

Ending homelessness in Wales: Abolishing the Priority Need Test



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About Crisis

Crisis is the national charity for people facing homelessness across Wales, Scotland and England. We know that homelessness is not inevitable and that together we can end it.

Our Crisis South Wales Skylight provides direct one-to-one support to people who are at risk of or experiencing homelessness in Swansea, Neath or Port Talbot.

In addition, our Best Practice team works with local authorities, third sector partners, businesses and other organisations on a range of homelessness projects, including the current Built for Zero project preventing homelessness among prison leavers in Rhondda Cynon Taf.

Our Wales Policy team seeks positive change, based on research, to help end homelessness. Between 2022 and 2023, Crisis co-ordinated an Expert Review Panel, which made recommendations on legislative change to help end homelessness in Wales.

About this Briefing

It is anticipated that the upcoming Ending Homelessness Bill will include proposals to end Priority Need. Crisis is aware that the Children, Young People and Education Committee has raised concerns about the impact this change would have on care leavers within its recent [Children on the Margins](#) report.

This briefing seeks to alleviate these concerns, demonstrating that the current White Paper proposals seek to protect care leavers with other measures. It provides a brief background on the Priority Need test and upcoming Ending Homelessness Bill. In addition, this briefing demonstrates why the abolition of Priority Need more broadly is important and how ending Priority Need will also help to protect people who are care experienced later in life.

Background to the upcoming Ending Homelessness Bill

In 2022, Crisis was proud to be invited by then Minister for Climate Change Julie James to co-ordinate the [Expert Review Panel](#) on homelessness, which considered how legislative change could help to end homelessness in Wales. The Panel's recommendations were rooted within feedback from more than 300 people with lived experience of homelessness in Wales, as well as an extensive consultation programme with professionals within the housing sector and beyond.

Following the panel's submission of its [report](#) to the Welsh Government, Crisis was pleased to see the Welsh Government's White Paper on Ending Homelessness reflect so many of the key proposals within the panel's package of recommendations.

We are now looking forward to the publication of a draft Bill to End Homelessness and hope that the key proposals of the White Paper will be at the heart of the draft Bill. If the Bill closely mirrors the proposals within the White Paper, it will make a fundamental difference towards Wales' journey towards ending homelessness.

The White Paper made vital proposals around ensuring that the homelessness system becomes more trauma-informed and inclusive. This includes the abolition of the outdated 'priority need' test, which generates a two-tiered system and is a key barrier preventing many vulnerable people from accessing the support they need to prevent or end their homelessness.

What is the Priority Need Test?

Contrary to what is suggested by its name, the priority need test is **not** a test that creates a priority order in which people receive support. Rather, it is an eligibility test to determine whether a person is entitled to settled housing or not.

Under current legislation, local authorities do not have a legal duty to secure settled accommodation for people who do not have Priority Need status. This means that people who do not fall into the specific priority need categories can access assistance and advice, but are not eligible for the 'Main Housing Duty' under the Housing Wales Act 2014.

The Priority Need test was established within a context where support into settled housing was reserved for particular groups.¹ However, it is now recognised that if we are to end homelessness, we must reduce barriers to settled housing for all. This test is locking some of the most vulnerable people out of support.

The Welsh Government White Paper on Ending Homelessness proposes to abolish Priority Need (and this is in line with the recommendation from the Expert Review Panel.)

The case for abolishing Priority Need

Since the publication of the evaluation of the Housing Act (Wales) 2014 in 2018,² there has been growing support for the abolition of Priority Need – it was a key recommendation of the Homelessness Action Group in 2020 and the independent review of Priority Need commissioned by the Welsh Government and published in 2020 found a wide degree of support for abolishing the test.³ During the pandemic, the Welsh Government and councils rallied around a "No One Left Out" approach to homelessness support, and effectively suspended the Priority Need test.

In 2021 Crisis published a report entitled 'No One Left Out'⁴ setting out detailed recommendations on what a holistic "No One Left Out" approach to homelessness entails. This research shows that the Priority Need test represents a significant barrier to support for people experiencing homelessness. Being turned away from support can leave applicants feeling

¹ See <https://sheltercymru.org.uk/housing-advice/homelessness/help-from-the-council/what-will-the-council-check/priority-need/> for more details on priority need groups.

² A. Ahmed, M. Rogers, M. Wilding, A. Gibbons, K. Jones, I. Madoc-Jones (2018) *Post-implementation evaluation of Part 2 of the Housing Act (Wales) 2014: Final Report*.

³ Mackie, P., Gray, T., Hughes, C., Madoc-Jones, I., Mousteri, V., Pawson, H., Spyropoulos, N., Stirling, T., Taylor, H. & Watts, B. (2020). *Review of Priority Need in Wales*. Cardiff: Welsh Government.

⁴ Gwilym-Taylor, R. and Sanders, B. (2021) *No One Left Out: The reality of eligibility barriers for people facing homelessness in Wales*. London: Crisis

distrustful of homelessness services and hopeless about the possibility of ending their homelessness. People who are not eligible for the Main Homelessness Duty report a negative emotional impact and a deterioration in their health and wellbeing. Many people present for support again at a later date, by which time their support needs have worsened.⁵

Members of Crisis with lived experience of homelessness have suggested that the Priority Need test leads to people feeling as though councils “*pick and choose who they help*”, and this can be incredibly deflating for those who fall outside of Priority Need.

