

LIFELONG RIGHTS

FOR CARE EXPERIENCED PEOPLE

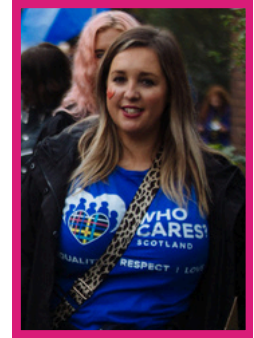


Housing Issue Paper



Statement of Intent

Who Cares? Scotland is the national membership and independent advocacy organisation for Care Experienced people in Scotland. With over 4,200 Care Experienced members, of all ages and experiences, from all over Scotland, our members are at the front and centre of our work. Ensuring Care Experienced people feel well represented, valued and connected is of the utmost importance and key to our participation and influencing work.



As we outlined in our [Lifelong Rights for Care Experienced People Report](#) our commitment is to record and evidence what we hear from Care Experienced people reinforcing the limited national data available, which shows that Care Experienced people currently do not have the same life outcomes as their non-Care Experienced peers.

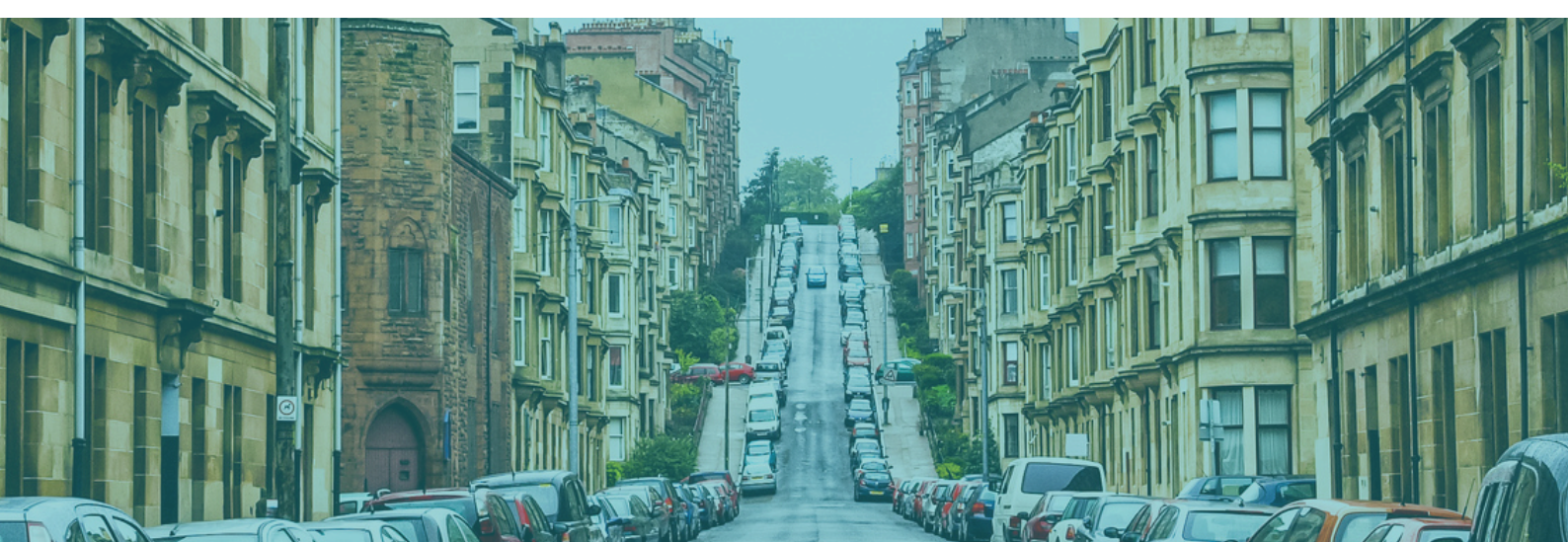
Over the next year, Who Cares? Scotland will publish a series of issue papers which are linked to the top five issues that Care Experienced people, aged 16 and over, raise with us through independent advocacy. This issue paper focuses on one of the most commonly raised issues for Care Experienced adults contacting us for advocacy: support with housing.

