

2025

Breaking the Cycle: England's Priority Need System

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CONTENTS

1. About The Salvation Army.....	3
2. Executive Summary.....	4
3. Foreword.....	3
4. Introduction	8
5. Homelessness and rough sleeping in England	9
6. What is Priority Need?.....	12
7. Priority Need examples	133
8. Digging deeper into Priority Need	15
9. How many people are not in Priority Need?.....	166
10. Spotlight on rough sleepers	19
11. What is the impact of not being in Priority Need?	22
12. How have other UK nations dealt with Priority Need?	24
13. Recommendations.....	28
14. Annex 1: FAQs	29
15. Annex 2: Homelessness support in England	31

1. ABOUT THE SALVATION ARMY

The Salvation Army is a worldwide Christian church and registered charity, which has been fighting against social inequality and transforming lives for over 150 years.

The Salvation Army expresses its faith through charitable action by working at the heart of communities across the UK and Ireland. We have 650 churches and community centres where we offer friendship, practical and spiritual help and support to some of the most disadvantaged people in our communities.

Motivated by our Christian faith, we offer practical support and services to all who need them, regardless of ethnicity, religion, gender or sexual orientation.

Our work includes:

- homelessness
- modern slavery
- poverty
- addiction
- campaigning and social policy
- older people
- families
- community – debt advice, unemployment, isolation

Across the UK and Ireland we:

- provide almost 3,000 places every night in 79 Lifehouses
- support over 13,000 people through our Employment Service
- support over 11,000 victims referred to our modern slavery services

The United Kingdom and Ireland is part of the wider international Salvation Army, which changes lives in more than 130 countries around the world.

2. EXECUTIVE SUMMARY

There are certain forms of homelessness support that a local authority is required to give individuals regardless of priority need. This includes the prevention and relief duties which can encompass advice, information or even financial support to secure a tenancy yourself. However, for a local authority in England to have to provide you with accommodation, you have to be in one of several priority need groups. These consist of:

- a pregnant woman or a person with whom she resides or might reasonably be expected to reside;
- a person with whom dependent children reside or might reasonably be expected to reside;
- a person who is vulnerable as a result of old age, mental illness or handicap or physical disability or other special reason, or with whom such a person resides or might reasonably be expected to reside;
- a person who is homeless or threatened with homelessness as a result of an emergency such as flood, fire or other disaster;
- a person who is homeless as a result of that person being a victim of domestic abuse;
- a person who is 16 or 17 years old and not being looked after by social services, or a person who is 18, 19 or 20 years old and has spent time in care while between 16 and 18.

The number of people asking for emergency or temporary accommodation and who have been turned away on the basis of not being in priority need has risen drastically over the last few years. This is likely to be only part of the picture, with statistics always missing those experiencing 'hidden homelessness' or those choosing not to engage with their local authority.

The reality of not being in priority need can be extremely traumatic. To the individual, it can mean having to sleep rough and feeling locked out of support. To governments it can become a barrier to delivering an end to rough sleeping. The number of people being rejected from support on this basis is rising, with someone turned away every 16 minutes¹. This situation needs addressing.

There is much to learn from other nations within the UK, with Scotland and Wales both having taken steps to extend priority need or abolish it. These learnings can show the positives of making such policy changes, but can also provide learning on how to introduce policy changes and avoid the challenges experienced by the devolved nations.

¹ Homelessness Statistics, Ministry of Housing, Communities and Local Government

We are calling for:

- A sustained investment and increase in housing stock, especially social housing, to meet the needs of the growing numbers of people experiencing homelessness.
- An expansion of priority need, to include:
 - Those living on the streets
- A commitment to abolish priority need within the next decade.

3. FOREWORD

Working in the homelessness sector for the last 30 years, I have been struck by the public perception of homelessness. Many people believe that homelessness is caused by poor lifestyle choices and view the issue from an individual perspective. Whilst personal factors are influences, what is clear is that homelessness is caused by whole system issues such as poverty, housing shortages and inadequate welfare support.

There has been significant under-investment into affordable and social housing over the last 40 years. This whole system under-investment issue has contributed in part to the record numbers of people who have become homeless but who actually do not need to be homeless, and this has become a sad indictment of the current times we live in.

This homelessness instability can lead to severe health issues, both physical and mental, and tragically an increase in incidences of death among those sleeping rough.

Recent data shows that homelessness in England has risen by 11% in the last 12 months, with over 86,000 households becoming homeless or were at risk of homelessness between January and March 2024².

Furthermore, with the mortality rates of rough sleepers being as they are, how can rough sleepers not be classified as vulnerable and in priority need? Anyone who has spent time with rough sleepers will understand the risks of living on the street, with the need to access appropriate accommodation as soon as possible to minimise long-term impact.

Mortality rates of rough sleepers in the UK are significantly concerning. The average age at death for rough sleepers in England is significantly lower than that of the general population. For men experiencing homelessness, the average age at death is around 45 years, while for women it is approximately 43 years³⁴.

In contrast, the average age at death in the general population is 76 years for men and 81 years for women.

Homelessness is a measure of how well our society is functioning and the change required in our thinking and our systems in order to combat this social injustice.

The most important thing we can do is to highlight social injustices where they occur, working with and advocating for people who are often overlooked and feel powerless to do anything about it. This report, and the policy calls that it is lobbying for, will support the work that The Salvation Army does every day of the year with people experiencing homelessness.

² [Government must act on escalating homelessness crisis | The Salvation Army](#)

³ [Deaths of homeless people in England and Wales – Office for National Statistics \(ons.gov.uk\)](#)

⁴ [Deaths of homeless people in England and Wales – Office for National Statistics \(ons.gov.uk\)](#)

We are committed to reducing, preventing and ending homelessness – and in this case, challenging social injustice.

