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**Item No: 19**

**Meeting Date: Wednesday 30<sup>th</sup> November 2022**

## **Glasgow City Integration Joint Board**

**Report By:** Pat Togher, Assistant Chief Officer, Public Protection and Complex Needs

**Contact:** Jim McBride, Head of Adult Services (Criminal Justice and Homelessness)

**Phone:** 0141 287 4028

### **Scottish Government Local Connection Powers Modification**

<b>Purpose of Report:</b>	This paper provides an update to the IJB on the Modification of Local Connection referrals in Scotland and potential implications for the Health and Social Care Partnership.
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<b>Background/Engagement:</b>	<p>The Housing (Scotland) Act 1987 conveys a power on Local Authorities to investigate if a homeless household has local connection to its area. Local connection is acquired where a household member has been resident or has economic or social ties to the local authority area. Where an authority has established that no local connection exist it may exercise the power to refer the household back to another local authority where a local connection may reasonably exist.</p> <p>In September 2022 the Scottish Government laid a secondary statutory instrument indicating the intention to suspend the local connection within the Housing (Scotland) Act 1987. It is intended that the order will come into force on 29<sup>th</sup> November 2022.</p>
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<b>Governance Route:</b>	<p>The matters contained within this paper have been previously considered by the following group(s) as part of its development.</p> <p>HSCP Senior Management Team <input checked="" type="checkbox"/></p> <p>Council Corporate Management Team <input type="checkbox"/></p> <p>Health Board Corporate Management Team <input type="checkbox"/></p> <p>Council Committee <input type="checkbox"/></p>
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	Update requested by IJB <input type="checkbox"/> Other <input type="checkbox"/> Not Applicable <input type="checkbox"/>
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<b>Recommendations:</b>	The Integration Joint Board is asked to:  a) Note the contents of the report; and b) Recommend a further report is requested in 6 months to provided detail on the impact of the suspension of local connection within the Housing (Scotland) Act 1987.
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**Relevance to Integration Joint Board Strategic Plan:**

The suspension of the Local Connection power may have an impact on the Health and Social Care Partnership in relation demand for accommodation and support services within the city.
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**Implications for Health and Social Care Partnership:**

<b>Reference to National Health &amp; Wellbeing Outcome(s):</b>	This report relates to the National Health and Wellbeing Outcomes 3,4,5 and 7.
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<b>Personnel:</b>	There are no personnel implications flowing from this report.
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<b>Carers:</b>	There are no personnel implications flowing from this report.
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<b>Provider Organisations:</b>	The suspension of the Local Connection provisions may lead to an increase in demand for homelessness and social care support that may impact on providers organisation's ability to meet demand.
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<b>Equalities:</b>	Households affected by homelessness can often face multiple disadvantages and complex needs however the proposed policy revision on the part of the Scottish Government will impact upon all households seeking homelessness assistance.
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<b>Fairer Scotland Compliance:</b>	No implications.
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<b>Financial:</b>	Increased demand for homelessness, health and social care assistance from households out with the local authority area will likely lead to increased cost pressures on services. No additional funding has been received from the Scottish Government to support the suspension of the Local Connection power.
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<b>Legal:</b>	The proposed changes will impact upon the Council's Homelessness Policy. Amendments to the Council's Homelessness Policy to reflect the changes to the Local
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	Connection provisions will be subject to further reporting to committee.
<b>Economic Impact:</b>	The changes may lead to increased pressures on demand for social housing within the city.
<b>Sustainability:</b>	No implications.
<b>Sustainable Procurement and Article 19:</b>	No implications.
<b>Risk Implications:</b>	The HSCP may see an increase in demand for accommodation, health and support services this may undermine our capacity to deliver effective care and support. Increased demand for assistance will also increase budget pressures.
<b>Implications for Glasgow City Council:</b>	The changes to the Local Connection power may lead to an increased demand for homelessness assistance. This may undermine the Local Authorities ability to discharge its statutory duties in relation to emergency and settled accommodation.
<b>Implications for NHS Greater Glasgow &amp; Clyde:</b>	The changes to the Local Connection power may lead to an increased demand for homelessness assistance. The may, in turn, lead to an increase in the numbers of households seeking support with health problems.

<b>Direction Required to Council, Health Board or Both</b>	
<b>Direction to:</b>	
1. No Direction Required	<input checked="" type="checkbox"/>
2. Glasgow City Council	<input type="checkbox"/>
3. NHS Greater Glasgow & Clyde	<input type="checkbox"/>
4. Glasgow City Council and NHS Greater Glasgow & Clyde	<input type="checkbox"/>

**1. Purpose**

- 1.1 This report provides an update on the Modification of Local Connection referrals in Scotland and potential implications for the Health and Social Care Partnership.