In May 2024, the Scottish Government announced that [Scotland was in the midst of a housing emergency](#). It's clear that efforts are being made to address this and organisations are seeking solutions to improve lives across Scotland. This report sets out the challenges faced by the Care Experienced people we represent through advocacy and participation including our Spring 2024 Housing Survey. We hope it offers immediate solutions for change whilst larger policy changes are implemented across the board.

Care Experienced people deserve to have access to safe, affordable, high-quality homes so that they can have the best chance at life. We believe that the solutions proposed in this paper go some way to ensuring that can happen for those with care experience all across Scotland.

Together, we can ensure that all Care Experienced people have access to safe, affordable, high-quality housing throughout their lives.

Louise Hunter, CEO, Who Cares? Scotland





Existing Policy & Evidence

**“Everyone needs a safe, warm place they can call home.”
(Scottish Government, 2018)**

Housing is a human right ([Shelter, 2019](#)). With proposals for the upcoming Scottish Human Rights Bill to incorporate the International Covenant on Economic, Social and Cultural rights into domestic law, this right will only be strengthened.

There is an extensive variety of existing campaigns and resources available to challenge the housing issues faced by Care Experienced people. We refer to some of these throughout this paper, although at times they change how they refer to Care Experienced people or those on the edges of care. Where possible we refrain from using the term ‘care leaver’ as we regularly see the unintended harm it causes for Care Experienced young people facing the same challenges and in need of support, but who miss out due to a technical definition.

“[There is a] loophole of leaving care before 16th birthday then no duty on social work to support through 20s - can lead to social work service predominantly being to get Care Experienced people back home before their 16th birthday to ensure no ongoing financial commitments.”

Care Experienced Person
(Who Cares? Scotland Summer of Participation 2023)

When society ensures everyone in our communities have what they need to thrive, everyone benefits. We, like The Promise, support a broad and inclusive term of Care Experience and encourage all Corporate Parents and policymakers to do so too to prevent inequalities from deepening.

Scotland has been committed to ending homelessness since the publication of the Ending Homelessness Together Action Plan in 2018 ([Scottish Government, 2018](#)), and reiterated this commitment to end youth homelessness in the Promise Plan 21-24 ([The Promise, 2021](#); 13).

A key factor in understanding the experience of housing in Scotland for those with experience of care is acknowledging the impact of homelessness. A lack of a safe place to call home and the uncertainty and stress of homelessness can have a devastating impact on mental and physical health, employment, finances and relationships ([Poverty Alliance, 2015](#); [Crisis UK, 2021](#)). This is often aggravated by a lack of support for those in need. Research regularly highlights that many Care Experienced people leave care abruptly, before they are ready and without the necessary preparation and support ([CELCIS, 2022](#); [Scottish Throughcare and Aftercare Forum, 2024](#)).

Coupled with the lack of options for young people to return to care, or rely on a family support network for a lifeline, Care Experienced people are at a greater risk of falling into repeat homelessness and experiencing severe and multiple disadvantages ([Lankelly Chase, 2019](#); [Crisis UK, 2021](#)). These impacts also ripple across our society and can have a knock-on effect for our communities, our services, and economy.



Existing Policy & Evidence

There is much that could be done to prevent Care Experienced people from experiencing homelessness. This includes, full implementation of the 2013 [Scottish Government Staying Put guidance](#), the [Continuing Care provision of the 2014 Children and Young People \(Scotland\) Act](#), and the [2019 A Way Home Scotland Coalition's Care Leaver Homelessness prevention pathway](#), all of which have been committed to by the Scottish Government and The Promise. It is essential that they are resourced appropriately.

Having a secure home base established first enables people to effectively address other issues, such as education and employment ([Crisis UK, n.d](#)). Ensuring that all young people, first and foremost, have a home that meets their needs from which they can thrive must be a priority for local authorities and duty-bearers. Corporate Parenting duties require local authorities to promote and support the physical, emotional, spiritual, and cognitive development of 'looked after children' and 'care leavers', and take action to improve the way they exercise their functions in relation to this group ([Scottish Government, 2015](#)). In the spirit of parenting, we encourage Corporate Parents to see this definition as a minimum and expand supports to Care Experienced people over the age of 26 and those who are not 'care leavers' wherever possible.

