHP, which might otherwise go towards supporting tenants in the private rented sector at risk of losing their home.

Another problem identified was tenants being obliged to sign up for properties immediately and being charged rent from the day they signed up. This can happen despite not being able to move in for some time, and sometimes despite being liable to pay rent on another property such as temporary accommodation. Tenants often won't have beds, couches fridges etc., and so can't move in.

There was agreement that people need to be given a hand and walked through what it means to sustain a tenancy. Whilst frontline officers found some landlords made a real effort to work well with tenants, practice was inconsistent on housing officers sitting down with tenants on setting up bills, Universal Credit claims etc.

Both frontline organisations and local authorities reported that in many areas Community Care Grants from the Scottish Welfare Fund take several weeks to come through. This can mean moving into an empty house with nothing on the floor, no curtains etc. which is really hard for tenants to settle into. This can cause people to abandon, especially if they are living in an area where there is drugs and crime or if they get a threat from the neighbour.

In response, both Perth and Kinross and Fife Council's have set up their own funds to help people move into tenancies more rapidly.

Perth and Kinross Council believes that an important part of the tenancy sustainment service is to provide financial support if needed and that having to move into an empty property can feel overwhelming to some people, to the point where they may give up the tenancy or abandon the property.

Their 'Property Ready Fund' uses Rapid Rehousing Transition Plan funding to provide tenants with the goods they need to move in rapidly. This mitigates the timescale needed to process Community Care Grants from the Scottish Welfare Fund.

In addition to the Property Ready Fund, the council also has a 'Think Yes' budget so that if a tenancy appears to be at risk e.g. because of lack of white goods or a need for sound proofing, then officers can make purchases quickly to remedy the situation. The budget is £7,500 per locality team.

Fife Council also recognises that it can be difficult to get established in a new tenancy, especially for people with support needs or people who are taking up a tenancy for the first time.

In response to Community Care Grant delays, Fife has empowered frontline officers to be more responsive by creating the 'Just Do It' budget. Officers have autonomy to spend money in ways that are needed, for example buying a microwave, or pots and pans, or broadly anything that person needs.

To help speed things up further some local offices have kept a stock of basic items so can give them out immediately. Housing officers have also been given purchase cards so they can for example top up an electricity meter.

The council believes developing relationships is key and it can take time to develop trust, and has therefore prioritised front line resources and reduced patch sizes so that Housing Officers are more accessible to tenants.

To aid the development of positive, supportive relationships, the housing officer role has been split so that the rent collection and enforcement role has been split from the housing management role.

Every Fife tenant has a settling in visit after four weeks of their tenancy starting. This will look at issues such as fuel poverty, instances of no carpets having been put down and other indicators of potential difficulty.

Queens Cross tries to establish positive relationships with all its tenants right from the start. This involves making contact with the association's financial inclusion team early on who can provide support around access to benefits, budgeting for energy and other bills and other areas. This can be much more effective than waiting until a tenant is in difficulty e.g. rent arrears before offering financial advice. Housing officers have fairly small patches of around 300 homes.

Flexible furniture packages are available, which add a charge to the rent, but only if people want and need it.

Wheatley Group has reduced patch sizes to around 200 homes allowing more time to build relationships with tenants and to help establish what their needs are and how these can be responded to using different services provided by the group. It also provides an internal Tenancy Support Service offering visiting housing support to individuals at risk of becoming homeless or have recently experienced homelessness and which supports over 1,000 customers per year.

### 4.3 Communicating effectively with tenants and understanding their needs

**Effective communication with tenants was recognised as an important area to get right, especially as different types of household may prefer to communicate in different ways, and different tenants may have a range of different needs and issues.**

Tenants may often be reluctant to disclose their problems with their landlord, especially around debt, but also around mental health, substance abuse, domestic abuse and a range of issues. This is made more difficult if a positive relationship has not been established at the beginning of the tenancy.

In order to understand their tenants better, Queens Cross runs a face to face ‘getting to know you’ survey every three years, which collects detailed information to assist them to profile tenants and provide effective support.

As well as collecting information on protected characteristics, information is also collected on energy poverty, child poverty, digital inclusion and other issues. This gives the association a good understanding of vulnerabilities and risks amongst its tenants.

The survey has had at least a 70% return rate in each of the surveys conducted over the past nine years and this profiling has allowed the association both to target resources and apply for grant funding because of the hard evidence it provides about the extent and nature of poverty and vulnerability amongst their tenants.

WSHA uses a range of communication methods with tenants, including social media, letters, block reminder text messages, emails, leaflets, newsletters, and visits. The association also makes services available outside normal office times and is making use of its digital platform for tenant engagement with the introduction of a tenants’ portal and app.

To aid effective and sensitive engagement with tenants, Sanctuary Scotland has trained its frontline officers in trauma-informed approaches. The Scottish Government has produced a trauma-informed Practice Toolkit<sup>27</sup> aimed at supporting organisations to develop trauma informed services.

Some organisations have found that tenant communication with landlords and public services is affected by a huge digital literacy component. Some older people aren’t confident online, which is a big issue with managing Universal Credit claims or making DHP applications for example.

On the other hand, some younger people aren’t confident calling people up and engaging with them.

One frontline organisation felt there is generally not enough work around people understanding their tenancy and what their responsibilities are under it. To be effective this often has to be explained in easy to understand terms e.g. what are the ‘10 things you need to know and the 10 things you can’t do’? – rather than in the language more typical of tenancy agreements.

Fife Council looked at data two years ago on who had abandoned properties. Key issues included lack of furniture and other goods needed to make a home and the lack of connections in the local area. The council has adjusted its services as a result.

Welfare assistants have been brought into the housing service to provide support to tenants and there are also dedicated fuel poverty officers, as this has been a big problem for tenants.

<sup>27</sup> <https://www.gov.scot/publications/trauma-informed-practice-toolkit-scotland/pages/12/>

### 4.4 Working with partners and commissioned services to provide support when needed

**There is some debate within the sector about when it is best for social landlords to provide services related to tenancy sustainment internally and when it is better to refer to externally commissioned support.**

Arguments for the former may include a better integration of services, being able to prioritise services for tenants and where applicable, being able to capitalise on positive relationships already established between landlord and tenant. Arguments for the latter include that specialist support may require specific expertise and that, as already mentioned, some tenants may be reluctant to discuss their difficulties with their landlord.

