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On the Frontline: the Gatekeeper in Statutory Homelessness Services

ABSTRACT In light of earlier findings linking resource shortages to the practice of illegitimate gatekeeping in statutory frontline homelessness services, this article draws on an implementation literature to revisit this topic following the recent economic downturn and related political austerity agenda. Following previous research it was found that unlawful gatekeeping was practiced chiefly in response to resource scarcity, alongside related pressures due to higher level performance measures. However its use was also found, albeit to a lesser extent, to be due to miscomprehension around relevant legislation and the influence of individual or peer level values. Overall, the findings provided a strong indication that illegitimate gatekeeping has worsened in the current climate due in large part to the twofold challenge of diminishing resources, alongside an increase in service users.

Introduction

This article draws on an implementation literature to explore what factors may influence the practice of illegitimate gatekeeping in English Local Authority Housing Option Service's (LAHOS's), and whether this has worsened in the contemporary austere political climate. An initial baseline survey was forwarded to all LAHOS's in England, this informed development of the qualitative interviews which were undertaken with 12 authorities in the North East. It is argued that to comprehend the forces that drive LAHOS's to interpret or act upon policy or guidance in a particular way, it is necessary to investigate the frontline delivery environment. It is generally accepted by implementation researchers that the law in books will inevitably be re-shaped by the law in action (Cowan et al., 2006, p. 383). The latter, which mainly consists of unwritten rules, are generally favoured and it has been argued that policy amendment is unlikely to be sufficient to alter this tacit organisational structure (Seal, 2007). Along similar lines Maynard-Moody and Musheno (2003) maintained that the cultural context of the public service worker role operated synonymously to that of the legal environment, emphasising that the former often took precedence over the latter.

This research is chiefly concerned with how specific pressures, such as the need to ration services or meet stringent targets, may contribute toward illegitimate gatekeeping practices.

English LAHOS's are the focus due to the unique evolution of homelessness policy which confers specific responsibilities to public services and enforceable rights to settled accommodation (Fitzpatrick and Watts, 2010) not in evidence anywhere else in the world, save for parts of the UK. Yet in respect of the latter although England does share some similarities to homelessness services based in Scotland, Wales and Northern Ireland each have employed devolved powers to develop distinct systems which are not directly comparable (for example Scotland no longer operate a priority need policy in respect of homeless service users). However, while theoretically English LAHOS users enjoy greater legal protection in the event of homelessness, it has been questioned whether these rights can be effectively exercised in the event of a negative or absent decision (Fitzpatrick and Watts, 2010). For example it has been found that each of the individual statutory homeless tests (discussed below) may be utilised to discourage statutory homeless applications.

   Although recent research has examined the interpretation of homelessness policy and caselaw within a specific area (Bretherton et al., 2013), as far as the researcher is aware, none has focused on gatekeeping per se since the economic downturn and related political austerity agenda. It is not suggested that investigations undertaken prior to these events have necessarily become any less robust, only that LAHOS's are now facing different challenges and the effects these may have on potential users of the service need revisiting. In summary this research aims to investigate whether gatekeeping, specifically its unlawful forms, remain present in LAHOS's and if so, what determinants ensure its endurance.

Social housing

In England social housing generally provides reasonably costed accommodation on a long term basis and is widely viewed as a safety net for households affected by homelessness (CIH and LG, 2010, p. 5). In contrast, private rented accommodation is more expensive, generally let on a short term basis (normally six months), and may not be offered to households who claim local housing allowance (housing benefit paid to assist those on a low income to rent privately). In light of the extra security and affordability provided by social housing, households affected by homelessness tend to prefer this tenure (Pleace and Jones, 2010) and legislation states that this group should be given reasonable preference for a social housing allocation (Parliament, 1996). Normally an accepted homeless household will be placed in temporary hostel accommodation pending an offer of suitable, settled accommodation.

However, whilst most LAHOS's will prioritise homeless households, the extent or ways in which this may occur differ at a local level. Further, accepted homeless households may be offered limited choice with regard to the accommodation offered. Again, rules vary between areas and a detailed discussion goes beyond the scope of this article. Alongside this, research has suggested that social housing is increasingly becoming the only viable tenure for households affected by homelessness. For example a recent survey found that around 80% of private landlords were unwilling to let properties out to households who claimed state assistance to help toward rent (Apps, 2014). Alongside this reductions to local housing allowance have resulted in private accommodation increasingly moving out of the reach of households on a low income.

Yet social housing in many local areas is a limited resource, and demand tends to outstrip supply (Bowpitt et al., 2011, p. 37). It has been found that social housing as a whole has progressively declined in the last 30 years (Hughes, 2010; Shelter, 2009, p. 9; Whitehead, 2012), and although the building of affordable homes as a whole saw a recent increase, it still falls short of that required to meet current housing need (CIH et al., 2012). This is particularly an issue in London, where over 90% of London authorities in Quilgars and Pleace's (2010, p. 140) study reported that accepted homeless households still faced long waiting lists for social housing, despite the priority which must lawfully be awarded to this group. In related findings it was found that incidences of illegitimate gatekeeping were higher in London areas (Casey et al (2008). Due to the link between resource scarcity and rationing behaviours this is perhaps expected, particularly as Southern areas have been more adversely affected by welfare reform (Fitzpatrick et al, 2013). However, it has been pointed out that pressures are increasingly being felt in Northern areas whereby local housing allowance retrenchment will lead to private rented housing becoming very unaffordable for low income households in these areas (Lister et al., 2011), thus increasing pressure on other tenure types.