Ending homelessness is an ambitious but essential aspiration that Scotland must continue to take action on. To achieve it, policy makers and service providers will need to look beyond arbitrary limitations and definitions and provide the support necessary to all Care Experienced people, for as long as needed.





Our Evidence

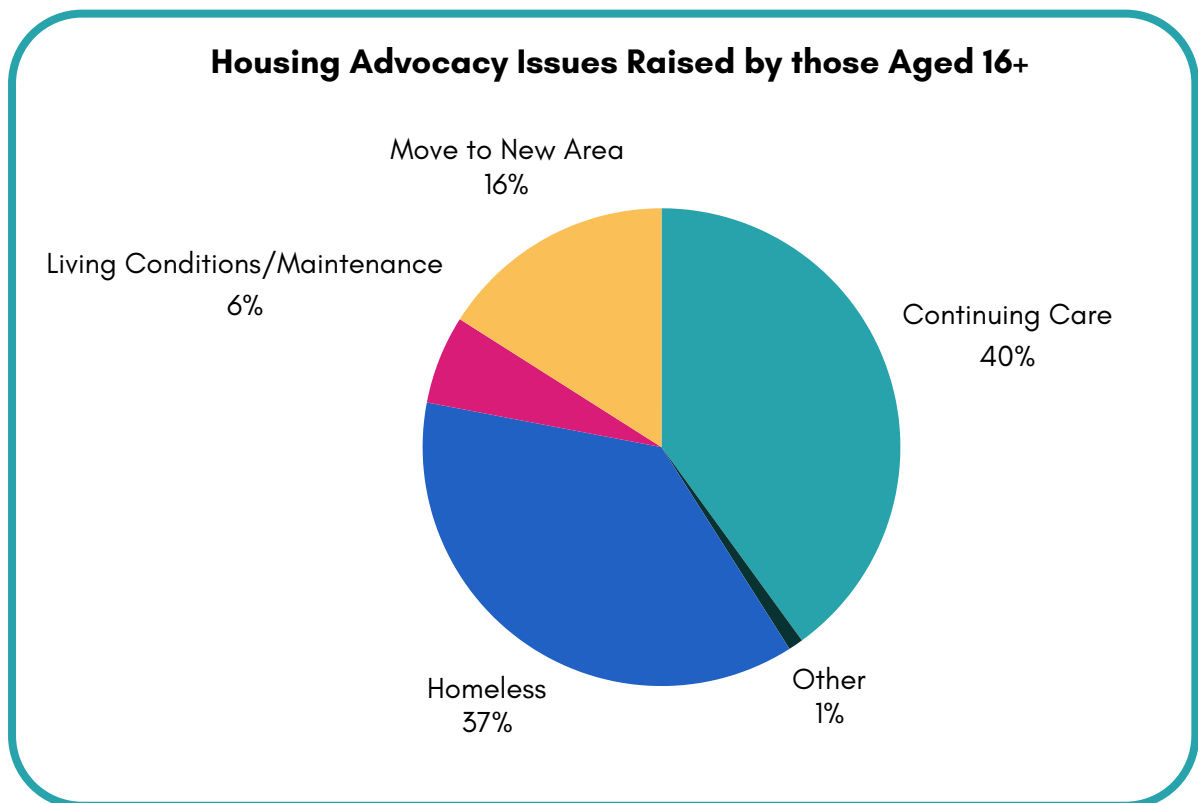
Who Cares? Scotland has supported Care Experienced people for the past 45 years, with 27 of those as an independent advocacy provider. This means we've supported thousands of Care Experienced people on some of the issues that matter the most to them.

During the Covid-19 pandemic, we established a National Lifelong Advocacy Helpline. The primary support this provides is for those with experience of care over 16. One of the key advocacy issues for this particular group of Care Experienced people is housing.

The evidence in this report is taken from a variety of sources including an online survey open Spring 2024, data from our advocacy work with Care Experienced people who have accessed advocacy in local authorities and through our National Advocacy Helpline. All of this is supported by case studies developed alongside Care Experienced people based on their experiences.