Nick Redmore

Director of Homelessness Services

The Salvation Army, UK Territory with the Republic of Ireland

4. INTRODUCTION

In 2027 it will be the 50th anniversary of the Housing (Homeless Persons) Act (1977). This was a landmark piece of legislation that introduced a legal duty on local authorities (across Great Britain) to house people in priority categories.

Half a century later, while many changes have taken place, the fundamental principles of this Act remain the basis for our homelessness legislation in England. Despite that legislation being progressive, and then a landmark achievement, that isn't to say that today's application of its fundamental principles are without its challenges.

Every day at The Salvation Army we support individuals who are experiencing homelessness or who are at risk of homelessness. While some of those people may be engaged with their local authority and going through the process of getting official support, many are not.

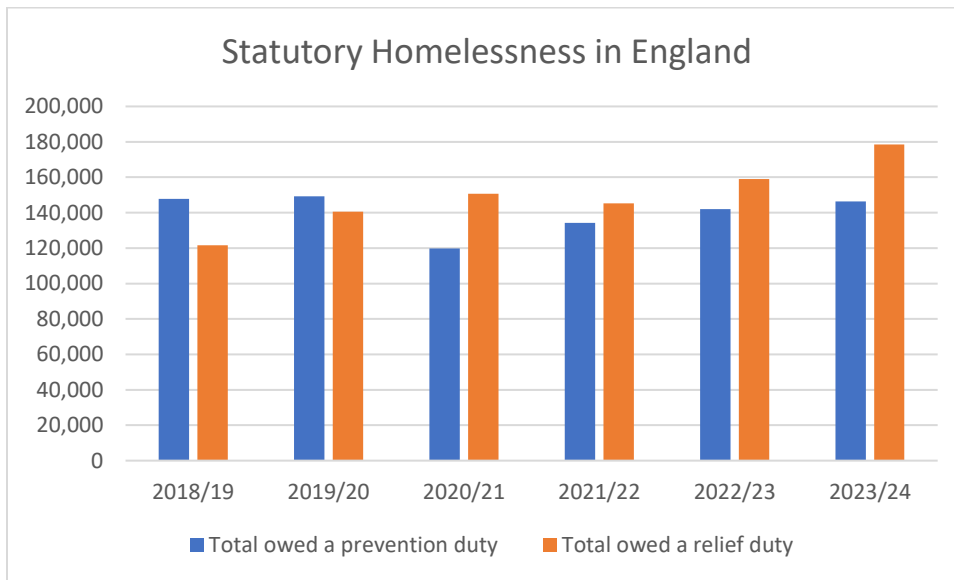
For some of the people we speak to, they have tried getting support from their local authority but have been told that the LA does not owe them support. This can leave people locked out of support and facing up to a future without the hope or anticipation that things will get better. In reality this may also mean facing up to life on the streets for a significant period of time.

There are several factors that might mean a local authority doesn't have a duty to provide accommodation. This can include lack of a local connection or a belief that someone is intentionally homeless. However, this report will focus on another key barrier: the priority need test.

5. HOMELESSNESS AND ROUGH SLEEPING IN ENGLAND

Homelessness in England is on the rise and has been since the Covid-19 pandemic⁵. The number of people owed a relief duty⁶ is the highest it has been since the introduction of the Homelessness Reduction Act.

The cost-of-living crisis, limited housing stock and repeated freezing of Local Housing Allowance are just some of the reasons why we are seeing an increased number of people facing up to the reality of life without a home.

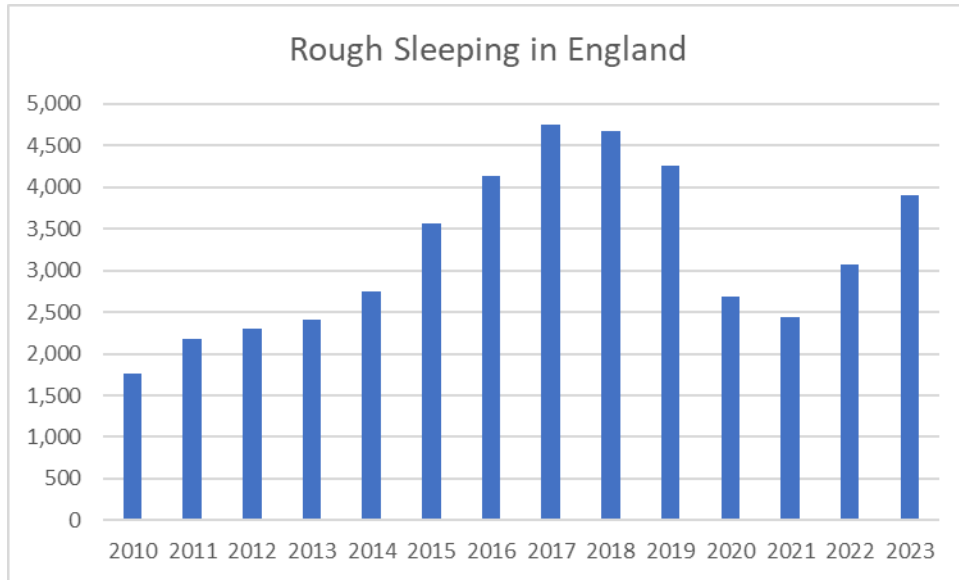


*Statutory Homelessness Statistics, Ministry of Housing, Communities and Local Government

⁵ Homelessness Statistics, Ministry of Housing, Communities and Local Government

⁶ For information on local authority homelessness duties please see Chapter 15.