The shape of social housing is currently undergoing further change with the introduction of The Localism Act (Parliament, 2011), which introduced flexible tenancies, whereby authorities can now impose a specific term on social tenancies in certain circumstances. With specific regard to LAHOS delivery the Localism Act may also impact on a homeless accepted household as they can now be offered private rented accommodation. Whilst in many cases local authorities may be unable to access private rental tenures for homeless applicants (as per the discussion above) it is maintained that where LAHOS's are willing and able to do so, this will weaken the position of statutorily homeless households, potentially

placing them in a cycle of insecure accommodation (CIH et al., 2012, p. 15; Fitzpatrick et al., 2011, p. 10).

Local authority housing option services

In broad terms LAHOS's are required to prevent homelessness, provide housing advice and make statutory homelessness assessments. The Housing Act 1996 (amended 2002, Parliament 2006) forms the main statutory underpinning of the role and regular caselaw updates flesh this out. Once an application is made a household is generally required to meet five tests before an authority will accept a duty to provide settled accommodation; these are that of eligibility, homelessness, priority need, intentionality, and local connection. Briefly, priority need refers to households containing dependent children, a care leaver, a pregnant person, or those which require more subjective interpretation, such as vulnerability as a result of ill health, older age, violence, or institutionalisation (ODPM, 2002). In respect of intentionality, an authority needs to be satisfied that the applicant did not lose their last settled accommodation due to a deliberate act. Local connection is normally gained through settled residency of the applicant or relatives, employment, or for a special reason, such as fleeing violence (Parliament, 1996). If all conditions are met the LAHOS has a duty to ensure that suitable accommodation is made available to the applicant. Initially this will normally be the allocation of emergency, temporary accommodation until such time a more suitable, permanent solution can be offered; the five homeless tests, alongside the rights and responsibilities of LAHOS's and households affected by homelessness, are outlined in Figure One.
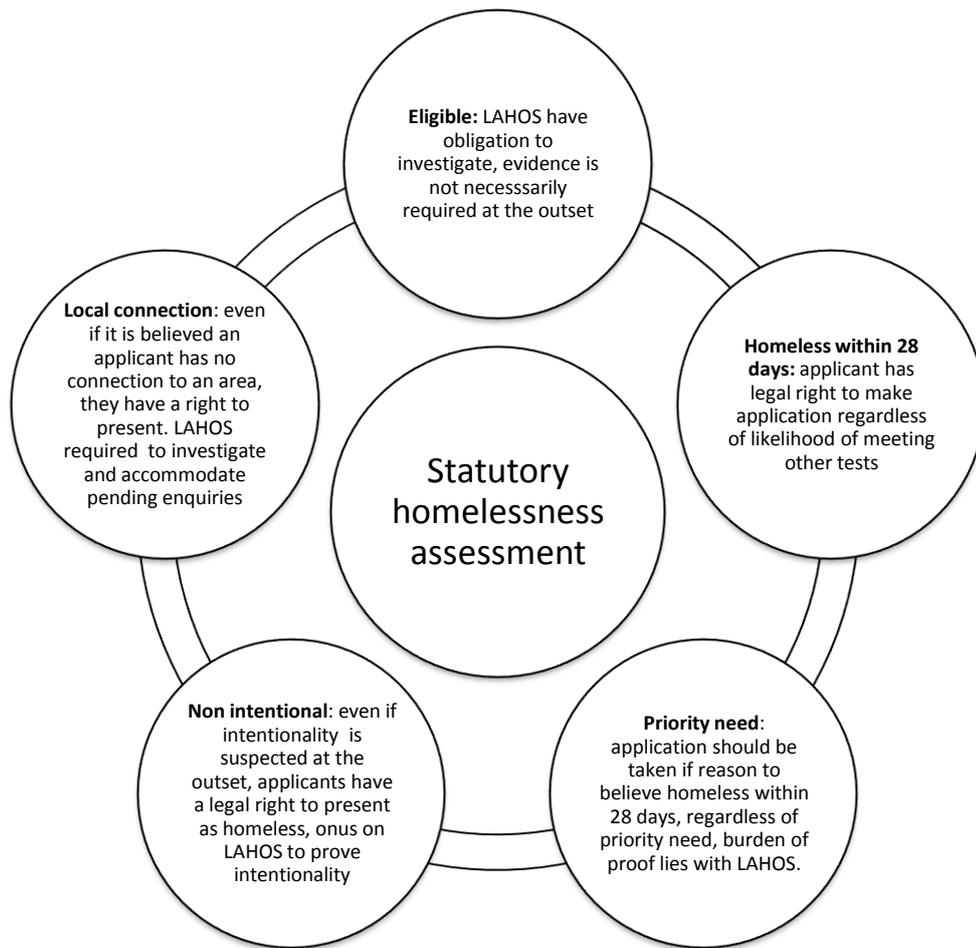
Figure 1. Outline of the main statutory homelessness tests
Source: DCLG, 2006