Advocacy Data

In the three years between 1st April 2021 and 31st March 2024 advocacy issues were raised by over 440 individuals in relation to housing. These cases can often be the longest issues to resolve and can require more support from advocacy workers. The three largest categories that we are asked to support people with include continuing care, homelessness, and moving to a new area. Around 93% of those we support with housing related issues are in an age category where they could be in the care system or in receipt of throughcare and aftercare support.





It's important to note that the majority of Care Experienced people, especially adults, do not receive advocacy and so these numbers could be much larger.

As an advocacy provider, we work with Care Experienced people across all ages through our National Lifelong Advocacy Helpline. However, our local authority contracts are age limited to those aged 26 and under. The support needed for adults would likely be much clearer if advocacy was more widely available for Care Experienced people regardless of age and location across Scotland.

Composite Case Study - Anna (18 years old)

Anna is eighteen and has lived in her children's home for seven years. She has a part time job and is completing her final exams at school. She hopes to go to the local college to study childcare and get her own flat soon.

Her keyworker told her that she would be top of the housing list to get a nice flat or she could move on to the National House Project in the area. This would give her more intensive support to learn practical skills like cooking and budgeting while she adjusts to living alone. Other residents from her house have spoken fondly about the relationships they built with the staff and other young people on the course.

When they spoke to Anna's social worker, she explained that unfortunately as Anna had been taken into care by a different local authority, she would not be eligible for the National House Project here or priority Housing Points to apply directly for a flat.

Anna feels really confused and upset about this. She does not want to move back to her previous town where her birth family live and leave her friends. She asks if she can stay in her children's home longer but her social worker says she needs to move on to make space for younger children.

They contact Anna's home local authority to ask if they will support her to rent privately to attend college but the Council say their policy is to encourage young people to stay in the area and she would need to attend their local college to receive funding. They said she would get £1500 when she leaves care to get essentials. Anna knows other young people get £2000 from their council. She feels this is unfair, and wishes it was easier to find information.



Survey Data

Throughout May 2024, we provided the opportunity for Care Experienced people to share their views via an online survey. Analysis of the survey responses show a broadly negative picture of housing and living conditions for Care Experienced adults in Scotland, with a lack of support, inadequate housing, lack of choice and financial issues being recurring themes.

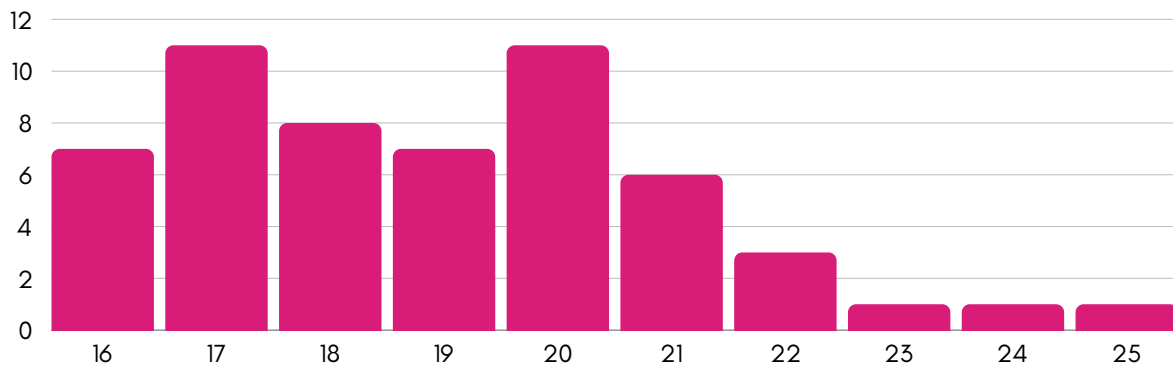
Responses were received from people aged 17 to 25, as well as people aged 26 and above.



46%

of those were aged under 26

At what age did you secure your first tenancy?



Responses to this question show that on average, our respondents moved into their first tenancy at an age of 19 years. It is important to note that this average is calculated from a relatively small sample size of 56, however it shows a moderate increase from research published by [CELCIS](#) in 2015 which stated that young people were leaving care at an average age of 16-18. However, this remains several years below the national average age to leave home of 25.