Also in 2021, the Wales Homelessness Monitor reported that 15 out of 22 Welsh local authorities favour abolishing the Priority Need test.⁶ One key informant contributing to the Homelessness Monitor 2021 commented:

“After its ‘suspension’ throughout the Covid-19 crisis, at least with regards to people sleeping rough, and following a Welsh Government funded independent review, the momentum for permanent abolition of the priority need criterion now seems unstoppable.”⁷

Crisis’ latest Homelessness Monitor is due to be published later this year, and will show that key informants and housing professionals continue to welcome the proposal to abolish the Priority Need test as a move towards a more trauma-informed approach and a way of preventing people “*slipping through the gaps*”.⁸

The many reasons why the Priority Need test is not fit for purpose were reinforced during the Expert Review Panel’s process of research and consultation from 2022-23. In its report published in 2023, the panel concluded that the test is at odds with the broader preventative nature of the approach towards homelessness support in Wales. Refusing housing support because an individual does not fit into a particular category or is not “vulnerable” enough is likely to result in that individual becoming more vulnerable and their needs becoming more acute. This prolongs a person’s homelessness, leading to a more traumatic experience for the individual, an increase in complexity of need and, subsequently, a more costly support requirements for public services.

The Expert Review Panel also heard that the test is applied inconsistently across Wales because the law and guidance related to the test is open to interpretation. The Welsh Government’s Review of Priority Need in Wales also drew attention to this issue, highlighting the vulnerability test as a key source of inconsistency.⁹ The test is subjective and means that frontline workers are making judgements on vulnerability based on moral grounds and whether or not they believe individuals are deserving of support – this is totally unacceptable.

Beyond those groups who fall outside of Priority Need categories, there are a number of groups which should be eligible for Priority Need status, but for whom the test still presents a barrier. For example, while those fleeing domestic abuse technically have Priority Need, this does not

⁵ Gwilym-Taylor, R. and Sanders, B. (2021) *No One Left Out: The reality of eligibility barriers for people facing homelessness in Wales*. London: Crisis

⁶ Fitzpatrick, S., Pawson, H., Bramley, G., Young, G., Watts, B. & Wood, J. (2021) *The Homelessness Monitor: Wales 2021*. London: Crisis

⁷ Fitzpatrick, S., Pawson, H., Bramley, G., Young, G., Watts, B. & Wood, J. (2021) *The Homelessness Monitor: Wales 2021*. London: Crisis

⁸ Forthcoming

⁹ Mackie, P.; Gray, T.; Hughes, C.; Madoc-Jones, I.; Mousteri, V.; Pawson, H.; Spyropoulos, N.; Stirling, T.; Taylor, H.; Watts, B. (2020). Review of Priority need in Wales. Cardiff: Welsh Government.

always come to fruition. Indeed, it can be traumatising to disclose abusive experiences and difficult to demonstrate that this is the case, especially if the person has not engaged with police or support services.

In addition to adverse effects on applicants, the Welsh Government's Review of Priority Need in Wales drew attention to the "vicarious trauma" experienced by frontline staff required to end a housing duty without having found a solution for that person. Staff reported feeling distressed at having to communicate to the individual that they were unable to help because they were not in priority need.¹⁰

Care leavers and the abolition of Priority Need

Crisis is mindful that care leavers are at a high and disproportionate risk of homelessness, given their lack of familial support and avenues for financial support. We would urge that any new legislation ensures care leavers are well supported to access a stable and safe place to call home.

We are aware that the Senedd's Children, Young People and Education Committee's recent report entitled "Children on the margins" raises concerns about the impact of removal of Priority Need for care leavers, given that this group is identified as a priority group under current legislation.¹¹

However, we consider that other aspects of the proposals seek to ensure that this group would continue to have specific protections. In particular, the White Paper states:

"Welsh Government therefore proposes to introduce amendments to legislation to allow for care leavers who are homeless, to be provided with additional preference over other priority groups defined as having an urgent housing need. This will allow for greater prioritisation of care leavers within existing allocation systems, with the intention of increasing their access to affordable accommodation and mitigating the additional risk of homelessness they face."

As such, although it is proposed that Priority Need be abolished to ensure that the system is more inclusive generally, care leavers would continue to have a priority in accessing settled homes through social housing allocations.

In addition, Crisis is mindful that as care leavers grow up, they can remain at an increased risk of homelessness given their past trauma and lack of family ties. In our services, we often see people who are care experienced seeking support for homelessness later on in their lives. We believe that abolishing Priority Need would give greater protection against homelessness for care experienced people as they grow up in the future.

It should also be noted that between April - September 2024, 111 households across the 22 local authorities in Wales were excluded from the Main Rehousing Duty on the basis of not being in Priority Need.¹² We do not consider that extending the duty to this number of people will

¹⁰ Mackie, P.; Gray, T.; Hughes, C.; Madoc-Jones, I.; Mousteri, V.; Pawson, H.; Spyropoulos, N.; Stirling, T.; Taylor, H.; Watts, B. (2019). Review of Priority need in Wales. Cardiff: Welsh Government.

¹¹ [Children on the Margins](#)

¹² [Households for which assistance has been provided by outcome and household type](#)

have a significant detrimental effect on care-experienced people's access to support under this duty. However, we consider that being excluded from this duty does have a significant detrimental impact on each individual that is excluded.

Conclusion and contact details

We all need a safe space to call home, and nobody should be left without the support they need to prevent or end their homelessness.

Crisis appreciates the increased risk of homelessness facing care leavers and considers that there are key proposals within the white paper to provide enhanced protection for this group.

Crisis has long campaigned for the abolition of the Priority Need and we feel strongly that its abolition is essential to creating an inclusive, trauma-informed, person-centred homelessness support system which is focussed on preventing homelessness at the earliest stage.

We would be happy to discuss any of the points raised within this briefing further. Please do not hesitate to contact Jasmine Harris, Senior Policy and Public Affairs Officer, Jasmine.Harris@crisis.org.uk.