Whilst the Housing Act itself invokes a set of hurdles that must be satisfied before an applicant can be conferred the status of statutorily homeless (Evans, 1999), it nevertheless gives applicants a right to request an application if they appear to meet the initial tests, as highlighted in Figure One. That is, in legal terms if a household is assessed as threatened with homelessness within 28 days they have the right to request and be granted a homeless application regardless of perceived local connection, priority need, or whether homelessness is believed to be as a result of a deliberate act. It relates not just to the termination of, or evictions from one's home, but also accommodation which is unreasonable to occupy due to, for example, disrepair, family licence terminations or threats of violence (Parliament, 1996). Alongside this officers must provide all service users affected by homelessness with sufficient advice and assistance (DCLG, 2006).

Since the late 1990s the primary political imperative has been to develop effective homeless prevention strategies (Crane et al., 2006, p. 156). The so-called prevention agenda was coupled with strict targets relating to the reduction of statutory homelessness acceptances and use of temporary accommodation (ODPM, 2005), which is argued by many commentators to have contributed toward the likelihood of LAHOS's engaging in gatekeeping practices (Pawson and Davidson, 2007; Reeve and Batty, 2011). However, it is important to stress that whilst these pressures may have increased the likelihood of gatekeeping, earlier studies show that it was practiced widely prior to the prevention agenda. For example Evans (1999) found that staff routinely discouraged applications from single people, many stating that this was to limit workload and reduce expectations of non priority applicants. Niner (1989) showed how specific tactics, such as requesting substantial amounts of evidence to support claims, or advising an applicant that they would likely be found intentionally homeless, were adopted in a bid to dissuade potential applicants. These findings are likely to reflect the underlying lack of accommodation and time resources which recurrently plague LAHOS's.

In the last few years statutory homelessness acceptances (DCLG, 2014), and households requiring help due to the threat of homelessness (Fitzpatrick et al., 2012) have followed an upward trend. Since the Coalition Government came into power in 2010 its policy objective of reducing public spending has meant cuts to both central budgets and local authority departments, and public outlay toward housing and welfare has decreased to its lowest rate since 1945 (Nevin and Leather, 2012, p. 14). LAHOS's have further been charged with identifying cost savings which in some cases have led to the reduction of frontline staff (ONS, 2011, p. 2). However, despite this challenging environment, at the time of writing political pressure on LAHOS's to reduce homelessness acceptances or the use of temporary accommodation has not eased (DCLG, 2012). So in light of findings which suggest that the need to ration services will increase gatekeeping behaviour, this article asks whether the current austere political climate provides an environment where housing law is more likely to be contravened, and if so, to assess the role of policy makers in ensuring the practice of its unlawful forms are lessened.

Rationing

Before illegitimate gatekeeping is discussed in more detail it is important to situate it within the wider literature around rationing, which research suggests is the chief driver of its

practice. For example Rashleigh (2005) found that frontline workers saw it as their duty to protect limited resources by ensuring the homelessness route appeared unappealing

> It is my job to ration council housing so therefore I am the gatekeeper. I make the route to that resource as long and as unpopular as possible (Rashleigh, 2005, p. 21)

Lipsky (1971) argued that theoretically the role of frontline public sector workers was to assist all (ordinarily vulnerable) households who approached for help, yet in reality they were unable to satisfy this objective due chiefly to the weight of bureaucratic constraint. He maintained that resource scarcity underpinned this inability to undertake the role effectively and led employees to apply discretion in a flawed or discriminatory fashion:

> Theoretically there is no limit to the demand for free public goods. Agencies that provide public goods must and will devise ways to ration them (Lipsky, 1980, p. 87)

So rationing may be viewed as an inevitable service response due to the inherent nature of statutory organisations in which there are not enough goods to go around (Lidstone, 1994). This view was shared by Parker (1975, p. 204) who pointed out that resources within public services will always be limited, thus rationing was required to manage scarce supply. He was further one of the first theorists to differentiate between the different forms of rationing public sector workers may employ, breaking these down into formal and informal types. Formal rationing devices, such as the test of eligibility, arguably refer to its more legitimate form, whilst informal rationing, referring to practices such as deterrence, delay, misunderstanding (or ensuring service users are unaware of their right to specific services) and dilution may involve more illegitimate forms. A further issue is that unlike formal rationing, informal rationing is not open to scrutiny; it is thus more difficult for service users to challenge (Foster, 1983, pp. 13-15). In summary the use of informal rationing tends to be where discretionary behaviour can thrive on the frontline, thus potentially impeding the statutory rights of the service user (Foster, 1983).