In Perth and Kinross, if locality teams have an issue with a tenant who needs adult or children’s services, they can feed into the council’s cross service ‘Protecting People Group’ through the housing representative on the group. The council has also been operating a monthly cross service Tenancy Sustainment Panel (TSP), since the beginning of 2021. The TSP looks at tenancies which have failed, so that they can learn including trying to engage with former tenants to understand what went wrong and also works with tenancies identified as being at risk to try to prevent them failing.

Perth and Kinross Council has directly employed support officers to work with council tenants as well as having commissioned tenure neutral third sector floating support and youth homelessness support services.

Tenancy failure has reduced significantly from 78 abandonments in 2018/19 to 58 in 2019/20 58, 46 in 2020/21, and 11 five months into 2021/22.

Queens Cross housing officers have fairly small patches of around 300 homes. There is also a specialist tenancy sustainment team who can assist if social services or other specialist support is needed. Queens Cross has also commissioned specialist well-being services for older people, younger people and people with mental health problems, which can for example provide rapid intervention for a limited time whilst longer term services are put in place.

In Fife, short term housing support for up to 12 weeks can also be commissioned from a partner agency.

Both Inverclyde and Perth and Kinross Councils are looking at seeking earlier Section 11 referrals from RSLs e.g. at the point of notice being issued, in order to be able to intervene earlier when there is more chance of success in saving a tenancy rather than waiting for possession proceedings.

More than one organisation was concerned that whilst the SHORE standards in theory are really strong, practice is inconsistent. There is currently not enough diligence from some housing officers in investigating all the places people might be if they do not return to their home, such as having been taken into custody.

Although likely to be recorded as an abandonment by landlords, to some extent this is a hidden issue, as if these households lose their home and apply to local authorities as homeless when they leave prison, this would be recorded as a person having been discharged from prison rather than as homelessness from a social housing tenancy and so is difficult to track in the statistics.

Inverclyde Council is working on getting better information sharing around the SHORE standards, as too many people who have gone to prison are recorded as having abandoned their tenancies. RSLs should be contacting prisons if a tenant who might be involved with the criminal justice system appears to have abandoned in order to have a better chance of tenancies being sustained.

Wheatley Group is part of 'Tomorrow's Women Glasgow'<sup>28</sup> which provides a multi-disciplinary service to help women with very complex needs who are involved in the criminal justice system.

The experience of some organisations is that some tenants at risk of losing their homes will open the door to external organisations, but won't open the door to their landlord.

Dundee Council is currently working with Shelter in a one year pilot to identify tenants at high risk of eviction due to having significant rent arrears and not engaging with their housing officer. Shelter then provides intensive support through a person centred approach tailored to each individual tenant and their needs in order to develop payment plans and access the other support each tenant needs. Shelter has reached an engagement rate of 50% of those who had refused to engage with the local authority.

We also heard the opinion that it can be difficult for landlords to support tenants directly because very often when there's a problem, the 'last person you are likely to want to talk to is your landlord'. One officer was of the view that it doesn't matter how nice landlords are or how skilled they are or how much they want to support you to sustain the tenancy, tenants are more likely to want to speak to an agency who is not the landlord.

28 <https://www.glasgow.gov.uk/index.aspx?articleid=26881>

4.5 Engaging with tenants who need more intensive support, are harder to work with or where problems may not be obvious

**The Housing Support Enabling Unit (HSEU)<sup>29</sup> offers support and assistance to providers of housing support in the voluntary, private and RSL sectors. This includes the Better Futures system<sup>30</sup> which assists providers of housing support to record and track outcomes of their services at an individual level. Better Futures is now used by 40 organisations across Scotland and holds over 45,000 records.**

The success of implementation of the housing support duty on local authorities to assess and meet the support needs of homeless households was reported as something of a mixed bag, but the duty is taken seriously. About 50% are assessed as requiring support, but with a range of needs.

The HSEU commented that Housing First<sup>31</sup> and Rapid Rehousing generally is the policy direction in Scotland and is underpinned by the understanding that only a small percentage of people experiencing homelessness would choose or be better off in supported housing than going into a self-contained tenancy.

Housing First provides ordinary housing in an ordinary community for people whose homelessness is made harder by experiences with trauma, addictions and mental health.

This approach has been shown internationally to work better for many people than the more traditional approach of providing hostel accommodation or other supported housing until someone is 'ready' to move to an ordinary tenancy. Housing First combines settled housing with person-centred, strengths-based and flexible support – as much and for as long as someone wants it and aims to prevent rough sleeping and divert people away from temporary homeless accommodation.

The Housing First approach is very welcome but those providing support are conscious some people aren't getting onto the Housing First programme and there are important issues of capacity to deliver housing support, with a risk that Housing First draws capacity from other areas.

The plans for a National Care Service (NCS) being consulted on at the moment<sup>32</sup> could have important implications for provision of housing related support. If eligibility restrictions are removed, people needing housing related support might in the future be able to get it more easily from a National Care Service, especially as alcohol and drug services are likely to be brought into the NCS.

Inverclyde Council has agreed that tenants struggling in its tenancies can be referred into Housing First to help tenancy sustainment and homelessness prevention.

Wheatley Group had a recent example of moving people with high support needs from a decommissioned hostel into mainstream tenancies. This had the potential to be problematic and Wheatley took a bespoke approach, involving Wheatley Care services working in partnership with other agencies. The key component was to know in advance what the people who were moving out wanted and what their needs were, in order to conduct a detailed matching process to maximise the chances of establishing successful tenancies. This involved working very closely with customers and providing tenancy sustainment support, as well as working with third sector services.