**2. Background**

- 2.1 The Housing (Scotland) Act 1987 conveys a power on Local Authorities to investigate if a homeless household has local connection to its area. Local connection is acquired where a household member has been resident or has economic or social ties to the local authority area. Where an authority has established that no local connection exist it may exercise the power to refer the household back to another local authority where a local connection may reasonably exist.

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- 2.2 In September 2022 the Scottish Government laid a Secondary Statutory Instrument indicating the intention to suspend the local connection within the Housing (Scotland) Act 1987. It is intended that the order will come into force on November 29<sup>th</sup>, 2022.
- 2.3 In essence, the removal of the power will mean that any local authority would have a duty to secure settled accommodation for any unintentionally homeless household regardless of where they were resident, in Scotland, prior to the application. It is suggested that the modification would enhance choice and enable people to resettle from homelessness if *“they live in an area of their choosing where they can access the specific services and support, they require and where they are able to integrate successfully into the local community.”*
- 2.4 It is our understanding that the HSCP would continue to be able to make referrals to English and Welsh Councils, where households local connection was to that authority.
- 2.5 The exact impact on the Local Authority and HSCP is difficult to assess as there is limited data to assess the actual numbers of households who may exercise their right to make a homeless application from another local authority, as currently the Local Connection rules discourage households from applying to a local authority out with their area. However, given that Glasgow is a metropolitan local authority it is likely to see an increase in homeless applications from households with no local connection to the City. Any increase in homeless applications will only increase pressures on the HSCP’s capacity to discharge its statutory homelessness duties and place additional pressure on the city’s social housing system.
- 2.6 It is our experience that households seeking assistance from the HSCP under homelessness legislation, generally, also have health and social care needs beyond housing. It is, therefore, likely that we will see an increase in demand for health and social care services as people with pronounced health and social care needs gravitate to the city seeking assistance from the HSCP under homelessness legislation. In general terms, this increased demand will place increased pressure on health and social care services within the City.
- 2.7 Engagement across the HSCP indicates specific concerns. Whilst Criminal Justice colleagues are content that they have the power to manage high risk offenders managed under MAPPA arrangements who seek assistance under their new rights they are concerned regarding lower tariff offenders as well as the potential resource implications. Likewise, Children and Families services have expressed concerns regarding the potential resource implications of the revised homeless duties. There is also concern that individuals who have complex care packages provided within other Local Authority areas may lose access to vital treatment and support as they seek to make a homelessness application in Glasgow in an unplanned way.
- 2.8 There are a number of frameworks in place setting out the arrangements for the transfer and funding of care particularly in relation to Care Experienced Young People, Adults with care needs and households subject to MAPPA. It is reported that these arrangements are often complex and subject to negotiation between

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local authorities/HSCPs. It is unclear at this point how the suspension of the Local Connection provisions will interact with the current arrangements. Clarification is being sought from the Council's Legal Officers to assist with the implementation of the revised operating arrangements. However, given the nature of households ability to seek homelessness assistance in any Local Authority that they choose, without prior planning between Local Authorities for the transfer of care management, it is likely that the suspension of Local Connection powers will mitigate against people receiving effective care and support.

- 2.9 There is no means, within the SSI, to recover the costs of expensive care packages when a household seeks homelessness assistance from a local authority in which they have no local connection. The unintended consequences of this change will likely compound existing financial/resource pressures specifically in relation to Children/Adult/Older people care planning provision, increase demand on housing requirements including letting offers from Registered Social Landlords. It is worth noting that these challenges will likely exacerbate existing pressures associated with cost of living crisis and impact upon our ability to ensure resettlement plans and move on arrangements for our existing hotel population. Given the complexity of need faced by many homeless service users we would reasonably assume that Alcohol Drug Recover Services, Mental Health, Complex Needs Services will be impacted upon these changes.
- 2.10 Concerns regarding the potential impact of the suspension of the Local Connection provisions have been raised directly with the Scottish Government and through the Association of Local Authority Chief Housing Officers and COSLA. Following discussions on the potential for continued delay to the suspension of the Local Connection powers, the Scottish Government indicated that they were not willing to further delay the suspension of the order despite the pressures on HSCP in relation to the current economic outlook and impact on demand for homelessness services and the war on Ukraine on demand for social housing.
- 2.11 The Scottish Government have indicated that they will monitor the impact of the changes on Local Authorities.

### 3. Recommendations

- 3.1. The Integration Joint Board is asked to:
- a) Note the contents of the report; and
  - b) Recommend a further report is requested in 6 months to provided detail on the impact of the suspension of local connection within the Housing (Scotland) Act 1987.