

Luke Hall MP
Minister for Rough Sleeping and Housing
4th Floor, Fry Building
2 Marsham Street
SW1P 4DF
cc. Chair of the COVID-19 Rough Sleeping Taskforce, Dame Louise Casey

27 July 2020

Dear Minister,

Helping rough sleepers with no access to housing and benefits

We are writing to express the housing sector's concerns about the serious obstacles to helping current and former rough sleepers to obtain longer-term accommodation and support, in cases where they are not entitled to housing and benefits.

We welcome the measures the government has taken since the start of this crisis to accommodate rough sleepers and those at-risk of homelessness.

However, we are aware of many concerns among social landlords and among CIH members in local authorities, about the emerging challenges in creating move-on options for this group. It is also being reported that some local authorities are now denying accommodation to rough sleepers and those at risk of homelessness, if they have no access to public funds. While we believe a majority of former rough sleepers will receive longer-term help, we are extremely concerned that this could lead to a significant minority – at least one-fifth, or up to half in London – falling through the net due to their immigration status or lack of documentation. This produces a continuing risk to the health of the individuals involved, as well as creating additional risk for the population at large.

We acknowledge that those with an NRPF condition attached to their immigration status can apply to have this removed if their financial situation changes, but of course this is not straightforward and requires access to legal help. We also acknowledge that some people have no access to benefits because they are undocumented migrants, however we are also aware of evidence that many – perhaps most – of these could rectify their situation if given time and support.

We recognise and welcome the steps the government has taken to ease the problems faced by rough sleepers from the EEA, noted in your letter to local authorities of 24 June 2020. However, we are concerned that this measure only covers a proportion of those affected and is limited to basic help for a maximum of three months. We are aligned with government in its ambition to achieve long-term housing and support solutions for all those who are rough sleeping and to ensure that move-on work is led by health considerations.

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Therefore, we propose that the government considers restoring access to public funds on a permanent basis, regardless of immigration status, to build on the brilliant work to end rough sleeping during this pandemic. A large group of organisations, including the Joint Council for the Welfare of Immigrants, the Unity Project and NACCOM, wrote to the Prime Minister on 28 May 2020 urging this solution, following his appearance before the Liaison Committee in May.

As a first step, we urge that the government lift restrictions on access to public funds for a period, ideally at least for a year. This would enable interim help to be given to all those experiencing and at risk of homelessness. It would also provide a cushion of time while the pandemic continues, both to allow longer-term solutions to be developed and to ease cost pressures on local authorities and charities in the meantime.

While the government has assisted local authorities with additional funding, we are aware that this does not guarantee that all councils will have the required resources. Therefore, we recommend access to universal credit as a much more effective way of ensuring that accommodation can be financed for those who need it and helping tailor solutions to different needs.

We note that the LGA has called for NRPF conditions and the right to reside test for EEA nationals and their family members to be lifted for the duration of the pandemic, and that Crisis has published draft legislation to similar effect, which includes a suspension of the restrictions for 12 months. The HCLG Select Committee urged action of this kind in its report of 22May 2020. The Work and Pensions Committee has also recommended that the NRPF condition be suspended, adding that *"during a pandemic it cannot be in the public interest to expect people...to comply fully with restrictive public health guidance while simultaneously denying them full access to the welfare safety net"*. In Scotland, the Homelessness and Rough Sleeping Action Group (an independent group of experts established to advise the Scottish Government on the steps needed to end homelessness) has recommended that NRPF conditions be suspended for at least 12 months.

There is therefore general consensus that the government's actions and funding to end rough sleeping could be imperilled, if the problem of individuals' access to housing and to benefits is not addressed. We appreciate that granting such access requires decisions by the Home Secretary and the Secretary of State for Work and Pensions, however we strongly urge you and Dame Louise Casey to look carefully into this situation, to help ensure that rough sleeping does not return to our streets and government reaches its objective to end rough sleeping for all by 2024.

Yours sincerely



Gavin Smart
Chief Executive, CIH



Kate Henderson
Chief Executive, NHF