In a similar vein to Parker, Lipsky (1980) listed a number of tactics that officers may utilise to discourage take up of services, including: monetary (ensuring the service user incurs a charge), time, creaming (assisting those who appear to have fewer problems or issues), queuing, psychological (lack of respect, degradation, bias) and information (failing to distribute or withholding). Whilst gatekeeping may potentially interact with each, it specifically refers to a type of information rationing. That is, the failure to advise service

users of their right to request a homeless application, or suggesting (incorrectly) that they are ineligible to apply. This article is further concerned with a service user's ability to access their procedural rights to make a homeless application. This follows Adler and Asquith's (1981, p. 128, cited in Foster, 1983) distinction between procedural rights, that of ensuring that the process involved when claiming a service is dealt with according to legal rules, as opposed to substantive rights, which refers to a service outcome.

However, it is important to note that alongside the need to ration services, gatekeeping has also been found to occur as a result of uncertainty around particular areas of the Housing Act (BHUG, 2009; Niner, 1989; Rashleigh, 2005), individual views, and the adoption of stereotypical frames of reference, though it has been found that the latter is adopted in large part to control a heavy workload (Cramer, 2005; Halliday, 2000; Loveland, 1991; Rashleigh, 2005). Further, regarding decisions which at first appeared to relate to specific views, closer inspection suggests these were generally underpinned by the need to protect resources. For example women fleeing domestic violence (Rashleigh, 2005) or children being asked to leave the parental home (Niner, 1991) were assumed to be attempting to take advantage of valuable social housing resources, which officers deemed it their duty to protect. In summary it is difficult to separate individual level determinants of decision making from the higher level influences that bear down on frontline officers. The following section focuses more directly on the research evidence of gatekeeping in LAHOS's.

Gatekeeping

Attempts to dissect the causations of gatekeeping within LAHOS's can be complex, as highlighted above this is due to findings which show that practitioners base assessments less on the basis of legislative rules and more on contextual considerations and networks relevant to their local environment (Burrows 1997, pp. 55-56; Hunter et al., 2012; Loveland, 1991, p. 20; Pannell and Palmer, 2004, p. 20). For example Evans (1999, p. 148) found that access to a homeless application was more likely to be guided by the specific practices of LAHOS's than housing legislation itself. Yet it has nevertheless been shown that officers tend to justify a specific reading of housing policy by referring to measureable or desirable outcomes which are generally determined at a higher level. For example the main causation of its application post prevention agenda has generally linked it to the political drive to reduce statutory homelessness and use of temporary accommodation (see below).

Although the previous administration publicly warned LAHOS's not to gatekeep (EWCA1122, 2007), an Ombudsman (2011) report confirmed that homeless applications continued to be unlawfully obstructed. With regard to the strategies adopted this involved the provision of incorrect advice (Pawson and Davidson, 2007, p. 14), or in some cases deliberately misinforming service users that they should not apply as homeless, as on face value they did not appear to meet the tests (Bowpitt et al., 2011; Reeve and Batty, 2011, pp. 54-55). It was further found that households were signposted to prevention rather than statutory provision (Pawson et al., 2007; Rashleigh, 2005), which caselaw has declared to be unlawful (EWHC52, 2007). Further studies uncovered requests for unreasonable evidence (Niner, 1989) or the withholding of information on how to apply based on the notion that applicants would be unaware of their statutory rights (Lidstone, 1994). This latter tactic has been found to be effective, as service users will not generally possess detailed knowledge of housing policy (Crisis, 2009; Reeve and Batty, 2011), or have access to the mechanisms at play within statutory housing services (Lidstone, 1994; Lipsky, 1980, p. 53).

Returning to the discussion above it has been argued that gatekeeping is underpinned by an overriding lack of resources (Bowpitt et al., 2011; Evans, 1999, p. 138; Niner, 1989) and related to this, pressure to meet organisational performance measures (Halliday, 2000; Rashleigh, 2005) and deal with a heavy workload (Evans, 1999). For example investigations found that a lack of accommodation proved to be a causal factor in interpreting vulnerability, whereby authorities with plentiful housing stock may apply a looser criterion (Evans, 1999, p. 138; Niner, 1989). It was further found that pressures to minimise use of temporary accommodation caused some officers to gatekeep (Halliday, 2000). In terms of a target culture Rashleigh (2005) found evidence to suggest housing law was repeatedly and flagrantly broken due to the pressure to meet organisational objectives 'We go out of our way to push the law. If we're challenged, then we reconsider, if we're not, then we get away with it' (Rashleigh, 2005, p. 18).

However, while the dynamics at play was generally assessed as being inextricably linked to higher level concerns, the impact of individual or peer led factors cannot be ignored. For example respondents in Rashleigh's study (2005) disclosed that officers who had higher acceptance rates were labelled as soft and that this hardened culture had resulted in many people entitled to assistance being turned away (Rashleigh, 2005); this type of peer pressure was also identified in respect of limiting the use of B&B's (Halliday, 2000). Yet as highlighted above, harder decision makers nevertheless justified particular decisions around the overriding need to limit resources.

