

Executive Summary

Introduction

On 1 May 2004, ten countries joined the European Union (EU): Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia. Nationals from two of the accession countries – Malta and Cyprus – have had full free Treaty movement rights and rights to work throughout the EU. Under the accession treaties which apply to the other eight states ('the A8 states') the UK imposes limitations on the rights of A8 nationals to access labour markets and other social assistance, for a transitional period.

This summary report presents the key findings and recommendations of research carried out by the Scottish Council for Single Homeless between February and March 2006. The aim of the snapshot survey was to provide SCSH, and our members, with a better understanding of the issues faced by Local Authorities (LAs) in providing homeless and housing services to A8 migrant workers. SCSH was also keen to identify any changes which might be required to address the issues and suggest possible areas for further research or action.

SCSH first started receiving queries, principally from LAs, regarding homeless A8 migrants in the summer of 2005. The issues expressed centred on provision of housing, benefits and housing advice for A8 migrants who had found themselves homeless. Other concerns included LAs interpretation of guidance on homelessness duties towards this group.

Key Findings

Homelessness applications and information and advice

- > LAs have seen a significant rise in the number of homeless applications from A8 migrant workers over the study period. The greatest proportion of A8 applications were to be found in the North East and South East of Scotland and the Highlands & Islands.
- > A high proportion of LAs were aware of A8 migrant workers seeking housing and other advice from independent advice agencies such as Citizens Advice Bureaux (CABx), churches and job centres.

Household profile, employment and housing conditions

- > Homeless A8 migrant workers tend to be of working age, male and Polish.
- > A8 migrant workers tend to be employed within the fish and food processing sectors, and the hospitality and building industry.
- > A8 migrant workers predominantly approach the LA or other advice agencies for assistance from private rented and tied accommodation. Evidence suggests that A8 migrant workers' living conditions may be worse than other homeless applicants due to overcrowding.

LA service provision

- > There is considerable evidence to suggest LAs do not fully understand their duties towards housing and providing assistance to homeless A8 migrant workers. Many LAs believe the duty to provide homelessness assistance to this group is linked to housing benefit regulations.
- > Benefit related issues are at the centre of LA problems in providing services to homeless A8 migrant workers. Confusion exists in how migrant workers acquire entitlement to benefits.
- > LAs feel their inability to access translation/ interpretation services (or the process to accessing these services) is a further barrier to overall service provision.

Guidance and policies

- > LAs believe that the Scottish Executive Code of Guidance on Homelessness does not provide sufficient guidance for LAs on the complex requirements surrounding housing of homeless A8 migrant workers. LAs would like further clarification on benefit entitlement for A8 migrant workers who are homeless or threatened with homelessness.
- > Few LAs have developed specific policies (e.g. allocation policies) for A8 migrant workers.

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Summary of Recommendations

Homelessness applications and information and advice

- > LAs need to be aware of A8 migrant workers approaching independent advice agencies for housing and other information while ensuring that independent advice agencies are equipped to provide, and allow access to, high quality consistent advice and information.
- > The needs of A8 migrant workers need to be incorporated into LAs housing information and advice strategies, and other relevant policies, which in turn would feed into their homelessness prevention strategies.

Household profile, employment and housing conditions

- > Employer organisations should aim to ensure mechanisms for information sharing on housing and housing law are fully accessible for local employers where they are, or likely to be, employing A8 migrant workers.
- > The Scottish Executive should consider further developing links within all departments to ensure information on current employment law and good employment practices is shared across all relevant departments.
- > LA homeless services should be fully aware of the actions of their House in Multiple Occupancy (HMO) teams, or equivalent, particularly where overcrowded or poor housing conditions are thought to be present, or closure orders are being considered.

LA service provision (homelessness duty)

- > The Scottish Executive should, as a matter of course, issue LAs clarification on their duty to house and provide housing advice to homeless A8 migrant workers.
- > The Scottish Executive should clarify circumstances where 'removing' an A8 migrant worker from an LA area and returning them to their country of origin directly conflicts with the homelessness legislation and/or where it is an acceptable preventative course of action to take.

LA service provision (benefits)

- > The Scottish Executive needs to continue to work with the Home Office and other relevant

departments to resolve the conflict between benefit entitlement and the duty to provide housing to homeless A8 migrants.

- > The Scottish Executive should clearly signpost in the Code of Guidance information regarding entitlement for accessing benefits and the conditions of access for A8 migrant workers.

LA service provision (translation and interpretation)

- > The Scottish Executive should ensure, through guidance, that LAs are fully aware of local and national translation and interpretation services.
- > LAs should ensure their staff are fully aware of local and national translation and interpretation services.

Guidance and policies

- > The Scottish Executive should revise Chapter 13 of the Code of Guidance as soon as practically possible.
- > LAs should assess the housing demands of homeless migrant workers on their housing and homelessness services. The analysis should also be incorporated into any future revision of homelessness strategies and local housing strategies (LHS) – in addition to revisions of allocation policies.

Recommendations for Further Research

- > The main survey report makes a number of recommendations for further research which SCSH believes should be commissioned by the Scottish Executive and LAs to help understand the requirements of this potentially vulnerable group.

Copies of the full report are available from SCSH and can be ordered from our web site at scsh.org.uk - cost £12.50.

SCSH is the national membership body for individuals and organisations working to tackle homelessness in Scotland.

Wellgate House, 200 Cowgate, Edinburgh
EH1 1NQ

T : 0131 226 4382
F : 0131 225 4382
E : enquiries@scsh.org.uk
W : www.scsh.org.uk