29 <https://www.ccpScotland.org/hseu/>  
30 <https://www.ccpScotland.org/hseu/information/better-futures/better-futures-resources/>  
31 <https://homelessnetwork.scot/wp-content/uploads/2021/11/Branching-Out-HF-NF-NOV-2021-UPDATE.pdf>  
32 <https://www.gov.scot/publications/national-care-service-scotland-consultation/>



Working closely with Housing First services has been very helpful. One of the key elements has been to support the development of a good relationship between tenants and their housing officer.

Wheatley also use Tenancy Star<sup>33</sup>, a version of the Outcomes Star which they co-developed with Triangle Consulting, which is designed to help support social housing tenants.

The tenancy sustainment team are also trained to support hoarders. This requires specific interventions and joint working with fire services and mental health services as appropriate. The team achieves high rates of success in achieving positive outcomes in this area.

Sanctuary Scotland was interviewed about its new Community Connector team, funded via SFHA's Homelessness Prevention Fund provided by the Scottish Government.

The team intervenes by supporting tenants who are assessed by a housing officer as being at risk of losing their tenancy. The initial premise was that this would be when tenancies were already at crisis point e.g. when a person was close to being evicted. In practice many of the referrals have been much more upstream but where the housing officer was concerned around tenancy sustainment risks.

The service is based on the premise that people are capable but some need more support than others, with support being person centred and tailored to the individual.

The building of relationships with tenants is the most important aspect and the team is in the position where they can devote the necessary time to do this, even with tenants who are hard to engage with.

The approach is trauma informed and takes the view that underlying trauma is the main reason people become homeless. The team aims to get close enough to an individual to help them understand the issues for that individual.

Queens Cross provides 24/7 in house care taking services. Community caretakers are used to help spot issues such as older people wandering at night or other signs that tenants may be having problems.

Some frontline organisation staff were concerned that some councils have driven housing support costs too low, so that agencies face difficulties in recruiting and retaining skilled staff on the wages they can afford to pay e.g. £10p.h.

Some support services may therefore tend to signpost to services with more skilled or specialist staff which leads to those services being inundated. For example support workers, instead of helping with welfare benefits, may signpost to a benefits agency if they don't have the skills and knowledge needed.

Blue Triangle is a specialist housing association and support provider working across 10 local authorities in Scotland and focussing on working with people with multiple needs including people with mental health and substance abuse issues people with offending histories, and care experienced young people coming out of the care system.

It was clear that partnership working between landlords, support organisations, local authorities and health is essential to make things work for people with the highest levels of need.

<sup>33</sup> <https://www.outcomesstar.org.uk/using-the-star/see-the-stars/tenancy-star/>

Blue Triangle is working on a number of approaches to support social housing tenants who need more support than RSLs or local authorities can provide. This includes the potential to take over a tenancy for a period to avoid that tenancy ending or to act as a tenant guarantor.

Issues raised in relation to tenancy sustainment for people with higher support needs included:

- The problem of commissioning issue by issue rather than to meets of a whole person e.g. for people with dual diagnosis of mental health and substance misuse
- There is a cohort of people who sit above the level of need catered for by Housing First
- Some people experience significant psychological barriers to taking on the responsibilities of a tenancy and need a stepping stone approach in order to feel able to do so.

Simon Community Scotland have found that some tenants are very hard for social landlords to engage with e.g. someone with mental health problems who doesn't answer the door. This is especially true if they do not have trusted relationships already established with a landlord, a support worker or within the community.

In these cases, finding the right way to engage that person can take time and ingenuity and as well as being willing to meet them on their own terms in places where they may feel more comfortable. Meeting these needs appropriately may require funding a higher level of support

Some people need long term or even indefinite support. On the other hand Critical Time Intervention<sup>34</sup> can be very effective for some people by providing extra support when they are at a point of transition.

<sup>34</sup> <https://www.criticaltime.org/cti-model/>

## 4.6 Responding to domestic abuse

**The Fife research with women who had experience of domestic abuse<sup>35</sup> showed that women often felt like they were being passed from pillar to post, getting confusing information and being steered down the homelessness route. A lot of women in the study said they would like to stay in their existing home but were not being supported to do so.**

Fife Council has changed its service in a number of ways.

Women reporting domestic abuse now have one housing access officer who follows the individual through the whole process and discusses all the options with them, not just the homelessness option.

The council has created a very flexible Prevention of Homelessness Fund (POHF) using Rapid Rehousing Transition Plan funding. The POHF can be used, for example, to pay for a hotel for a few nights or pay transport to stay with family for a few nights to allow a breathing space for a woman approaching the council to help decide what they want to do.

It has also been used to pay for removal costs, carpets, underlay, white goods, beds and furniture. One of the results has been to avoid women moving home due to domestic abuse and unable to take their belongings with them going back to live with the perpetrator because they had been moved into an unfurnished 'shell'.

If the woman is staying in her own property and the perpetrator is moving, the POHF would pay for damaged furniture, or for property services to do repairs and make good if there has been damage to the property.

Last year the fund helped 107 families. This was at a very low average cost but was incredibly significant for the women and children helped.

Another policy change was to preserve the rights of women applying as homeless due to domestic abuse to bid for a new build property, as their priority for this would normally be lost if a tenancy was given up.

Women deciding to stay put have access to a project called "safe, secure and supported at home" with the Community Safety Partnership. This offers a full assessment of their personal security and home safety, with safety devices provided if needed, and with befriending support offered from Women's Aid. Referrals can come from either housing or the police.

There has also been an agreement across the Fife Housing Partnership that any victim of domestic abuse will not be penalised for rent arrears or property damage.

To support early intervention in domestic abuse cases, the council has invested in training housing officers and building services operatives to spot signs of domestic abuse and make enquiries. Early intervention can be multi agency including social services and Women's Aid and is centred on listening to what the woman wants.

Fife Council's allocations policy allows it to move the perpetrator. This can be a more effective strategy than trying to force an eviction.

Since changing its practice, Fife Council has seen a reduction in homelessness presentations following domestic abuse and an increase in the number of women who stay in their home.

Wheatley Group also discussed its service for tenants who have experienced domestic abuse with us.

In this situation Wheatley's principal aim is to listen and understand what tenants who are victims of domestic abuse want to do and support them in that choice.