In summary, gatekeeping may ensue to a greater or lesser extent, dependent on unique micro or meso led factors. This research, whilst accepting that no two LAHOS's should be assessed as the same, nevertheless aimed to investigate general patterns that appeared to increase or decrease the likelihood of unlawful gatekeeping being practiced and the literature identified the following factors as being most relevant:

- Lack of Resources
- Target culture
- Policy ambiguity
- Personal and intersubjective factors

As highlighted above, all these concepts should be viewed as, to at least some extent, interacting with the need to ration resources. Whilst policy ambiguity, particularly as a result of lack of training, suggests gatekeeping actions were not necessarily deliberate, it must be considered that resource issues related to training costs in terms of time or money will in turn influence the likelihood of it being provided. Similarly, whilst some officers may show a higher propensity to gatekeep than others, this still needs to be considered alongside the role led concerns which a given practitioner perceives as needing to be overcome. That is, when the decision is made to gatekeep, what is underpinning this?

Research methodology

The project took a two stage approach whereby a baseline survey was forwarded to a representative of all LAHOS's in England and followed up with qualitative interviews. The baseline survey provided a comprehensive overview of current English LAHOS provision. It also assisted in identifying determinants which were utilised for the purposes of selecting authorities for follow up interviews. The researcher made the decision to contact all LAHOS's to provide a comprehensive distribution of authority types. A total of 271 practitioners completed the survey, which represented over two thirds. The main results were analysed with the help of SPSS software. As touched upon in the introduction, the aim of the survey was to provide a snapshot of current LAHOS's in England, and due to its close ended nature, did not specifically deal with issues around rationing or gatekeeping practices; for this reason the findings main focus is on the interview findings.

Based on the results of the baseline survey the LAHOS's approached for interview had a mixture of sizes, geographical type, and other variables which appeared to represent differences in how a given LAHOS may operate. A total of 27 practitioners in 12 LAHOS's were interviewed between April and July 2013, one third consisted of line managers, and the remainder were frontline practitioners. Very large and rural LAHOS's were slightly underrepresented based on the survey mix, whereby small, medium, and large authorities alongside urban and rural authorities broadly reflected the survey demographics. A larger number of employees were interviewed in three of the authorities, to gather information on how views and practices may differ endogenously; for the remainder between one and two practitioners were interviewed in each. The LAHOS's interviewed were restricted to the North East due to practical issues resulting from a limited research budget. As highlighted in the introduction, Northern areas may not experience the same level of extreme resource shortage as their Southern counterparts; it could therefore be expected that the likelihood of illegitimate gatekeeping being practiced is reduced. Yet findings have shown that local authorities in all areas will experience the effects of recent political and economic changes and it is thus viewed as important to consider its impact in Northern parts of England. This is particularly so when it is considered that investigations into the negative impact of welfare reform tend to focus on London and surrounding areas.

The interviews adopted a semi structured approach, whereby the main themes covered in the survey and literature were adopted as broad topic areas. Interviewees were allowed to determine the direction of discussion, which meant that more weight was given to specific issues in some interviews. All interviews were tape recorded and analysed with the assistance of NVIVO software. A deductive approach was adopted when initially constructing the broad themes, but additional concepts were developed based on information gathered during the interview discussions. The majority of interviews took place in an official setting, but two, at the request of the practitioners, took place in a neutral backdrop. Although the sample represents a small sub section of LAHOS's in England, and therefore cannot be generalised to the whole population, the aim was to provide a more in-depth analysis that could not have been achieved if resources had been stretched to incorporate a larger number of authorities.

Discussion of research findings

Most practitioners were able to recount instances where service users had been given an inadequate service and sent away with limited help. Although gatekeeping was linked to the

application of individual and organisational discretion, it was normally viewed, in support of the literature discussed above, as occurring due to circumstances outside of a practitioner's control, such as top down pressures, resources or workload; the following sections discuss each in turn.

Lack of resources

> All authorities gatekeep, and if they have told you they don't they are lying to you, they have to because of the shortage of resources (Officer, LAHOS J)

The evidence discussed above linked the adoption of gatekeeping practices to limited resources. The baseline survey suggested that this had worsened following the recent economic downturn and related austerity measure. It was found that the majority of LAHOS's had experienced a recent increase in service users at threat of homelessness, and nearly all reported a number of challenges in the current climate. Four fifths stated they were struggling to provide an adequate service due to accommodation shortages in both the private rented and social sectors, and over 80% felt that this was exacerbated by current welfare reform measures. The highest percentage (90%) responded that cuts to local housing allowance had negatively impacted on their ability to secure accommodation. Further, nearly all reported a higher workload due to the impact of welfare cuts and many felt this would continue as austerity measures continued to take hold.

