

## SECTION 11 - CONSULTATION RESPONSE

Name of individual/organisation: *Glasgow City Council, Social Work Services, Homelessness Partnership*

Views are sought in relation to:

- the regulations on the form and manner of notifications to local authorities set out in Section 1 of this paper
- the statutory guidance to local authorities and the guidance to landlords and creditors set out in Section 2
- whether the paper addresses equalities issues
- the proposals for monitoring and evaluation of implementation of section 11

### Section 1

**Q1: Is the form and manner of notifications of proceedings to local authorities clear to you from the information contained in these regulations?**

YES/NO

Comment :

**Q2: Do you believe that the information outlined in the Notice of Proceedings in Form 1 is sufficient to ensure effective implementation of section 11?**

YES/NO

*Comment : It would be useful to highlight to the Local Authority other information which could assist in identifying particular vulnerability or degrees of risk in relation to homelessness. This could include family composition where known and level of arrears at the time of court action.*

**Q3. Do you believe that the information outlined in the Calling -up Notice etc, in Form 2 is sufficient to ensure effective implementation of section 11?**

YES/NO

Comment ; *Same as above.*

**Q4. Do you have any suggestions to make Forms 1 and 2 in the regulations more 'user friendly'?**

YES/NO

**Comment :**

**Q5: Do you have any general comments or suggestions on the form and manner of the notification to local authorities from landlords and creditors as outlined in the regulations set out in section 1?**

**YES/NO**

*Comment: As outlined in response to Question 2, more information that can identify levels of vulnerability and/or debt can assist the local authority to focus on those most in need of immediate assistance to prevent homelessness.*

*In Glasgow the number of notices of this type going through Glasgow Sheriff Court each month is likely to be in excess of 500. Given this volume it will be necessary to develop a process that enables the Local Authority to screen each notice and accurately identify those most at risk. This in turn will enable appropriate signposting/referrals to services that can best assist those in most need.*

**Section 2**

#### **A) STATUTORY GUIDANCE TO LOCAL AUTHORITIES**

**Q6: Are you clear from the guidance at which stage local authorities should expect to receive the notification of proceedings?**

**YES/NO**

**Comment :**

**Q7: Do you have any comments/suggestions in relation to local authorities ensuring landlords or creditors know where to send proceedings?**

**YES/NO**

*Comment : For RSLs the issue should be relatively straightforward given their long and close association with Local Authorities. For private landlords the Private Landlord Registration Scheme should assist in sending and receiving relevant information from them. In the case of lenders with little or no track record of engagement with Local Authorities, in this arena, it may be necessary for the Scottish Executive at a national and a UK level to notify major lenders and lender's organisations of their responsibilities in relation to Section 11 and guidance in relation to Local Authority boundaries. A dedicated series of web pages hosted on the Scottish Executive website and linked to Local Authority sites would assist in this.*

*Local authorities in turn should have open and responsive protocols around notices that have been sent in error and timeously notify senders of any error with helpful information as to their proper destination.*

**Q8: Is it clear from the guidance which information local authorities should expect to receive from landlords and creditors?**

**YES/NO**

**Comment :** *As stated in responses to questions 2 and 5, any additional relevant information would be of assistance.*

**Q9: Is the guidance clear on what actions should be taken by local authorities when notification is received from landlords and creditors?**

**YES/NO**

**COMMENT:** *It is our intention, on receipt of such notification, to send out an Information Pack to any household affected. The content of the pack will vary in relation to tenure type and location within Glasgow.*

*In addition, the experience of the Homelessness Prevention Pilot Project, which we fund in Govan, has identified some critical factors that are relevant in this area of work; in particular, quick access to good money and debt advice, quick access to legal advice where necessary, a holistic approach to homelessness prevention that links debt/legal advice with wider social care support needs where homelessness prevention with support is identified in an urgent and coordinated way.*

*There are a number of issues in relation to resources that are required to adequately meet the opportunities that Section 11 presents. This includes the delivery of basic administrative functions, printing costs etc. within the Local Authority with particular reference to the scale of the task involved in Glasgow but also around the extension of funding for projects of the Govan type to other areas of the city. We would welcome discussions with the Scottish Executive in relation to these.*