The group provides wraparound support for victims of domestic abuse who want to stay in their own home including working with the police to ensure the house is safe and secure. The fire safety team will also put in measures to protect against arson e.g. letters through the door.

Benefit advisers are also made available to provide support and combat economic abuse that may have been committed by the perpetrator.

Alternatively, Wheatley can also facilitate moving women outside their current area into a tenancy that is safe, and can give Band A on their allocations policy for this purpose.

Frontline organisations made a point about more mobility within social housing being important for domestic abuse and other issues. If the social housing system had better mobility in it then there could be less use of the homelessness route.

WSHA tenants who need to move because of domestic abuse or anti-social behaviour can be helped to do so through management lets.

35 <https://womensaid.scot/wp-content/uploads/2017/07/Change-Justice-Fairness.pdf>



## 4.7 Anti-social behaviour and abandonment

**The causes of tenancies being abandoned are not well quantified. This is partly because the nature of abandonment means that tenants do not report their reasons for leaving to their landlord. It is also partly because there is not always a single reason, with a range of issues potentially contributing to a tenant's decision to leave. One frontline organisation was aware of instances where abandonments may be recorded in order to avoid recording an eviction, sometimes with the collusion of the tenant.**

Nevertheless, the evidence from the homelessness statistics of tenants leaving their homes as a result of harassment and violence, coupled with the evidence from tenants for this research, suggests that anti-social behaviour is likely to be an important contributory factor to some tenants leaving their homes.

Officers of frontline and campaigning organisations stated that fleeing violence and harassment is a big cause of abandonments. One officer reported having had five cases in the past six months where they had been asking for a management transfer including serious physical harassment with police reports having been made. However, the housing associations in all those cases were unwilling to move people through a management transfer on the grounds that the harassment was not serious enough.

Wheatley Group has a relationship with Police Scotland which allows it to identify criminal or anti-social behaviour incidents, including domestic abuse cases, on a weekly basis and to map these against patches. This allows Wheatley to categorise different parts of its estate in three categories: 'Safe', 'Calm' and 'Peaceful', with 'Safe' having the most incidents of reported crime and anti-social behaviour and 'Peaceful' the least. Around 70% of tenancies are classed as peaceful and the housing officers work with police and environmental teams to help move areas from safe to calm and calm to peaceful.

Most anti-social behaviour cases are identified as involving significant vulnerability of the perpetrator and the approach taken reflects this.

Wheatley has a KPI tracking "unplanned move on" which remains at very low levels.

Wheatley works closely with Barlinnie Prison in Glasgow to support tenancy sustainment. This involves sharing information on tenants who have been imprisoned so that engagement work can start as early as possible to help sustain tenancies, and also means that Wheatley get notification if one of its tenants is going to be released. The arrangement involves a partnership between Criminal Justice, DWP, RSLs, third sector organisations and is centred on sustaining tenancies wherever possible.

Fife Council has increased its response to anti-social behaviour. Twelve new anti-social behaviour officers have recently been deployed and the issue is no longer the responsibility of frontline Housing Officers, but will go to a specialist anti-social behaviour officer from the outset. One of the issues to be addressed is that the problem that anti-social behaviour cases can be sometimes be closed within target times but with the issues not really resolved.

However, anti-social behaviour issues can be very difficult to resolve, especially if symptomatic of mental health problems or as a result of a lifestyle clash e.g. a family making noise going about normal daily life. Fife Council felt that anti-social behaviour has also been a bigger issue in lockdown because people are at home more.

WSHA manages anti-social behaviour by close working with local authorities, good estate management and having housing officers visible in neighbourhoods

Officers in frontline organisations were concerned that abandonment gets much less focus than it deserves compared to evictions and that the focus of tenancy sustainment in social tenancies should be on tenancies ending in homelessness rather than just evictions.

## 4.8 The importance of community and peer support

**Sanctuary Scotland's Community Connector team is staffed by officers with community development backgrounds, and is applying asset-based community development to housing issues.**

The service is informed by research and consultation with former tenants who had lost their home, which led to the clear conclusion that what people want and what is most effective is to develop trusting relationships and connections with others.

The aim is not just to support tenants to keep their house, but is about supporting them to discover their own strengths and what they can contribute, as well as to connect people to their neighbours.

For example, the team might introduce tenants to community breakfasts and community cafés in their area. These are usually very welcoming and people may gradually experience a greater feeling of belonging within their local area. It is the community worker's job to understand what the local 'assets' such as these are, as part of a place-based approach to community and belonging.

In addition to supporting tenants, the service is also asking wider questions within the association about housing systems and procedures to see if there are ways that these can be made more effective in relating to tenants as individuals.

Blue Triangle Housing Association emphasised the importance of peer led, peer advocate recovery communities. The organisation is committed to an approach that helps to build communities of shared experience and to the CHIME (Connectedness, Hope and Optimism, Identity, Meaning in Life, and Empowerment) recovery framework.

The Simon Community were also keen to emphasise the importance of community and mutual support in tenancy sustainment, noting that it is important for people to be connected to each other and therefore important to have enough people to do the community work that is needed in an area as well as the tenancy sustainment work.

The Simon Community has also found that some people do better in a shared living arrangement for a period rather than getting their own flat immediately. Some young people don't want to live alone, as well as struggling to afford the rent on a self-contained flat. Some of what is needed for young people in tenancy sustainment is help to understand their bills, rent, benefits etc. but this is only part of it. Lifestyle and relationships are also very important. Tenancy sustainment could be anything that is needed.

Fife Council is making real efforts to help develop safer and more attractive communities. This includes working with community led groups including local businesses leaders, community activists, RSLs and others to look at what a particular community needs. This can include annual walkabouts with community leaders, tenants and other residents, and police to see what people want to change in a neighbourhood.

Social inclusion and regeneration work is also a focus for Queens Cross, with digital inclusion support a priority. The association also has a small charity which can provide grants of up to £250 for expenses which might change people's life experience. For example, swimming lessons, dancing lessons, participation in school trips.

Wheatley Group also stressed the importance of linking tenants into community resources as a key feature of developing resilience.