In respect of the interviews it was found that practitioners in many cases viewed their role as being to protect limited resources, with a few acknowledging that service users could expect differing treatment on the basis of limited time and budget. For example a few officers reported that service users assessed as having no local connection would at times be illegally sent away. The main reasons given were lack of accommodation, but also workload issues. A few interviewees conceded that negative decisions had increased due to necessity, as accommodation was simply not available (see below). One stated that even if it was accepted that someone was homeless and in priority need they would be sent away:

> I have got into a situation where I am turning around and saying to people, your priority need, you fit the criteria, go away, I have got nothing for you (Manager, LAHOS B)

Sending people away due to a lack of local connection was also remarked to be as a result of inadequate staffing within any given authority, which one practitioner advised had worsened in recent years:

> Yes everybody does [turns away service users on the premise that they have no local connection]... now people are more short staffed and I honestly think people are saying, just send them over...without doing [a] referral (Officer, LAHOS J)

Associated with poor workforce levels, time issues were viewed as a significant factor:

> People are being sent away if they haven't got local connection (Interviewer: why do you think it happens). Workloads I think, because we are all busy and we are quite a small team really, especially when there is leave, it is just people's workloads and it's like, oh, it's just going to be another case, another presentation and I think if they can offload them onto another local authority then they do it (Officer Five, LAHOS B)

It was further found that the likelihood of an authority making an adverse decision was highest in the LAHOS's who reported the scarcest resources:

> If you have got an authority with a lot of council housing, or a lot of cheap private rented, you can get away with not having to do intentional, because you have other options to get them into before you have to make an intentional decision, so, for a small authority we do a lot of intentional decisions, simply because we cannot sidetrack them into other options (Manager, LAHOS B)

A further illustration of this was the divergent instructions given by two managers in respect of how staff should assess if their respective authority had a statutory duty toward a household. In one of the few authorities where accommodation was assessed as abundant the manager advised that she encouraged staff to look for reasons to accept a person:

> When you take a homeless application you are very thorough, and you look for a priority rather than say there isn't one... I just hope staff are proactive, and sort of, how can I put it, don't be negative, don't look for the no's look for the yes's (Manager, LAHOS I)

In contrast a manager employed in an authority with scarce accommodation resources urged staff to look for reasons not to accept an applicant in an attempt to protect resources:

> We have to be quite harsh in our decision making process because, as I say, we have got very limited accommodation (Manager, LAHOS C)

An important element of rationing was the need to limit demand due to the intense pressures on temporary accommodation. The use of gatekeeping to protect emergency housing appeared to be ubiquitous and nearly all LAHOS's interviewed had either witnessed or practiced it. Further, any one of the tactics identified above, such as requiring additional information or advising households that they would not meet the threshold of vulnerability, non intentionality or local connection may be utilised for this purpose:

> Which is one of the real bugbears of my job you know [pressures to keep temporary accommodation use low], as even when you are taking a case on, and we have an obligation to provide temporary accommodation we are often told as workers, well, we don't have any, and you are just left with it, you know, you are left trying to explain that to a customer that you have got a statutory duty to provide accommodation for so I think probably one of the main reasons that it [gatekeeping] goes on...is the pressures on temporary accommodation (Officer Four, LAHOS B)

The above citation, in which a practitioner expressed disapproval around the actions that needed to be taken due to resource shortages, was indicative of the view of many interviewees and suggested that workers generally practiced gatekeeping due to higher level pressures outside of their control.

Target culture

The existence of performance measures or general role objectives (which were in many cases inextricably linked to the need to ration resources), was found to encourage gatekeeping practices:

> I would be lying if I hadn't seen in the many years I have worked in this area and worked alongside people doing this job, I have seen this authority pack other people off before...I know people who have come here for advice and been told you would be better off jumping on a train and going to blah, so, it does happen, and it is going to cause tensions...maybe [it is due to] the pressures of keeping your particular homeless numbers down, your budgets, certainly the pressures on temporary accommodation (Officer Four, LAHOS B)

All bar one authority operated some form of scrutiny or performance measure in relation to the role. It was found that even if practitioners were not explicitly given targets to work toward, management may be required to adhere to them, and this would correspondingly permeate through to the frontline. When asked when a statutory homelessness application would be taken, responses differed, even within authorities. It was found either that each

practitioner applied a different rule, or some were not willing to disclose that a homeless application would be avoided in some circumstances. For example in one authority around half of respondents claimed that a homeless application would be taken from anyone who was homeless within 28 days:

> Obviously, if they are homeless within 28 days we would have to take a homeless application, and then make a decision on it, and we have done that for a long time (Officer Three, LAHOS I)

Yet the other half refuted this, stating that homeless applications were not taken as a rule:

> I don't do so many homelessness cases as I should, and I think that was picked up upon on a recent audit that we should really be doing them across the board all the time (Officer Four, LAHOS I)

Most LAHOS's were required to keep usage of emergency accommodation to a minimum. To add to this all authorities reported a shortage of temporary accommodation and three had none in their local area. In respect of one of the latter authority's a practitioner reported that officers had been taught not to allow people access to emergency accommodation for the simple reason that they did not have it:

> Because there is not an awful lot [of temporary accommodation] I think we have kind of, as a team, almost trained ourselves at being really good at not having to use temporary accommodation unless it is completely, absolutely necessary (Officer Four, LAHOS I)

It seemed that the requirement to minimise statutory applications was ubiquitous, and only one interviewee presented a differing view. In this latter case the manager interviewed was concerned because her authority had manipulated homelessness figures for too long, artificially representing the local area as having no homeless problem. To deal with this issue her authority was taking the unusual move of reintroducing homelessness applications:

