

Local Connection Update – Scotland

Homelessness – Changes to the Rules for Local Connection

Homeless Persons (Suspension of Referrals between Local Authorities) (Scotland) Order 2022

The order suspends Scottish local authorities from being able to refer people with no local connection to another Scottish Council under the power under section 33 (1) of the 1987 Act.

Where a client makes a homeless application on or after 29 November 2022, a local authority can no longer refer them to another Scottish local authority under section 33(1) of the Housing (Scotland) Act 1987.

This power has been suspended, not permanently repealed. The Scottish Government will monitor the impact on applicants experiencing homelessness and local authorities to decide whether the s.33 power can be permanently removed.

This suspension does not apply to referrals to local authorities in England and Wales.

The intention behind this is that those who are experiencing or threatened with homelessness are more likely to resettle successfully, and avoid repeat homelessness, if they are living in an area of their choosing where they can access the specific services and person-centred support they require and where they are able to integrate successfully into the local community.

From 29/11/22 the rules around local connection and homelessness in Scotland have changed

For people who have applied as experiencing homelessness before 29 November 2022, the council can refer the person to another council if they have no local connection. They can only do this if they believe the person is experiencing homelessness and eligible for help. They must notify the client of this in a decision letter. For customers who have made a homeless application on or after 29 November 2022, the council can still check if they have a local connection to that area. However, they cannot refer the customer to another Scottish council.

Allocation and Local Connection

There are no changes to the rules in relation to local connection and allocations.

Where landlords use local connection as part of an allocation policy, they should make sure it does not disadvantage ex-Service personnel. This is to ensure that ex-Service personnel are not at a disadvantage when applying for social housing due to time spent in Serving in a number of areas or overseas.