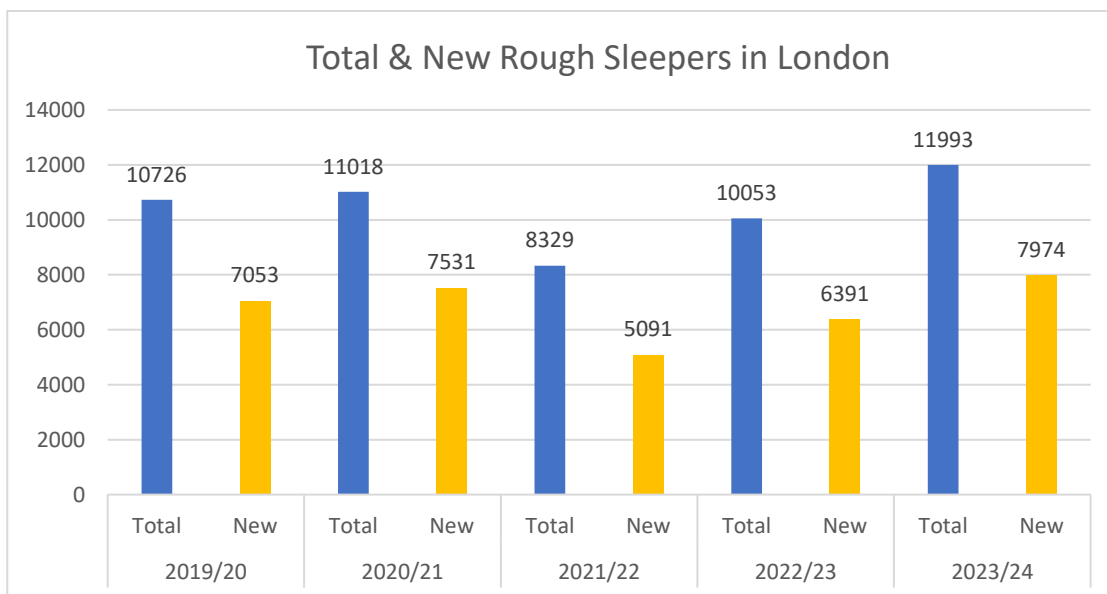
In terms of the most visible form of homelessness – rough sleeping – the picture is also stark with recent increases after a sharp decline during the Covid-19 pandemic.



*Rough Sleeping Snapshot in England, Ministry of Housing, Communities and Local Government

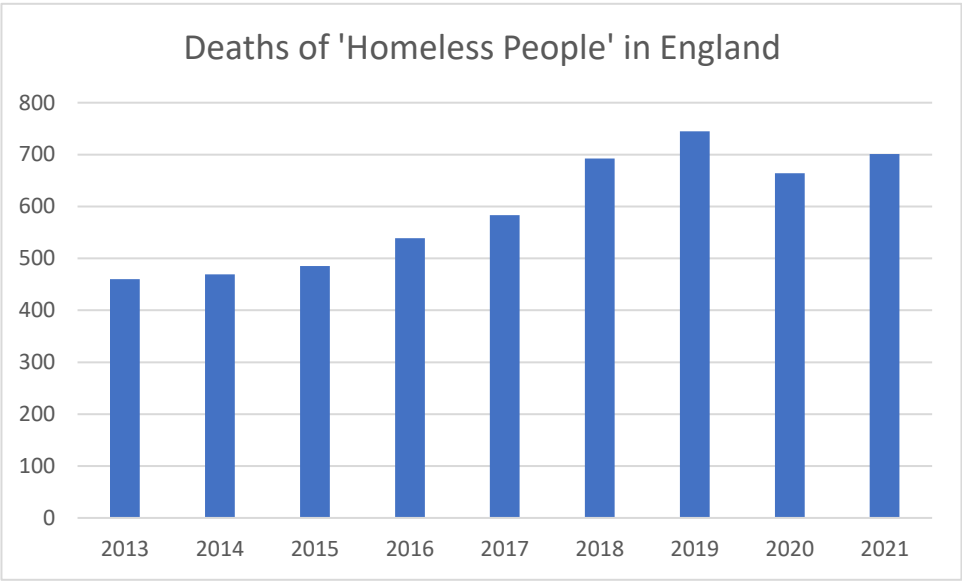
The most robust collection of rough sleeping data in the UK is the Combined Homelessness and Information Network. While only covering London, this produces a more detailed and robust measurement of rough sleeping levels since it records interactions that outreach teams from a range of charities have and records these in real time.

These figures suggest rough sleeping has been rising over the last three years, and that new rough sleepers (people who have not slept rough before) account for a high proportion of these.



*Combined Homelessness and Information Network, Greater London Authority

We should also remember the hundreds of people who lose their lives each year while experiencing homelessness. In the latest figures, 741 people lost their lives while experiencing homelessness in 2021⁷.



*Deaths of Homeless People in England and Wales, ONS

⁷ Deaths of Homeless People in England and Wales, ONS

6. WHAT IS PRIORITY NEED?

The priority need system is where certain groups of people are prioritised in receiving certain types of homelessness support.

There are certain forms of support that a local authority is required to give individuals regardless of priority need. This includes the prevention and relief duties which can encompass advice, information or even financial support to secure a tenancy yourself.

However, you have to qualify in one of these categories of priority need to be owed emergency or temporary accommodation from your local authority.

The following have a priority need for accommodation as set out in the law that applies to all local authorities in England:

- a pregnant woman or a person with whom she resides or might reasonably be expected to reside;
- a person with whom dependent children reside or might reasonably be expected to reside;
- a person who is vulnerable as a result of old age, mental illness or handicap or physical disability or other special reason, or with whom such a person resides or might reasonably be expected to reside;
- a person who is homeless or threatened with homelessness as a result of an emergency such as flood, fire or other disaster;
- a person who is homeless as a result of that person being a victim of domestic abuse;
- a person who is 16 or 17 years old and not being looked after by social services;
- a person who is 18, 19 or 20 years old and has spent time in care while between 16 and 18.