> We have manipulated statistics over the years, for whatever reason and that worries me now, I don't think the politicians, or even the senior members here see the true picture because of what they see in black and white (Manager, LAHS I)

However, even in cases where emergency accommodation was available the pressure to keep statutory acceptances to a minimum seemed to impact on the service offered. For

instance in one case a practitioner recounted a story where an authority placed a family in emergency accommodation, but still refused to take a homeless application:

> It's very annoying, when you have somebody that comes to you that's been in a temporary B&B and the authority says that they haven't taken a homeless presentation, why have you placed him in the B&B in the first place? And you have just got out of the fact that you are saying you haven't taken a presentation, when in fact when you have placed them you have started the process, and we get a lot of that (Manager, LAHOS B)

Again, the discussions uncovered a dominant view that unreasonable targets not only placed practitioners in a difficult position, but also meant that colleagues would exhibit deliberate, unlawful behaviour in response. Whilst these actions had taken place prior to the recent reported increase in service users, the increased pressures reported by survey respondents will likely result in a growing demand for statutory homeless applications and temporary accommodation.

Policy ambiguity

As stated above, some researchers suggested that a more comprehensive grasp of housing law may assist in ensuring practitioners were less likely to engage in unlawful gatekeeping. Only a quarter of survey respondents viewed the Housing Act as adequate; of those who felt it needed to be more explicit two thirds identified three or more policy areas (this represented 50% of the total sample who responded to this question), and just over a quarter cited five or more. These findings suggest that regular legal training and updates are vital, yet only four authorities reported that they had a good training structure. Even in cases where it was theoretically available, time resources were still an issue. One practitioner advised that prior to starting the role colleagues were not adequately prepared for the role:

> It's been a lot of kind of learning as you go along... I was given a day's overview of the housing act, this is the housing act in a nutshell, and, of course, its colossal, each part of it, each area of priority need for example you could probably spend a day on... (Officer Four, LAHOS B)

Yet another LAHOS was given a choice between foregoing training or losing a member of staff:

> Since the cuts last year we were basically told we had the choice between losing one member of staff or there would be no more training in the next few years (Officer One, LAHOS J)

Perhaps unsurprisingly, particularly in light of an increase in service users, the authority chose to forfeit training for the foreseeable future.

As highlighted earlier, the lack of training was linked to resource pressures, and thus its impact, and the fact that it may increase the likelihood of gatekeeping behaviours, could not be divorced from the need to ration which underpins it.

Personal and intersubjective views

It was found that individual views were perceived as playing an important role in shaping decisions. One officer stressed that in her experience individual values played a significant function in the practice of gatekeeping:

> I think people just come to the job with slightly different approaches, so [some] people feel that they are gatekeepers, and they are they are there to stop people from going through temporary accommodation no matter what it takes... I have always seen tough caseworkers and ones who are considered to be more lenient (Officer Five, LAHOS B)

A few practitioners felt that subsequent behaviours and decision making would then be determined, at least in part, by this dichotomous split. In a similar vein just under half of the interviewees referred to themselves and colleagues as hard or soft decision makers, in line with Rashleigh's (2005) findings discussed above. One practitioner felt that housing law could be interpreted tightly or loosely based on which category you fitted into. It seemed in many cases statutory homelessness applications were frowned upon by more hardline officers, and one referred to a colleague who boasted about her record of taking no applications in several months:

> In the last authority (in which the practitioner was employed) no-body was allowed to be homeless, it was basically a bit of a competition between us, the officers, I remember one officer boasting that she hadn't taken a homeless application for months, can't say I did that well (Officer Four, LAHOS B)

Another recalled an incident where her colleague had turned away a service user fleeing violence, incorrectly advising her to return home and fight for the joint tenancy:

> When I came out of that interview, there is no way that I think that women is lying, I believed she was genuinely genuinely fearful of going back...she broke down several times in the interview, and she was really upset, and when I came out the worker went to me, the other worker she kind of said "right, has she been lying again" and I just thought, I just wouldn't of thought she was lying (Officer one, LAHOS B)

Some practitioners suggested that they and their colleagues would adopt specific stereotypes or bias on the basis of specific circumstances, which may increase the likelihood of discouraging a statutory homeless presentation. For example in line with previous findings (Loveland, 1991; Niner, 1989; Rashleigh, 2005) young people being asked to leave the parental home, or women fleeing violence, were viewed by a few to be colluding in order to gain social housing:

> There is a certain, well, you shouldn't regretfully say its collusion, but there is always this element of, well, have the family put them out as that is the only way that they see they will get a council house (Officer One, LAHOS H)

However, it was suggested that when the larger picture was considered, frontline officers had limited options, and tended to follow higher level priorities when attempting to limit resources, or impede homeless applications:

> I would like to think the frontline staff had some influence but I don't think we do, I think it is very much, I think it is top line that need to acknowledge the work and I am not convinced that that is always the case, I think they are happy as long as the figures aren't too high, and there is nothing particularly bad happening, you know, I think it is a, a service that's a necessary evil rather than them doing anything to help greatly (Manager, LAHOS K)