## 4.9 Dealing with rent arrears and other debt

**There was a shared understanding amongst everyone we spoke to that it is difficult for many social housing tenants to manage financially, that the welfare benefit system is complex and that support around income maximisation and debt management are important for many tenants.**

It was also understood that some tenants in financial difficulties may find it hard to discuss these with their landlord, but that landlords should offer whatever support they can. All the landlords we spoke to try hard to do this to the best of their ability.

Early intervention was recognised as being key in order to prevent rent arrears reaching levels where court action is taken and the situation is difficult to resolve.

Inverclyde highlighted the importance of support around finance and income maximisation as financial issues are a main cause of tenancies struggling. In Inverclyde, some of this support is provided directly by RSLs and some through signposting to local authority commissioned services.

On rent arrears, Perth and Kinross Council has suspended the escalations process and tries to support tenants through income maximisation, including using the Scottish Government hardship grant where applicable. If full recovery of arrears is not possible then the council will set up an affordable payment plan.

Perth and Kinross Council has an eviction prevention panel which includes representation from the Health and Social Care partnership, welfare rights, and the homelessness team. The panel investigates whether everything has been done in terms of income maximisation, giving options to pay and other appropriate measures, before approving an eviction. A report then needs to go to the deputy director setting out what has been done before the council would proceed to evict.

The council also sometimes use a technical evictions process which allows conversion to a Short Scottish Secure Tenancy (SSST) but does not require the tenant to leave.

Fifty-one per cent of Perth and Kinross Council tenants now have a payment arrangement, up from 25% before the pandemic. The council will pay 20% of rent for people who have been furloughed. There has been a 20% increase in tenants on Universal Credit since the pandemic and the council has agreed to cover the first five weeks rent until Universal Credit comes through.

Through this combination of measures, the rent collection rate has now increased to 100%.

Wheatley use Power BI to create dashboards and customer lists based on a range of housing management data in order to identify tenants who may be in difficulty paying their rent. In practice, however the close relationship between housing officers and tenants is often at least as effective in establishing where there might be problems at an early stage. Housing officers can refer tenants through a range of pathways, including trained welfare advice advisers, fuel poverty, employability advisers, and a number of bespoke services which can be adapted to meet customers individual needs and help them get out of arrears.

An important part of Wheatley's approach is to distinguish between tenants who can't afford to pay and those who are not engaging. Efforts are made using different methods to help customers to reengage at all stages, alongside efforts to collect debt.

Queens Cross takes a robust approach to arrears which starts early in a tenancy. Tenants are encouraged to save a pound or two per week to build up a small surplus on their rent account which acts as a cushion. This policy started due to the success of one housing officer achieving low rent arrears across their patch and when rolled out led to a reduction in rent arrears across the board. Encouraging tenants to take a proactive rather than a reactive approach has resulted in serving less notices.

WSHA manages rent arrears with the help of the Rentsense<sup>36</sup> tool which helps to predict which tenants may be at risk of getting into difficulties and should be prioritised for contact and follow up. Assistance with budgeting is provided with the income maximisation team regularly updating income and expenditure statements so that any payment arrangements are realistic and sustainable.

One frontline and campaigning organisation acknowledged that standard rent arrears letters from landlords offer the option of speaking to one of a list of support organisations named in the letter to get help. But it felt that letters don't really work and it needs somebody to phone up or text. It also agreed that many RSLs do phone up or text in these circumstances, but there is a sometimes a trust issue.

The officers felt that some local authorities still use the sheriff court as a 'debt collection device' and have very little engagement with tenants in arrears. This may be partly because they are not well resourced to engage.

Officers felt it can be very unhelpful for landlords to take the approach of maximising arrears payments in payment plans when people clearly can't afford it and the arrangement is bound to break down. Skilled external agencies can be helpful here in taking a holistic view of the issues.

Early referral to support was also seen as key. One frontline organisation reported that in almost all the cases they see in court, perhaps 95 times out of 100, there would have been a solution if there had been time to find it.

Sanctuary Scotland pointed out that, on the basis of a conservative estimate that an eviction costs the association an average of £10,000, a community worker would only need to prevent around three evictions per year to be financially self-sustaining. The difficulty, however, can be in attributing reductions in evictions or abandonment to specific interventions such as community work.

**"Some people put their heads into the sand until there is no choice." – tenant**

36 <https://www.mobyssoft.com/rentsense/>

## Section 5

# Funding for tenancy sustainment work

**Tenancy sustainment work includes a wide range of different practice by a number of different organisations.**

Some tenancy sustainment work requires the deployment of additional resources by landlords, for example provision of specialist advice and support for tenants identified as experiencing difficulties.

However, the key to supporting other tenants may be to make use of externally provided services, such as commissioned floating support, mental health or drug and alcohol services. In some cases, access to funding for furniture and household equipment is important.

However, there are also real opportunities to support tenants through changes in landlord practice which do not necessarily add additional cost, such as better relationship building between landlords and tenants, information sharing between different organisations, sensitive allocations policies, rent arrears policy, anti-social behaviour policy, domestic abuse policy, approach to management transfers and in other areas outlined in this report.

There is thus no one source for tenancy of sustainment funding, as different services can be provided by landlords, local authorities, health services, the voluntary sector and the Scottish Government.

It is also the case that some services landlords may provide to reduce the risk of tenants being evicted, abandoning their homes, or approaching local authorities as homeless can provide a net saving because of reductions in the costs associated with tenants losing their homes. These savings may be directly to the landlord or to the wider public purse.

It is beyond the scope of this report to provide an analysis of the costs and benefits of different types of tenancy sustainment services. At least arguably, this should be the subject of further research, in order to encourage greater investment in this area where it can be shown to be most effective.

A helpful discussion of funding for supported housing in Scotland, including support provided in general needs tenancies, can be found in Section 5 of the Shared Spaces<sup>37</sup> report on 'the future role of supported housing to prevent and respond to homelessness in Scotland.'