While local authorities are legally able to go beyond priority need and offer support to people not within one of these categories, official data shows that almost all local authorities do use the priority need system to reject people from support⁸.

For Info

It's important to remember that the priority need system for homelessness is different from having priority on the local authority housing register. These are different systems relating to different stages of someone getting housing.

⁸ Statutory Homelessness, Ministry of Housing, Communities and Local Government

7. PRIORITY NEED EXAMPLES

Below are three examples of individuals who might be assessed by their local authority to decide if they are in priority need.

The following case studies are fictitious. Any resemblance to real people is not intended.

Example 1 – Maureen

Maureen is 42 years old and has two children who rely solely on her. Maureen lives in a one-bedroom flat and works as a cleaner, earning minimum wage. Maureen claims Housing Benefit, but her rent went up recently meaning that the amount she gets from Housing Benefit along with her wage doesn't cover her rent.

Maureen will be homeless soon and will have to approach her local authority for emergency housing.

Priority Need Decision: Maureen will be accepted as having a priority need because she has dependent children who live with her.

Example 2 – Gloria

Gloria is Maureen's sister. She is a similar age to Maureen but lives alone and does not have children. She works as a cleaner for the same company as her sister, and is also struggling to get by.

Gloria will be homeless soon and will have to approach her local authority for emergency housing.

Priority Need Decision: Gloria is told she will not be in priority need and will be living on the streets unless she can find a friend/family who can let her stay.

Example 3 – Abigail

Abigail is 27 years old and has been sleeping rough for seven months. Abigail has no close family and has no job. She is currently using substances and experienced a large amount of trauma as a child when she was sexually abused. She has been told by friends who are sleeping rough that the local authority is unlikely to help her, but she has decided to apply for emergency accommodation.

Priority Need Decision: Abigail has been told she doesn't qualify for emergency accommodation on the basis she is not in priority need. Abigail is considering appealing against the decision, on the basis that sleeping on the streets has made her vulnerable. There is no guarantee her appeal will be successful.

Example 4 – Eric

Eric is 67 years old and was recently evicted from his private rental property having received a Section 21 notice⁹. Eric has a son who lives far away and has several medical issues. Last year Eric suffered a stroke and he was recently diagnosed with depression.

He has applied for emergency and temporary accommodation, believing himself to be vulnerable as a result of old age, mental illness and physical disability.

Priority Need Decision: The medical team assessed Eric and decided that he was no more vulnerable than any other individual at his age. With this in mind, Eric was rejected on the basis of priority need and will now be sleeping rough.

⁹ More commonly known as a 'no-fault eviction'.

8. DIGGING DEEPER INTO PRIORITY NEED

As we outlined at the beginning of this document, there are multiple ways people can be classified as in priority need. The table below outlines how many people and what proportion of people are accepted under the different priority need categories ¹⁰.

2023/2024

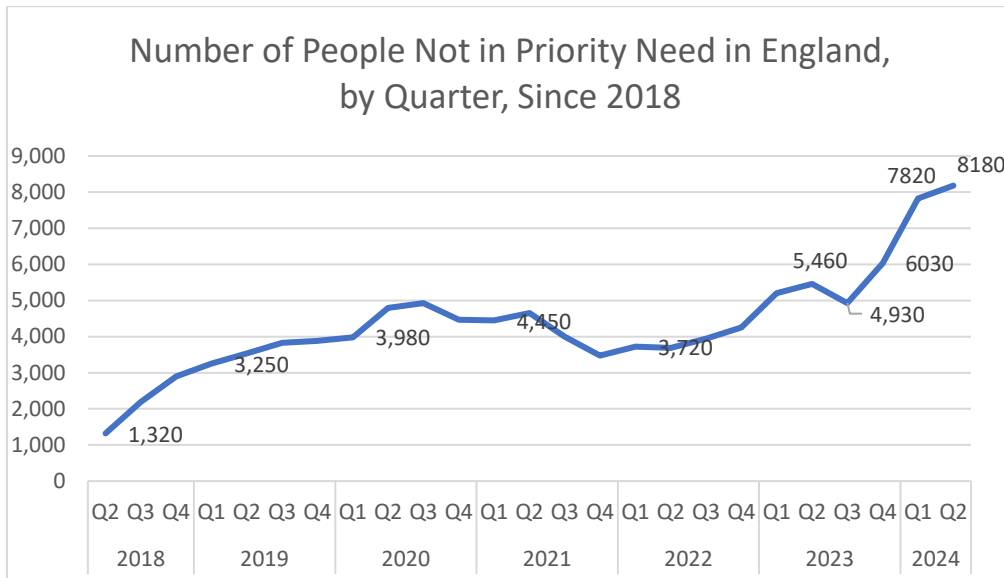
	Raw Number	% of Positive Priority Need Decisions
Total Households Owed a Main Duty Decision	64,960	100%
Household includes dependent children	34,150	53%
Household includes children, but other priority need reported	4,760	7%
Household includes a pregnant woman	2,010	3%
NET: Vulnerable households	23,720	37%
Vulnerable as a result of old age	780	1%
Vulnerable as a result of physical disability / ill health	7,440	11%
Vulnerable as a result of mental health problems	6,140	9%
Vulnerable as a result of young applicant	1,030	2%
Vulnerable as a result of domestic abuse	4,900	8%
Vulnerable as a result of other reasons	3,450	5%
Homeless because of emergency	320	<1%

* Statutory Homelessness, Ministry of Housing, Communities and Local Government

Over half of the people accepted as being in priority need are done so on the basis of having dependent children. The other category to get more than a third of people is the vulnerable category – although this is in itself divided amongst a variety of issues, with vulnerability due to physical disability / mental health being the most prominent.