It was further found that although softer decision makers may wish to apply more generous criteria, in some cases higher level pressures meant that many practitioners nevertheless felt pressured to send priority need households away, or refuse temporary accommodation. Senior officers were found to have a marked impact on the service delivered, particularly if staff were unable to make specific decisions without seeking their approval. A few practitioners explicitly accused a line manager of encouraging gatekeeping:

> The manager at the time was a gatekeeper and changed the rules to fit her understanding of what the service can be the law was, manipulated to fit the service she wanted to provide, I think that is the best way I can put it (Officer One, LAHOS C)

It is concluded that whilst some frontline officers were viewed as more likely to gatekeep, the likelihood of it occurring overall was inextricably linked to service availability. That is, as rationing tends to be a primary function of the LAHOS role, this overriding pressure will underpin the likelihood of an individual practicing it.

Discussion and Conclusions

The research findings showed that gatekeeping continues to persist and as all bar one practitioner reported it, often providing more than one example, this would suggest its practice is widespread and unlikely to be unique to the authorities interviewed. It further provides evidence that Northern parts of England not only practice illegitimate gatekeeping as a result of long term shortages, but that this has in fact worsened in the current environment as available resources have reduced. The findings demonstrate that alongside higher level factors, individual officers were viewed as being more or less likely to undertake gatekeeping. Further, ignorance due to lack of training may also influence this type of behaviour. Yet there was a strong undercurrent of the need to protect resources, limit workload, and satisfy organisational led targets which tended to drive gatekeeping behaviour. Chun and Rainey (2005) maintained that multiple or conflicting goals will lead practitioners to exercise judgements around which are the most important. So perhaps in the case of LAHOS's organisational objectives generally take precedence over those that relate to ensuring all are provided with acceptable advice and assistance. It is therefore argued that whilst individual and peer level factors should not be ignored, gatekeeping is better understood as a response to higher level pressures.

It may be useful here to consider Simon's (1957) two faces of decision making; the first emanates from a value orientated foundation and the second a factual one. The value based face of power does not necessarily refer to individual values but may also relate to establishment level or even socially accepted community or common sense values. The factual face of power is more related to constraints, generally emanating from wider pressures relating to budgets or what is realistically achievable. The former may differ from the goals of the organisation, whereas the latter does not. This aptly describes the pull that appeared to be felt by decision makers, whereby a number of factors could potentially affect the outcome.

Yet in the case of LAHOS's the balance tended to be tipped toward the factual reality that the organisation could only conceivably assist the few. Conceptualising decision making as double edged in this way can assist in understanding why views may differ to such a wide degree between public sector workers.

Ultimately, there was found to be an inherent contradiction within service delivery in LAHOS's; that is, frontline workers were required to contravene policy in order to satisfy central policy goals. A principal barrier to change is the argument that the Government are not sufficiently motivated to lessen gatekeeping. That is, tacit approval is given as long as the official aims of reducing homelessness are achieved. This latter charge is made in light of the fact that gatekeeping has been well publicised in the past, but as far as the author is aware, no actual action, save for vague verbal warnings, have been taken to stem it. This inertia ultimately means that behaviours which could be judged as unlawful, such as illegitimate gatekeeping, continue unchallenged.

Could it be argued, following Foster (1983) that in certain circumstances policy makers may intentionally fail to legislate in respect of rationing behaviours which result in policy contravention, in an attempt to hide the extent of what is ultimately an unpopular political problem? This lends support to claims that the primary aim of the prevention agenda was based less on altruistic principles related to helping those who were homeless and more on politically motivated goals intended to reduce damaging statistics (Lund, 2011, p. 169). This would further help explain why prevention initiatives tend to focus on groups classed as being in priority need for assistance (Jones and Pleace, 2010; Pawson et al., 2007), as many households who become homeless but fail to meet the main statutory tests do not contribute toward DCLG quarterly statistics.

A fundamental concern regarding the practice of gatekeeping is that it may ultimately hide the true picture of homelessness, which will in turn impact upon the level of resources assessed as necessary to tackle it. As touched upon above, a manager felt that her authority had manipulated homelessness figures for too long, artificially representing it as being no problem due to the very low number of statutory applications taken in recent years. This provides an example of how hidden types of homelessness in particular can be effectively concealed from official statistics and highlights that the way in which it is recorded can potentially determine its perception. Dependent on the focus of the authority we may develop very different insights into the extent to which there is a homelessness problem in a particular area, which will likely be formed on the basis of how it is recorded, rather than the actual

reality. It is argued that if the number of households losing their home is shrouded in these ways, this may arguably give politicians less reason to address this important issue.

   This research has returned to the issue of gatekeeping in LAHOS's and has applied a specific implementation focus to examine this topic following an economic downturn and recent austerity measures. It is concluded that as the likelihood of negative gatekeeping is chiefly linked to resource scarcity and the requirement to ration services, its practice is likely to progressively worsen in the current political climate.

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