37 <https://homelessnetwork.scot/wp-content/uploads/2021/10/4.-Shared-Spaces-POLICY-POSITION-041021.pdf>

By way of a brief summary, our research identified a number of funding streams being used by social landlords and their partners for tenancy sustainment work. Broadly these include:

### 5.1 Rental income

Much of the tenancy sustainment work being provided by local authorities and housing associations is from core rental income. Sometimes, this was on a spend to save basis, bearing in mind the high cost of evictions and the substantial costs of voids caused by abandonments or evictions.

In other cases, for example Perth and Kinross Council, consultation with tenants had led to agreement to raise rents specifically to support tenancy sustainment work.

There are also many elements of landlords' core work, which might not specifically be designated as tenancy sustainment activity, but if done well can be central to tenancy sustainment, such as allocations and sign up procedures, delivery of voids works, furnished tenancy provision, anti-social behaviour procedures, maintenance and care taking services, and of course rent arrears processes.

### 5.2 Rapid Rehousing Transition Plans (RRTP)

A number of local authorities have used RRTP funding to enhance tenancy sustainment functions.

### 5.3 Housing First

Some local authorities we spoke to, with support from the Scottish Government, were offering housing first services to support existing tenants identified as struggling, as well as to support the creation of new tenancies.

### 5.4 Housing support funding

Many local authorities commission housing support services from the third sector to support people through 'floating housing support services.'

### 5.5 Health and social care funding

Access to mental health, drug and alcohol and other services, including effective support services within the criminal justice system were seen as key to effective tenancy sustainment for more vulnerable tenants.

### 5.6 Grant funding

A number of landlords fund specific tenancy sustainment and tenant welfare activity through bids for funds available through the Scottish Government, SFHA, local authorities, charitable grants and other sources. One of the challenges of this kind of funding, which is often time limited, can be how to mainstream the activity when the grant ends.

## Section 6

# Conclusions

**Scotland is recognised as having one of the strongest homelessness safety nets in the world. This is supported by a strong legal framework and a collaborative approach to policy and practice which includes local authorities, housing associations and voluntary sector agencies in shared commitment to preventing and tackling homelessness.**

Two years of the Covid-19 pandemic have radically altered the way social landlords have been able to work and has dramatically reduced the number of both evictions and abandonments from social housing tenancies in Scotland.

Interestingly, and importantly for future practice, this has been achieved in the context of relatively little impact on rent arrears.

However, despite the reduction in eviction and abandonments from social housing tenancies in 2020/21, homelessness statistics from the Scottish Government indicate that the number of social housing tenants approaching local authorities as homeless remained at around the same levels.

Even prior to the pandemic, more than twice as much homelessness was as a result of violence and harassment, than as a result of eviction or other landlord action.

The research on tenancy sustainment in Scotland, England and internationally is not clear enough to quantify the impact of different tenancy sustainment interventions in a robust way. Nevertheless, there is a relatively clear consensus on what is important in sustaining tenancies within the research, and this was also backed up by the views and responses of landlords, tenants and other agencies we talked to in our research.

There was much evidence of good practice, innovation and dedication to tenancy sustainment amongst the housing associations and local authorities we spoke to for the research.

However, discussions with tenants and with organisations working at the frontline of supporting tenants in difficulty, indicate that this good practice is not consistently adopted amongst all social landlords.

The keys to effective tenancy sustainment, according to almost everyone we spoke to, are the establishment of strong relationships with tenants as early as possible, providing the support and advice needed by each individual when they need it, and not setting people up to fail by starting tenancies in debt or without the ability to secure the furniture and equipment they need to make a home.

There is much to learn from and share between social landlords in Scotland about exactly how to do this well.



**"The key is communication between the tenant and the landlord." – local authority**

**"Imagine waiting for two years in temporary accomodation and then getting an offer of a flat with needles in the stairwell." – voluntary sector support provider**

6.1 What does good practice look like? – 20 key factors

Based on our discussions with local authorities, housing associations, campaign groups and current and former tenants as well as the evidence from the research and data reported on above, we have attempted to distil 20 key points as being at the heart of tenancy sustainment good practice for housing association and local authority social landlords.

It is important when considering these points to be aware that it is not only the practice of social landlords which contributes to tenancy sustainment. The availability and quality of housing, the rules and operation of the welfare system, access to health, care and support services, and the safety of neighbourhoods are all important to the success of tenancies and may, to a greater or lesser extent, be outside landlords’ control. Bearing this in mind, key considerations for local authorities and housing associations to consider in promoting tenancy sustainment and reducing the likelihood of tenants losing their homes through eviction or abandonment include:

6.1.1 Referrals and allocations

- 1. Proper identification of support needs prior to referral to a new tenancy.
- 2. Appropriate information sharing between local authorities and RSLs and between local authority homelessness and landlord functions.
- 3. Sensitive allocation of properties to maximise the chances of tenants settling into their new home and sustaining their tenancy, including giving applicants a degree of choice about where they are housed.

6.1.2 Welcoming new tenants

- 4. The importance of taking the time to establish positive relationships from the outset when a tenant moves into their new home.
- 5. Not assuming that new tenants have all the knowledge they need about benefit entitlement, utilities, budgeting and the other issues and responsibilities involved in managing a tenancy, especially those moving after a traumatic situation such as domestic abuse or homelessness, or those who have never managed a tenancy before.
- 6. Where a need is identified, tenants should be assisted to furnish and equip their properties quickly after moving in. A welcome pack of local information, kitchen essentials and other basics can be a simple and immediate way to help.
- 7. Practices such as requiring rent in advance to tenants who cannot afford to pay it or causing tenants to have to pay rent on two properties at the same time should be avoided.

6.1.3 Understanding and advancing equality

- 8. Taking account of protected characteristics and disadvantages people experience as a result of who they are or where they live their life is paramount – and equalities training for staff is key. Tenant profiling exercises can be a useful way of understanding what services are needed by whom.
- 9. The importance of communicating appropriately with tenants who have different communication and language preferences and literacy levels. People with visual impairments may struggle to communicate online whilst some tenants may be unused to communicating by telephone. Some tenants may have difficulties with complex written material, including tenancy sign up packs. It is important to go beyond the use of standard letters to communicate with tenants, as these may not always be read or understood. Home visits may be needed to follow up written communications.