¹⁰ Section 189, Housing Act 1996

9. HOW MANY PEOPLE ARE NOT IN PRIORITY NEED?



New analysis by The Salvation Army shows that¹¹:

- Today, someone is turned away for not being in priority need every 16 minutes.
- Since the introduction of the Homelessness Reduction Act, over 105,000 people (108,870) have been rejected due to not being in priority need¹². This represents 25% of Main Housing Duty Decisions.
- The number of people being rejected for emergency/temporary accommodation by their local authority, on the basis of priority need, has increased by 131% in the last five years¹³.
- The proportion of people being rejected on the basis of priority need has also risen drastically during the same period. In Quarter 2, 2019, 23% of Main Housing Duty Decisions were denied on the basis of priority need; but in Quarter 2 of 2024 the figure had risen to 30%.

A Growing Issue

Official figures are clearly showing that more people are hearing the words 'We don't have to help you'. The Homelessness Reduction Act is rightly held up as progressive and positive piece of legislation. However, the fact that over 100,000 people have heard these words since its introduction shows that many people are slipping through the support net.

¹¹ Analysis of Statutory Homelessness Figures, Ministry of Housing, Communities and Local Government

¹² This may include some duplications where people have applied in different years.

¹³ Comparing Q2 2024 to Q2 2019.

One possible explanation for this is that recent years have seen a new wave of homelessness whereby people who traditionally wouldn't become homeless are now experiencing it.

'Since the cost-of-living crisis, not only have we seen more people needing homelessness support, but we've also seen an increased wave of people who historically wouldn't have needed our help. Many of these people are not fitting into the priority need criteria.'

– Local Authority Housing Team Leader, England

An example of this change can be seen via the 35% increase (since 2020/2021) in people experiencing homelessness while in full-time employment¹⁴. Employment has historically been seen as a key factor in preventing homelessness, but with over 77,000 households in part/full-time employment and being owed a homelessness duty in 2023/2024, this is clearly not a simple solution.

How this varies within England (latest annual figures 2023-2024)

Region	Homeless + not in priority need	% of those who ask, rejected on the basis of not being in priority need
North East	880	40.4%
North West	6,100	39.8%
East Midlands	2,000	32.4%
South West	2,740	27.8%
Yorkshire and The Humber	1,590	24.2%
West Midlands	2,310	23.1%
East of England	2,140	23%
South East	2,520	20.4%
London	3,990	17.7%

The table above shows that the proportion of people being rejected from housing support on the basis of priority need varies significantly. While in London only 17.7% are rejected because of this, in the North East more than 40% are rejected on this basis.

The variation in approach widens even more at local authority level. While the data indicates some local authorities reject only 2% of their applications on this basis, others' rejection rates are as high as 80%. Even factoring in differences in the number of applications, there is a clear variation in approach.

¹⁴ Homelessness Statistics, Ministry of Housing, Communities and Local Government

The tip of the iceberg?

We believe these figures provide only a fraction of the true scale of the number of people who are homeless and not in priority need. That is because these figures relate to the number of people who approached their local authority and were directly assessed as being in priority need.

There are a hidden number of people who do not go through this process and so are not included in the numbers but are in the same position. The kinds of people included in this group might consist of:

- People who are 'sofa surfing' living in overcrowded accommodation and do not approach their LA for help.
- People who are rough sleeping / sofa surfing etc who, based on previous experience or advice from friends, do not believe they are likely to be accepted and so do not apply.
- People who engage with their LA but are screened out of homelessness support prior to a Main Housing Duty Decision on the basis that the LA suspects they won't be in priority need.

10. SPOTLIGHT ON ROUGH SLEEPERS

Ending rough sleeping has been a priority for several political parties in England. In 2019 the Conservative Party pledged to eliminate rough sleeping by the end of the parliament. The commitment to end rough sleeping was repeated in the 2024 manifesto, although with the timescale removed. Sadiq Khan also pledged to end rough sleeping in London as part of his 2024 London Mayoral Election campaign. The Liberal Democrats also pledged to end rough sleeping within the next parliament as part of their 2024 manifesto, while the Labour Party committed ‘to put Britain back on track to ending homelessness’.

However, we believe that to achieve this you have to amend the current legislation around priority need.

A legislative barrier to ending rough sleeping?

The current priority need system does technically leave room for rough sleepers to be considered in priority need. This, however, is not guaranteed and is reliant on a subjective decision by the relevant local authority.

This relates to the fact that individuals can be given priority need if they are:

(c) a person who is vulnerable as a result of old age, mental illness or handicap or physical disability or other special reason, or with whom such a person resides or might reasonably be expected to reside.

– Housing Act (1996), 189 (1).

It could be said that ‘other special reason’ could include someone’s living situation and the fact that someone might be vulnerable just because they are living on the streets. However, proving vulnerability is a difficult process, and we know from our own extensive support services that being a rough sleeper does not automatically trigger priority need.

An article published in April 2024 by the BBC highlighted the plight of one woman who was told that she wasn’t considered to be in priority need despite having to sleep rough¹⁵. The reasoning behind this was that, after an assessment, the woman in question was perceived as being able to ‘function reasonably well’ should she be required to sleep rough.

‘So many of the rough sleepers we support have been rejected by the local authority because they are not in priority need. But the reality is that sleeping rough makes you vulnerable. It can make you vulnerable to the elements, to increased chance of assault and to poorer health outcomes. For many of the people we support, a negative priority need decision means they can feel consigned to a life sleeping on the streets.’