**Q10: Do you have any comments about the data protection issues raised in the guidance?**

**YES/NO**

**Comment :**

**Q11: Do you have any general comments or suggestions you believe would strengthen the statutory guidance to local authorities set out in section 2?**

**YES/NO**

**Comment:**

## **B) GUIDANCE TO LANDLORDS AND CREDITORS**

**Q12: Is it clear from this guidance what the duty of landlords and creditors under section 11 is and how it should be discharged?**

YES/NO

**Comment:**

**Q13: Is it clear from the guidance what the purpose of section 11 is and how landlords and creditors can contribute to and benefit from this?**

YES/NO

**Comment :**

**Q14: Is it clear from the guidance what actions landlords and creditors can take to help prevent homelessness?**

YES/NO

**Comment :**

**Q15: Do you have any general comments or suggestions you believe would strengthen the guidance to landlords and creditors set out in section 2?**

YES/NO

**Comment: See response to Question 18 around Monitoring and Evaluation.**

## **EQUALITIES**

**Q.16: Do you feel the proposals promote equality? If not, please give details of your concerns?**

YES/NO

***Comment: It is important to maximise the impact of Section 11 for those who often experience barriers in accessing advice and other services. Barriers can be present for those from BME communities, people affected by disability, people previously affected by homelessness and others. It is important that publicity materials provide information in accessible forms, are translated into appropriate languages and that are sensitive to the needs of specific groups. Again, this is not resource neutral but will be a vital element in a responsive and pro-active approach to homelessness prevention that promotes equality of access to those services.***

## **MONITORING AND EVALUATION OF IMPLEMENTATION**

**The Scottish Executive will consider carrying out a study on responses of local authorities, landlords and creditors to implementation of section 11. This will require local authorities to monitor implementation during the first year and provide this information to the Scottish Executive.**

**Q.17: Do you agree with local authorities be asked to monitor implementation in the first year and being asked to provide this information to the Scottish Executive?**

**YES/NO**

**Comment :**

**Q.18 Do you have any other comments or suggestions about the monitoring and evaluation of the implementation of section 11?**

**YES/NO**

**Comment :** *We believe that robust monitoring and evaluation of the impact of Section 11 will be both useful and instructive. At a strategic level it will allow us to better plan our interventions and work with our partners to further develop our prevention of homelessness activities.*

*In addition, it will allow us to identify patterns of good and poor practice across tenure types in relation to levels and intensities of legal action. This would be assisted by the inclusion of levels of arrears as noted in response to Question 2. in relation to RSLs this would allow Communities Scotland to identify quickly and accurately poor practice in relation to the management of arrears. In the private rented sector it would assist and inform our colleagues in Private Landlord Registration around activity in that particular sector. Similarly in relation to lenders it will assist in identifying patterns of practice in relation to repossessions across the sector.*

*More broadly, the impact of Section 11 can help shape and inform future service delivery in relation to the prevention of homelessness agenda, Housing Information & Advice and the provision of money, debt and legal advice at a strategic level, identifying best practice, gaps in provision and ability to compare performance at a local and national level.*

## Respondent information form

Please complete the details below and return it with your response. This will help ensure we handle your response appropriately. Thank you for your help.

Name:

Postal Address:

1. Are you responding: (please tick one box?)
- (a) as an individual  go to Q2a/b and then Q4
- (b) on behalf of a group/organisation  go to Q3 and then Q4

### INDIVIDUALS

- 2a. Do you agree to your response being made available to the public (in Scottish Executive library and/or on the Scottish Executive website)?

Yes (go to 2b below)

No, not at all  We will treat your response as confidential

- 2b. Where *confidentiality is not requested*, we will make your response available to the public on the following basis (please tick one of the following boxes)

Yes, make my response, name and address all available

Yes, make my response available, but not my name or address

Yes, make my response and name available, but not my address

### ON BEHALF OF GROUPS OR ORGANISATIONS:

3. The name and address of your organisation *will be* made available to the public (in the Scottish Executive library and/or on the Scottish Executive website). Are you also content for your response to be made available?

Yes

No  We will treat your response as confidential

### SHARING RESPONSES/FUTURE ENGAGEMENT

4. We will share your response internally with other Scottish Executive policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for the Scottish Executive to contact you again in the future in relation to this consultation response?

Yes

No