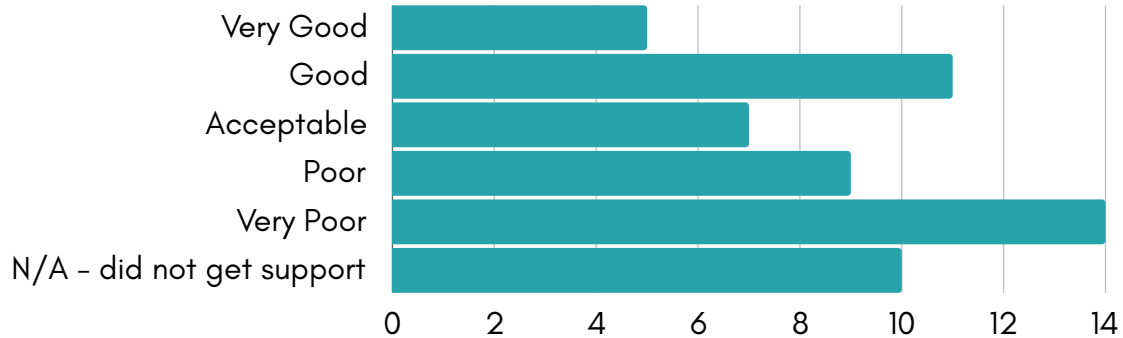
"I was homeless at 11, 16, 17, 18, 20, 22 and 23 years old due to being a victim of child abuse and then domestic violence. I also was unable to secure any tenancies on my own due to a lack of guarantor or credit score."

Care Experienced Person
(Who Cares? Scotland Housing Survey, May 2024)



Lack of support

Overall, the quality of support I received when securing my first tenancy was:



From first tenancies to temporary accommodation and experiencing homelessness, a lack of support appears to be widespread. People reported feeling unprepared, often lacking in independent living skills or that they were living in an inappropriate or unsafe situation that they could not leave.

“I had very little knowledge of how to access support with deposits for private lets and had no idea how to access council housing. I had a job and was also at university, so it seemed like I was left to fend for myself because I was standing on my own two feet. Something which was out of necessity for survival, not because I essentially wanted to do it alone.”

Care Experienced Person
(Who Cares? Scotland Housing Survey, May 2024)

Inadequate housing

Many of those answering the survey had been placed in accommodation that was unsafe, inadequate for their situation or in a poor condition. Issues cited include: being placed in an area with anti-social behaviour from neighbours; not having enough space for the number of people; disrepair; unsanitary conditions e.g., mould; and not having essential facilities.

“I was not given any choice on my first accommodation; I was told I need to take the flat. The flat subsequently was a two-minute walk from where my father was murdered. The care and consideration from anyone involved was minimal. Upon moving in I was given basic dishes, cutlery and information for when and where to pay rent. I was taken to Argos to choose basic furniture and told what I needed. After one week I never heard from Throughcare again.”

Care Experienced Person
(Who Cares? Scotland Housing Survey, May 2024)



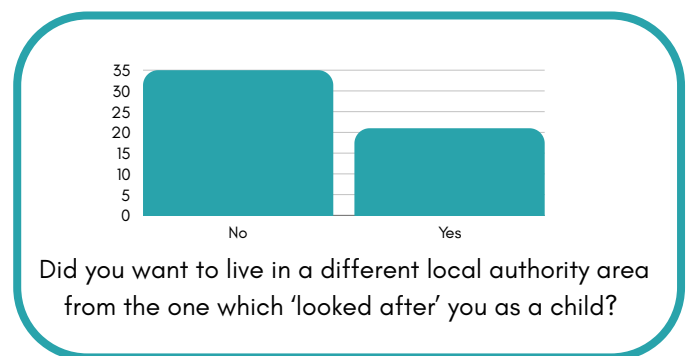
Lack of choice

Lack of choice over housing characterised the experience of many people answering the survey. This was often accompanied by a lack of support from service providers and led to people being placed in poor quality housing or in an area that was unsuitable for them.