– Nick Redmore, Director of Homelessness Services, The Salvation Army

¹⁵ <https://www.bbc.co.uk/news/articles/cd18gy0yil3o>, Eleanor Lawrie, BBC News, April 2024

In the Review of Priority Need in Wales, commissioned by the Welsh Government, the study found¹⁶:

‘Participants argued that a key weakness was the use of a relatively high threshold for vulnerability, despite the limited evidence requirements set by the reason to believe test. This reportedly resulted in vulnerable people such as rough sleepers being excluded from access to interim accommodation and support.’

Although we know of some examples where individuals have been supported by charities to appeal against a negative priority need decision, we believe the system itself needs to change, to ensure all eligible people who are sleeping rough are automatically entitled to accommodation.

Not only will this ensure a consistent approach, it will also help save valuable local authority time and resource, as this will no longer need to be spent on investigating someone’s priority need status.

Policy Recommendation

Rough sleepers should be added to the priority need list for homelessness support.

This would involve secondary legislation and amending Section 189 of the Housing Act 1996.

A potential answer to hospital discharges to the streets?

Over the last year The Salvation Army has highlighted various cases where the NHS interacts with rough sleeping and the additional stress and pressure this can place on resources, as well as being heartbreaking and concerning examples of how rough sleeping is exacerbating poor health.

This included The Salvation Army supporting *The Independent* with a special report that shines a light on people being discharged from hospital in poor health straight to the streets¹⁷.

Research by Pathway¹⁸ has also shown that the priority need test can act as a barrier to healthcare workers getting patients discharged into local authority housing. An expansion of priority need will help simplify this process and ensure more people are eligible for local authority housing following a stay in hospital.

¹⁶ Review of Priority Need in Wales, Cardiff University, Alma Economics, Cardiff Metropolitan University, Glyndwr University, Heriot-Watt University and independent consultants Tamsin Stirling and Tim Gray, 2020

¹⁷ <https://www.independent.co.uk/news/uk/home-news/homeless-nhs-hospital-discharge-beds-rough-sleeping-b2507850.html>

¹⁸ Beyond the Ward – Exploring the Duty to Refer in Hospital Settings, January 2024, <https://www.pathway.org.uk/resources/beyond-the-ward-exploring-the-duty-to-refer-in-hospital-settings/#:~:text=Produced%20by%20inclusion%20health%20charity,the%20Homelessness%20Reduction%20Act%202017.>

Decreased pressure on the NHS

In addition to discharging to the streets, adding rough sleepers to the priority need list has the possibility of decreasing direct pressure on the NHS in the first place. Previous research by The Salvation Army has shown that every seven minutes a homeless person attends hospital, with 78,000 hospital visits recorded of people of no fixed abode in 2021/2022¹⁹.

It is well established that life on the streets can exacerbate as well as create physical and mental health issues that end up needing treatment within an NHS environment. Expanding priority need to rough sleepers in order to get them off the streets will act as to prevent people developing further issues in need of NHS treatment.

¹⁹ Homelessness and the NHS, The Salvation Army, 2023

11. WHAT IS THE IMPACT OF NOT BEING IN PRIORITY NEED?

If someone is not in priority need, they still have a right to support from their local authority. However, this right stops short of being provided with accommodation. Therefore, someone not in priority need but experiencing homelessness often has to face up to sleeping rough, with no guarantee of this changing until their circumstances change to the point of being considered in priority need.

At an individual level, we have concerns that being told you are not a priority can have a severely detrimental impact on an individual's physical and mental wellbeing.

The *Review of Priority Need in Wales* found that upon being turned away without a solution, consequences could involve offending and worsening health.

Beyond this we have concerns that people are being put off applying for support because of the complexity of a priority need system, or by hearing of other rough sleepers' negative experiences of the system.

Is priority the right word?

According to *Collins English Dictionary*, the definition of 'priority' is:

'If something is a priority, it is the most important thing you have to do or deal with, or must be done or dealt with before everything else you have to do.'

This implies that the intention is still to deal with something else, after priority has been given to 'the most important thing'. The word 'before' is key here.

However, in the priority need system for homelessness, those who are not in priority need do not have the chance of being supported after those in priority need. If they do not fall into these groups, they are not entitled to this kind of help or support.

In this respect, emergency accommodation and temporary accommodation is not prioritised for those within priority need, but available exclusively for those who meet the threshold.

Liam's Story

Liam, 40, grew up in care from the age of three months and spent much of his youth in young offenders' institutes. He grew up in London and then moved to Brighton where he met his wife and had three children.

When the relationship broke down, his wife and children moved to Cumbria, and Liam, at this point homeless, moved to Blackpool to be closer to them.

He has spent the last year in and out of prison for burglaries and theft, which he says he has committed in order to survive. He says: 'I deliberately go to jail to get out of the cold and because I miss the basics, like a bed and TV.'

'Sleeping on the streets I've had everything robbed from me, even the trainers from my feet. I spent two days barefoot, before The Salvation Army gave me some trainers.'

When he was released from prison on 4 October, he was housed in CASS 3 accommodation, but the building flooded and he had to leave. He was offered a placement in Lancaster but doesn't know anyone in the area and the accommodation was only short-term.

Liam spoke to the local authority housing team in the hope that they would have somewhere for him to go, but they told him they have no obligation to help Liam. They have offered to pay a bond if he finds private accommodation, but he knows how hard this will be. He says: 'It will be near on impossible for me to find somewhere. I'd be grateful for any accommodation.'

Liam adds: 'I'd return to Brighton because I have friends there who would house me, but probation won't let me return there unless I am housed.'

'Tonight, I will be on the streets – in gardens or the doorway of M&S. I can't cope much longer with the situation, it is majorly affecting my health. It's cold at night – freezing. I don't sleep in case I'm robbed, and last night I ended up walking all night until seven and then I sat outside The Salvation Army until it opened at nine. I'd been pinning all my hopes on the call to Housing.'