6.1.4 Identifying risks and intervening early

- 10. Using data and risk identifying information to intervene early. It is better to pick up issues ranging from rent arrears to domestic abuse as early as possible and approach tenants sensitively.
- 11. Use should be made of services like caretaking, maintenance or informal visits to spot warning signs of issues like hoarding or domestic abuse.
- 12. Staff may need specialist training to be able to respond sensitively and appropriately to issues like suspected domestic abuse.

6.1.5 Collaborating with partners

- 13. Some tenants may be reluctant to share information with their landlord, especially if they are in debt. In some cases, this may be best resolved by support being provided by an external organisation. Other organisations have had success by developing distinct functions within one organisation to provide support and collect rent. Where possible, tenants should be given some choice about where they get support.
- 14. Multi-disciplinary and multi-agency approaches can work well, especially when tenants may be facing a range of issues.

6.1.6 Tackling anti-social behaviour

- 15. Effective handling of anti-social behaviour is essential to maintaining settled communities and helping people to feel safe in their homes, as well as to avoid abandonments due to fleeing violence and harassment. This can include flexible use of transfers and identifying the cause of anti-social behaviour (for example, support needs or lack of furniture and carpeting causing noise nuisance).

6.1.7 Building positive tenant and community connections

- 16. It may take multiple attempts or reaching a trigger point before some tenants will engage. In general, early intervention is preferable, but prevention should be attempted at every point of a homelessness crisis.
- 17. Connection into local communities and services can make a big difference to the success of a tenancy. It is also important that existing links to support services are not lost as a result of moving to a new area. Community and peer support can be effective ways to support engagement.

6.1.8 Supporting arrears and debt

- 18. Provision of specialist debt advice can be extremely valuable. Early advice on budgeting and income maximisation may be preferable to waiting until tenants are in rent arrears before helping.

- 19. Payment plans to clear rent arrears should be realistic if tenants are to keep to them.
- 20. A very low level of possession proceedings are defended,so encourage tenants to act early. In addition to reflecting a lack of accessible legal support and court duty services to support tenants in possession cases, this may also be linked with a proportion of tenants abandoning properties rather than attending court.

6.2 Wider recommendations

**It was clear from discussions with local authorities, RSLs, voluntary sector organisations and tenants that it would be helpful in improving tenancy sustainment in Scotland if the following issues were addressed:**

- 1. The way the Scottish Welfare Fund is administered in many local authority areas was perceived to be too slow and bureaucratic to be effective in helping new tenants to establish themselves quickly in a new tenancy. As a result, some local authorities have resorted to setting up quick access funds to support tenants in equipping their homes, which avoid having to use the Scottish Welfare Fund.
- 2. The effectiveness of Section 11 referrals varies across Scotland, with some local authorities being much more proactive than others in their response and in the way they use S11 as a trigger for homelessness prevention work.
- 3. The Sustainable Housing on Release for Everyone (SHORE) standards<sup>38</sup>, are intended to ensure that everyone should have suitable accommodation to go to on release from custody. However, these were reported as being applied inconsistently and sometimes ineffectively, with too many tenants losing their homes unnecessarily when imprisoned for short periods or on remand.
- 4. Barriers to information sharing can make it difficult for support providers to work effectively to sustain tenancies. More clarity around what is permitted would be helpful.
- 5. Difficulties in access to mental health services can be a limiting factor in tenancy sustainment, with some landlords setting up their own counselling services for tenants in response.
- 6. There are inconsistencies in the approach of different RSLs and local authorities to payment of rent in advance of a tenancy starting. A requirement to pay rent in advance can create financial difficulties for tenants. Some local authorities allow Discretionary Housing Payments (DHP) to be used to mitigate the impact of this on tenants, but this reduces the amount of DHP available for other purposes, including to support private tenants or to prevent homelessness.

<sup>38</sup> <https://www.sps.gov.uk/Corporate/Publications/Publication-5363.aspx>

- 7. The loss of ability to pay rent on two homes which has occurred through the transition from Housing Benefit to Universal Credit was also reported to have caused difficulties, as tenants required to give notice on their old home may either have to find money to pay rent on two homes, move before they have had a chance to furnish the new property, or fall into ret arrears on one of the two properties.
- 8. A number of tenants and organisations commented on the lack of mobility within social housing in situations which make tenancies hard to sustain and may lead to abandonment and/or homelessness, such as in cases of harassment, domestic violence or overcrowding.
- 9. Some respondents felt that greater clarity on who should fund tenancy sustainment work would be helpful. Some landlords appear to focus on providing their own services more than others, with evidence varying on the ability to access effective services funded by local and national government.

**"We encourage staff when they go out to keep their eyes open to spot signs that someone may be struggling, including caretakers, technical staff and maintenance contractors." – RSL**

Annex 1

Relevant Law and Policy

Compared to most other countries, Scotland has a strong legislative framework in place to help tackle homelessness and to provide support for those who need it. This includes a number of measures which, in principle, are helpful in promoting tenancy sustainment:

Ending Homelessness Together

The partnership approach to preventing and tackling homelessness in Scotland is set out in the Ending Homelessness Together action plan<sup>39</sup>, which sets out shared commitments and approaches including to:

- embed a person-centred approach
- prevent homelessness from happening in the first place
- prioritise settled homes for all
- respond quickly and effectively whenever homelessness happens
- join up planning and resources to tackle homelessness

The original plan was agreed by the Scottish Government, COSLA and partners in 2018, with an updated action plan published in October 2020. Specifically, the October 2020 plan includes commitments to:

- support the social housing sector to identify and support households at risk of homelessness before they reach crisis point
- develop cross-sector project to establish mechanisms for avoiding evictions into homelessness, and
- take forward further awareness

The Housing (Scotland) Act 2001 and Homelessness etc (Scotland) Act 2003 are the bedrock of homelessness law on which sit a further range of orders and policies. raising activity on financial support and tenancy rights.

39 <https://www.gov.scot/publications/ending-homelessness-together-updated-action-plan-october-2020/documents/>

Housing support duty

The housing support duty to homeless households<sup>40</sup> requires local authorities to assess the need for housing support of households who are homeless or threatened with homelessness and to ensure that these support needs are met.

