

NAHT Cymru commentary on the Homelessness and Social Housing Allocation (Wales) Bill

Introduction

NAHT is the UK's largest professional trade union for school leaders. We represent more than 38,000 head teachers, executive heads, ALNCOs, deputy and assistant heads, vice principals and school business leaders.

Our members work across the early years, primary, special and secondary schools; independent schools; sixth form and FE colleges; outdoor education centres; pupil referral units, social services establishments and other educational settings.

In addition to the representation, advice and training that we provide for existing school leaders, we also support, develop and represent the school leaders of the future, through the middle leadership section of our association. We use our voice at the highest levels of government to influence policy for the benefit of leaders and learners everywhere.

Commentary

NAHT Cymru has welcomed earlier opportunities to respond formally to the consultation on the Bill and the briefing document which accompanied it late last year.

As we have previously made clear, our overriding concern is that schools exist to educate and develop young people. They are not designed to be the solution to all of the societal problems that young people, their families and communities face in life. Nor are schools equipped or funded to fulfil that role – that is the function of the other specialised local authority statutory services, whose duty it is to intervene in and remedy these wider issues.

So there is already a statutory process and long-established architecture in place of organisations which are long established and funded to address issues around homelessness. If there is a view within government that the process already in place is deemed to be insufficient, then we would argue that the correct response would be to review and strengthen the existing statutory arrangements, rather than spread responsibility around other agencies who are not equipped to provide the support services for families which are needed.

While school leaders and their staff are well attuned to picking up on issues young people may be facing, and well-positioned to help signpost young people and their families to where further relevant and appropriate help may be found, they are simply not funded or equipped to take the place of other better-placed statutory services.

NAHT is concerned that while there is as it stands a safeguard in the Bill to prevent responsibility for the “ask and act” duty in relation to homelessness from falling onto schools’ already overburdened shoulders, there is we understand a head of steam building as the legislation passes through the Senedd to remove that safeguard and impose that duty inappropriately on schools. To do so would simply pass the burden on addressing issues around homelessness from the already underfunded but relevant statutory support services – whose purpose and function it is to address the misery and disadvantage that homelessness and potential homelessness brings to families, onto ill-prepared schools who simply either aren’t best-placed - or more importantly are not sufficiently funded - to do so.

NAHT would therefore would not be able to support any moves to extend these legal duties around homelessness, given the existing roles of other dedicated agencies, and in the absence of any proposal for dedicated earmarked funding to schools attached to meet any undefined new responsibilities.

NAHT believes that there is a clear danger here that to put an “ask and act” responsibility on school leaders and their staff when they are quite clearly neither appropriately trained nor supported in this field. The result of this could be that school staff, however well-intentioned, could end up offering unhelpful, impractical or even illegal advice to pupils, their parents and families, which would have a deleterious effect which would be quite clearly the opposite effect of that intended by extending the legal duty around homelessness.

There is also concern around the unintended consequences of putting a further duty onto schools and their staff, beyond the already burdensome and stressful range of duties which already sit on school leaders and their staff which are already ramping up stress and pressure on school staff and driving many out of the profession as it stands. Extending the homelessness duties to schools would only exacerbate and already dire situation. In addition to which, there is only so much that any government can ask of its schools. There is a danger that schools are stretched so far that they break, and that schools are distracted or prevented from being able to deliver the core services on which pupils, families and communities rely.

We continue to welcome the proposal to conduct an impact assessment of the proposed legislation and would be grateful for your view on whether that assessment has in fact now been carried out and what its conclusions were regarding any possibility of extending duties around homelessness to schools.

Conclusion

As we have already made clear in our earlier responses to the consultation on the draft legislation, NAHT Cymru would not be able to accept the new burden of additional responsibility and duty put on school leaders when it is a) inappropriate b) there is no commensurate funding to schools on offer and c) other statutory social and welfare services are better placed to respond, if only they were funded properly.

It is our view, all of the above would argue for keeping the duty to address homelessness primarily where it currently sits, at local authority level.

We therefore remain strongly opposed to any proposal which may arise during the passage of the legislation to extend the “ask and act” duty on homelessness to schools who -as it stands – are rightly exempted from that duty and with very good reason, given their plethora of existing duties to children and families.

Laura Doel

National Secretary – NAHT Cymru