'I've been homeless, on and off, for nearly 15 years. Being homeless has ruined my life. I've lost everything I own. I can't see my kids and I've got no money and nowhere to stay where they live. I last saw them in December last year, but not at Christmas, and that was a killer. It is bringing me right down, and right now I am at the lowest point I could ever be. The only reason I haven't ended my life is that my dad died when I was a child, and I could never do that to my children.'

12. HOW HAVE OTHER UK NATIONS DEALT WITH PRIORITY NEED?

Priority need is a system that has been in effect in all nations within the UK. But given that homelessness legislation is devolved, some countries within the UK have changed their approach in recent years.

Scotland

Scotland announced they would abolish the priority need system in 2002. They did this over a ten-year period, with the priority need test fully abolished on 31 December 2012, and in doing so adopted a policy of rapid rehousing. The decision at the time was considered world-leading in terms of giving citizens a right to housing.

Wales

Following a consultation and research that also looked at Scotland's approach, in October 2022 the Welsh Government extended priority need to include people living on the streets. The Welsh Government has also proposed to abolish the priority need system in its entirety as part of its White Paper published in 2023.

Northern Ireland

Northern Ireland continues to have the priority need test to assess whether someone is entitled to certain types of homelessness support. This is employed in a similar way to England:

According to Housing Rights:

The Housing Executive must provide temporary housing if they have reason to believe the person is homeless and in priority need.

A person has priority need if they or anyone in their household is:

- *Pregnant*
- *The primary carer of a child*
- *Vulnerable*
- *Homeless or threatened with homelessness because of an emergency*
- *Have experienced violence and are at risk of further violence if they return home*
- *Are age 16-21 and at risk of sexual or financial exploitation*

What can we learn from other countries' approaches?

Scotland and Wales have both chosen to amend the priority need system to allow for more people to benefit from local authority housing. While Scotland moved to abolish priority need in its entirety by 2012, Wales

took a more gradual approach, initially agreeing to expand to include people living on the streets and then, more recently, proposing to abolish it in its entirety.

Given the differences in timescales, there is perhaps more learning available from Scotland, although the few years since Wales extended priority need, as well as their studies and work to help decide their approach, also provides learning.

A positive impact on rough sleeping?

The impact of abolishing priority need on the levels of rough sleeping in Scotland is not the easiest process, given that Scotland does not record an annual rough sleeping snapshot. Rough sleeping data in Scotland is generated through statutory homelessness applications, where individuals are asked if they slept rough the night before / in three months prior to making the application.

It is also the case that with increased rights to housing, it might be expected that following this legislative right, more rough sleepers come forward to their local authority to seek support, indicating a rise that is not explained by more rough sleeping but by more existing rough sleepers engaging with their LA.

Overall, however, there has been a considerable decrease in rough sleeping between the years when Scotland first committed to abolishing priority need and the Coronavirus pandemic. According to official figures, in March 2003 there were 5,287 people who were homeless and had been sleeping rough the night before. By March 2020, this figure had fallen to 1,643.

'The clear strength of the Scottish system is that there is an (almost) universal statutory safety net. This removes the traditional discrimination against single people within the statutory homelessness system. This has undoubtedly led to much better treatment of this group by local authority homelessness services. It is also likely to be related to overall reductions in rough sleeping since The Homelessness Etc (Scotland) Act (2003) came into force.'

– *Everybody In: How to End Homelessness in Great Britain, Crisis, 2018*

Increased pressure on temporary accommodation

In Scotland there has been an unintended and severe increase in pressure on temporary accommodation. In the 2023 snapshot, there were 15,039 people in temporary accommodation in Scotland. This is a 40% rise compared to the 10,750 recorded in 2012. (<https://statistics.gov.scot/data/temporary-accommodation-statistics>)

The pressure on temporary accommodation has also meant that some people entitled to accommodation are not able to receive it because there is simply not enough available. This has led to some difficult situations whereby local authorities are in breach of their statutory responsibilities²⁰.

²⁰ <https://www.heraldscotland.com/news/23885174.revealed-100s-scots-homeless-seeking-official-help-turned-away/>

However, it has been noted by some stakeholders that the same increase of pressure on temporary accommodation is unlikely to be mirrored to the same level in Wales and England, due to their focus on preventative approach²¹. This approach was lacking within Scotland when priority need was abolished.

Not a silver bullet

It is also clear from work in Scotland that the abolition of priority need is in no way a silver bullet. Homeless Network Scotland compiled a journal of 'Insights into homelessness in Scotland' to mark 10 years since the 2012 abolition of priority need. While many positives were referenced, a common theme across contributions highlighted that homelessness and rough sleeping had been rising in the last few years and there were still extensive challenges in need of addressing.

In conclusion

It should be noted that despite evidence suggesting several challenges in its implementation, there is still considerable praise for Scotland's approach.

'Successes of the past decade, such as reducing rough sleeping, introducing Housing First and removing priority need, are significant and lead the way compared to other countries.'

– Home for 10: Journal of insights into Homelessness in Scotland, Homeless Network Scotland, 2022

We are also encouraged that even facing challenges, Wales has continued down the path of mirroring the Scottish approach.

'Despite the challenges documented here, it is worth emphasising that over seven years on from the full abolition of the test [in Scotland], participants from across the voluntary sector, national government, local authorities and the social housing sector perceived the decision to phase out the test as the right one in principle and as having had positive impacts for single homeless households.'

'It is also clear that whilst the phase out has had more challenging impacts, namely increasing demand for temporary accommodation and the share of social housing lets allocated to homeless households, these do not amount to undercutting participant positivity about abolishing Priority Need.'