"I was forced to move into my flat at the time when my Supported Carer decided she no longer wanted me there and Social Work took her side. I struggled to adapt to taking on the responsibility at first particularly when it came to paying the bills and I wasn't given much support with that at the time."

Care Experienced Person
(Who Cares? Scotland Housing Survey, May 2024)

From our survey, 38% of respondents told us that they had wanted to live in a different area to the one that had 'looked after' them as a child. When asked why, wanting to move closer to family, friends, carers or other connections in the area was a common motivation.



Some also mentioned wanting to move away from the area where they had experienced trauma, or where their family or carers live. It is important Care Experienced people have the autonomy to make these decisions for themselves and are not tied to an area in order to receive support that is detrimental to their wellbeing.

"I didn't like the options with the LA to live. I have experienced lots of trauma in the town I was placed in and surrounding areas were too expensive."

Care Experienced Person
(Who Cares? Scotland Housing Survey, May 2024)





Financial issues

Throughout the survey we heard financial issues heavily influenced people's experience of housing. This included having to live further from friends and family due to higher living costs in the area, or being made homeless, or having to move into temporary accommodation due to being unable to afford housing.

"I had to go to homeless accommodation at 15 while I was still in school. I had to go to citizens advice to get help to secure benefits as this was not the norm. Lucky I was able to get support. It was a difficult time and social work help was extremely limited. I felt like I was let down a lot."

Care Experienced Person
(Who Cares? Scotland Housing Survey, May 2024)



Analysis of survey responses showed that approximately 57% of respondents had experienced homelessness. This number is much higher than should be the case when these young people have been under the care of local authorities with direct control over social housing stock.

"I split with my children's mother and had to go homeless with my children as I couldn't afford the place I was in. The process to get a house through homeless in [local authority named] was very challenging."

Care Experienced Person
(Who Cares? Scotland Housing Survey, May 2024)

Financial issues is the most common reason for calls to our National Advocacy Helpline. A specific issue paper on this topic will be published later this year.



Composite Case Study - Peter (54 years old)

Peter grew up in care in the seventies. His education was poor, and he has low literacy skills and distrust of authority and engaging with services.

He had been given an eviction notice due to rent arrears. The council made an offer to Peter of temporary accommodation. Peter didn't feel comfortable living in a hostel environment and had rejected it and asked for somewhere else. He has PTSD and does not feel safe with sharing facilities with people he doesn't know. The council said they had fulfilled their legal duties to make at least one offer of accommodation and have discharged his case.

Peter contacted the Who Cares? Scotland National Advocacy Helpline who were able to appeal to the local Housing Officer for Care Experienced Young People to also take on Peter's case. The Housing Officer used discretion and arranged a time to meet with Peter at his home and build a relationship with him. She has enhanced training to understand the types of challenges someone with Peter's background may face, and the types of support available to him.

The Housing Officer was not able to help with his arrears but was able to approve an additional offer of a temporary furnished flat for him.

Shortly after, Peter received news that he was awarded compensation through the Scottish Child Abuse Redress Scheme. Peter thought he would like to use it towards purchasing his own flat and feeling settled, but he was not sure how this works or if his award is enough to make it affordable. He wished he had had better financial education. He's heard of the help to buy schemes but was not sure where to turn to for advice and assumed he would be eligible or welcomed at a bank due to his background so he didn't pursue this goal.





Solutions

Everyone has the right to a home that meets their needs. In response to the challenges Care Experienced people have told us they are continuing to face, we have set out key measures we believe are necessary and realistic for duty bearers to take before the conclusion of The Promise. We believe that the implementation of these solutions will play a part in upholding the principles of The Promise.



Solutions to Address a 'Lack of Support'

1. Full implementation and prioritisation of Continuing Care.

During 2022-23, [Annual Social Work Statistics](#) show that only 29% of young people eligible entered Continuing Care. The Scottish Government should work in partnership with local authorities and COSLA to publish a route map that shows how they will ensure the number of Care Experienced young people accessing their right to Continuing Care increases. It should be assumed practice that young people will remain in Continuing Care and be able to opt out, rather than frequently requiring advocacy to access their right to this.