Scottish Welfare Fund

The Scottish Welfare Fund<sup>41</sup> provides funding to local authorities to make community care grants to support tenants with funds to help them set up a new home or in certain circumstances to maintain their home, e.g. by providing furniture and equipment.

Section 11 Notification Duty

Section 11 of the Housing (Scotland) Act 2003 requires landlords to notify local authorities when they act which puts a tenant at risk of homelessness due to eviction.

Possession pre-action requirements

The Housing (Scotland) Act 2010 includes pre-action requirements<sup>42</sup> that all social landlords must comply with where they are seeking possession of a social tenant's property because of rent arrears, along with any other ground.

In brief, the pre-action requirements (underpinned by a number of pieces of secondary legislation) are to:

- Give clear information about the tenancy agreement and the unpaid rent or other financial obligations
- Make reasonable efforts to give help and advice on eligibility for housing benefit and other types of financial assistance
- Give information about sources of help and advice with the management of debt
- Make reasonable efforts to agree with the tenant a reasonable plan for future payments
- Consider the likely result of any application for housing benefit that has not yet been decided
- Consider other steps the tenant is taking which are likely to result in payment within a reasonable time
- Consider whether the tenant is complying with the terms of an agreed plan for future payments
- Encourage the tenant to contact their local authority (where the local authority is not the landlord).

"Not everybody can cope with things like banks and filling out forms." – tenant

40 <https://www.gov.scot/publications/housing-support-duty-homeless-households-guidance-local-authorities/pages/3/>  
41 <https://www.mygov.scot/scottish-welfare-fund>  
42 <https://www.gov.scot/publications/housing-scotland-act-2001-2010-guidance-social-landlords-pre-action/>

Domestic Abuse Act

Informed by recommendations from the Scottish Government working group report on improving housing outcomes for women and children experiencing domestic abuse<sup>43</sup>, the Domestic Abuse (Protection) (Scotland) Act 2021<sup>44</sup> will, when implemented, enable police and courts to ban suspected abusers from re-entering the home and from approaching or contacting the person at risk for a period of time to enable them to consider their longer-term options around safety and housing. The act will also allow social landlords to end or transfer the tenancy of a perpetrator of domestic abuse to the victim.

SHORE Standards

The SHORE standards<sup>45</sup> (Sustaining Housing On Release for Everyone) adopted by SFHA, ALACHO, CIH Scotland, Shelter and the Scottish Prison Service, require prison services, social landlords and local authorities to work together to retain existing tenancies where feasible when imprisoned (including on remand).

"Nobody wakes up in the morning and decides not to pay their rent." – RSL

43 <https://womensaid.scot/wp-content/uploads/2020/12/Improving-Housing-Outcomes-for-Women-and-Children-Experiencing-Domestic-Abuse-Report.pdf>  
44 <https://www.legislation.gov.uk/asp/2021/16/contents/scotland>  
45 <https://www.sps.gov.uk/Corporate/Publications/Publication-5363.aspx>

SFHA Statement on Evictions

SFHA’s housing association statement on evictions<sup>46</sup> says that housing associations in Scotland are committed, during the pandemic and beyond, to the following:

1. Keeping people secure at home

No one will be evicted from a housing association home as a result of financial hardship, where they are working (or engaging) with their housing association to get their payments back on track.

2. Helping people to get the support they need

Housing associations are helping residents to access benefits and other support to alleviate financial hardship, including supporting people to get into work where possible.

3. Acting compassionately and quickly where people are struggling

Housing associations will work with any resident who is struggling to pay rent to make arrangements that are manageable for them in the long term. Legal action will only be taken in serious circumstances – for example as a last resort where a resident will not agree a plan with their landlord to pay their rent, or where it is needed urgently in cases of domestic abuse or of anti-social behaviour that is putting other residents or communities at risk.

Taken together, these laws, standards and policies offer a solid commitment to supporting social housing tenants to sustain their tenancies, although in practice, the application of some measures, such as the response to S11 referrals or the implementation of the SHORE standards does appear to vary significantly, based on our research.

46 <https://www.housing.org.uk/news-and-blogs/news/housing-associations-evictions-statement/>

Prevention Review Group Recommendations

The legal underpinning for tenancy sustainment work by landlords is likely to be further strengthened by the Scottish Government in response to the recommendations of the Prevention Review Group (PRG) in February 2021<sup>47</sup> that new homelessness prevention duties should be placed upon social landlords as well as a number of public bodies. The Scottish Government has accepted the recommendations in principle and consultation is to begin shortly on the proposed contents of new legislation in this area.

The PRG report recommends that where a social landlord identifies circumstances which may lead to a risk of homelessness, the social landlord must take relevant reasonable steps to mitigate that risk. Risks would include:

- Rent arrears or other financial difficulty which may give rise to risk of homelessness.
- Tenant behaviour or action which may give rise to risk of homelessness.
- Other circumstances, including domestic abuse, or court proceedings for example relating to criminal charges, which may give rise to a loss of accommodation due to remand or imprisonment.

The reasonable steps the landlord should take would include:

- Housing management practices to sustain tenancies
- Engaging with the tenant to address relevant financial circumstances
- Engaging the tenant to address behaviour.
- Putting in place protocols to address relevant circumstances and mitigate risk of homelessness at an early stage, including protocols relating to domestic abuse and where tenants face court proceedings.

The report also proposes early notification of risk of homelessness by social landlords to local authorities if the landlord considers the risk of homelessness for a tenant to require assistance beyond their powers, with a clear process in place between the social landlord and the local authority so that no one is evicted from social housing without somewhere to stay.

As the PRG’s report acknowledges, many of these recommendations reflect the good practice already being implemented by many social landlords.

**"For us tenancy sustainment starts as soon as someone walks through the door needing accomodation." – local authority**

47 <https://www.crisis.org.uk/media/244558/preventing-homelessness-in-scotland.pdf>

# Protecting Homes and Preventing Eviction

The role of social housing  
in sustaining tenancies

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