– Review of Priority Need in Wales, 2020²²

'In Scotland, we are very proud that we have an (almost) universal right to housing. It's well documented that living up to that legislation has been extremely difficult and we're still facing severe challenges in making it a reality for everyone in need. We've still got a way to go to deliver on a

²¹ Life on the streets: preventing and tackling rough sleeping in Wales, National Assembly for Wales, Equality, Local Government and Communities Committee, 2018

²² <https://www.gov.wales/review-priority-need-wales-summary-html#53856>

homelessness system without priority need, but we can take comfort from knowing it is the right path.'

***– Helen Murdoch, Assistant Territorial Director Strategic Operations and Development (Scotland),
Homelessness Services, The Salvation Army***

'From my perspective, no legislation should start from a position of finding a reason not to support or assist someone. In Wales we have seen many people locked out of support due to not meeting the defined categories of priority need. We know there are tough times ahead for local authorities when planning which services are essential and which are a "nice to have". Housing must be priority and that's why abolishing priority need in Wales is such an important move.'

***– Emma Shaw, Assistant Director of Strategic Operations and Development
(Wales and West England), Homelessness Services, The Salvation Army***

13. RECOMMENDATIONS

The Salvation Army is calling for:

In the short term ...

A change to homelessness legislation in England, so that rough sleepers are added to the priority need list for emergency and longer-term housing.

This would involve utilising secondary legislation to amend Section 189 of the Housing Act 1996.

In the long term ...

For the priority need list to be abolished. We are asking for all political parties to commit to abolishing the priority need list in the next decade.

Over the next decade ...

A sustained investment and increase in housing stock, especially social housing, to meet the need of the growing numbers of people experiencing homelessness.

This increase must be immediate and continue over the decade to prepare for the eventual abolition of priority need.

The recommendations we are proposing mirror the approach taken by the Welsh Government and also aim to reach the end goal of Scotland's (almost) universal system.

Scotland's legislation around homelessness has long been considered 'world-leading', and while there are challenges and the abolition of priority need cannot be considered a silver bullet, we believe it is an aspirational and yet achievable aim.

Depending on other changes to issues like intentionality, this step would put England on the path to delivering a universal right to housing. This is something The Salvation Army believes is fundamental to delivering a just and compassionate society.

In 2027, it will be the 50th anniversary of the Housing (Homeless Persons) Act (1977). This landmark piece of legislation put a legal duty on local authorities to house homeless people in priority need.

After 50 years, we are calling for the Government to use this opportunity to review how we can deliver on the fundamental principles of this legislation within a 21st-century context.

14. ANNEX 1: FAQs

Q1. Isn't prioritising housing and resources for particularly vulnerable groups a good thing?

Yes, we do completely accept that prioritising resources for those most in need is a sensible thing to do. However, we believe this conversation should be about the society we want to live in. Do we want to have a society where we permanently have a group of people locked out of support because they don't fit into certain groups? Or do we want to live in a society where emergency housing and temporary accommodation is a right we believe everyone should have?

We believe that there should be a short-term and long-term plan when it comes to addressing homelessness.

Q2. Wouldn't expanding/abolishing priority need put an even greater strain on an already depleted housing supply?

Yes, this is completely true. However, that is why we are stipulating that at this point, parties should commit to abolishing priority need within the next decade and then use that time to increase housing supply in line with demand.

Q3. Why are you suggesting expanding priority need if you want it abolished altogether?

For us this is a question of what is realistic in the short term versus what we should be aiming for in the long term. Although we would like to see the eventual abolition of priority need whereby everyone receives emergency housing if they need it, we know that there is not currently the housing supply today to do that. We therefore acknowledge this needs to be a long-term ambition that is matched by increase in housing stock.

However, that doesn't mean nothing can be done today. Some of the people currently not in priority need will be facing life on the streets, which we know is extremely dangerous and unacceptable. Extending priority need to these people immediately is imperative, and the best way to do this is by including them in the priority need category.

Q4. If other countries like Scotland have faced challenges while abolishing priority need, why are you recommending it?

It is absolutely true to say that countries like Scotland have faced challenges in abolishing priority need. However, we believe it is important to learn lessons from the difficulties and to adapt, rather than avoid doing it altogether. Scotland is often seen as having some of the most progressive homelessness policies in

the world, and the lack of priority need is part of that. As part of this learning we are proposing that any move to a non-priority need system should be spaced over a decade, and this period used to increase the supply of housing.

We are also encouraged by Wales's approach which involved extending priority need to rough sleepers in 2022. Despite the pressures this involved, Wales has proposed to continue on this path by abolishing priority need in its entirety as part of its 2023 White Paper.

15.ANNEX 2: HOMELESSNESS SUPPORT IN ENGLAND

If you fear you are going to become homeless, or already are homeless in England, and you fulfil certain immigration/residence status criteria, you have a right to a range of support from your local authority.

This support can be split into three Main Duties:

1. ***Prevention Duty***

If you are threatened with homelessness or fear you will become homeless and are eligible, the local authority has a duty to help you. Where possible the LA must try and support you to the point where you do not lose your current accommodation. This duty is discharged through support and advice and can include an agreed plan between the individual and the local authority.

2. ***Relief Duty***

If you are homeless and eligible, the LA has a duty to 'take reasonable steps to help the applicant to secure that suitable accommodation becomes available for the applicant's occupation'. This does not mean the local authority has to provide the individual with accommodation, but it should support the individual to secure suitable accommodation. This duty can be discharged by information and advice, as well as agreeing a step-by-step plan with the individual. Support can also at times involve some form of financial support such as a bond guarantee or funding a rent deposit.

3. ***Main Housing Duty***

The final duty a local authority may need to provide is called the 'Main Housing Duty'. This is where the LA is required to provide you with emergency and temporary accommodation. As well as being eligible the same way as Prevention and Relief duties, to be owed this duty also requires you to be in priority need (see Chapter 6).

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