2. Priority Housing Points and Through Care and After Care support should be available to all Care Experienced young people in any local authority.

Care Experienced people should be able to choose to live in the area that is best for them, without compromising their right to support. [Local Connection tests were abolished](#) for the general population applying for housing in Scotland in 2022. To continue to apply a form of 'local connection test' to Care Experienced people only, could be discriminatory. Priority Housing Points should be awarded to Care Experienced people, regardless of which local authority was responsible for their care.

Those with experience of care must also have the choice to receive practical and emotional aftercare support from the team local to them, rather than in a local authority potentially across the country from where they are living, working or studying. Local authorities must continue support for as long as required, on an individual basis over the age of 26. The Independent Care Review made a strong case for investing upstream to get it right for every Care Experienced child and adult, at the economic benefit to other services ([The Money, 2020; 19](#)).



3. Implementation across Scotland of National House Projects or similar programmes.

All local authorities that don't already fund a [National House Project \(NHP\)](#) or similar inhouse programme should engage with NHP or create a comparable local offer for young people leaving care. This should utilise the principles of the NHP, offering relationship-based and tailored support to Care Experienced people, on a timescale that suits the individual's development needs. Existing House Projects should have adequate funding to offer places to all young people in an area who would benefit from the programme.

4. Publication by each local authority of all support available for Care Experienced people.

Each local authority should publish, in one place, all the support a Care Experienced young person can expect to get when leaving care and, in the future, if they need support. This should include their policy for financially supporting students, details of grants and practical support available, as well as signposting to the Who Cares? Scotland Lifelong National Advocacy Helpline.



Solutions to address 'Inadequate Housing and Lack of Choice'

5. A Dedicated Housing Officer for Care Experienced People.

Each local authority should have a dedicated Housing Officer for Care Experienced people. They should have a relationship-based practice with those they support, have high awareness of the impact of trauma and the unique challenges facing Care Experienced people, and work closely with Social Work. This is something some local authorities already offer and should allow for replication where possible.

6. Enhanced right to refuse tenancies offered.

Care Experienced people should be eligible to receive an increased number of property offers. This is in recognition of their potentially smaller support network and history of trauma, which might limit areas that they feel comfortable living and working in. This should consider any triggers which impact on their mental health.

7. Priority housing points for potential and current kinship carers.

Who Cares? Scotland has advocated for Care Experienced people who are part of families which have been prevented from formalising kinship care due to overcrowding. The issues they've faced has included a lack of bedrooms or siblings facing separation due to rules about sharing of bedrooms at key stages. We believe this policy change would affect a small number of households but have a significant benefit to children who could be supported to remain with their family. Families upsizing to accommodate children in care could also be financially supported to meet this difference in rent costs.



Solutions to address 'Financial Issues'

8. Reintroduce ringfenced Discretionary Housing Payments for Care Experienced People of all ages.

The Scottish Government trialled ringfenced [Discretionary Housing Payments for 'Care Leavers'](#) in 2019. Uptake was low but with wider awareness of the scheme and its ability to support those struggling to meet rent costs, this could be a lifeline for Care Experienced people without family to fall back on. If this must be age-capped, then it should be at least expanded to include Care Experienced parents.

9. Standardised grants for leaving care and setting up a home.

Money given to young people under section 29 of the [Children \(Scotland\) Act 1995](#) should be set at a standard rate across all local authorities and rise in line with inflation. It should be non-means tested and available to all young people leaving and moving on from all types of care including informal kinship care, looked after at home with social work supervision and unaccompanied asylum-seeking young people.

10. Support to own a home through a Shared Ownership Scheme and financial advice.

Many people with experience of care will aspire to own their home for an enhanced sense of security and belonging. This will likely be without financial support from family or inheritance. Care Experienced people should become a priority group eligible for the existing [Scottish Government Shared Ownership scheme](#) and have access to financial literacy and advice beyond basic budgeting skills. This training should cover mortgages, understanding credit, and the various savings account which support first time buyers. This advice is something which many of those from traditional backgrounds receive support from parents with.





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For more information on this report or to request it in a different language or accessible format, please contact our Policy and Public Affairs team on policy@whocaresscotland.org

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