

# Counting the homeless – improving the basis for planning assistance

Helmut Güntert  
Federal Ministry for Labour and Social Affairs

Renate Walter-Hamann  
German Caritas Association (*Deutscher Caritasverband e.V.*),

## 1. Experiences with counting the homeless

1.1 For 5 years now, there has been a comprehensive definition of homelessness by FEANTSA (ETHOS definition).

Does your country use this definition (as a whole or partly)?

What experiences have been gained using this, or a similar definition? If it has not been used, are there any reasons why not?

This definition is not used directly in Germany. A definition coined in 1987 by the German Association of Cities and Towns (*Deutscher Städtetag*) (so-called housing emergencies) is primarily used in the social and specialist policy debates.

Housing emergencies encompass the following target groups:

- Individuals who are at immanent risk of homelessness are
  - individuals who are about to lose their current home and are unable to keep their home in the long term or to obtain adequate alternative housing for themselves without institutional assistance; and
  - who are about to be released from a home, an institution or the like and who are unable to obtain adequate alternative housing for themselves without institutional assistance.
- Individuals who are currently affected by homelessness are
  - those who have nowhere to live and are not accommodated in a home, an institution or the like; and
  - who have been placed in accommodation or in a normal dwelling in accordance with section 14 of the Administrative Authorities Act (*Ordnungsbehördengesetz – OBG*) because of their homelessness.
- Individuals who for other reasons live in unacceptable circumstances
  - who live in unacceptable or extremely confined housing;
  - who must pay unaffordably high rent; and
  - who have escalating conflicts in living with others.

This definition has been refined and fleshed out in several studies. The latest definition is based on the work of the research association named "Homelessness and assistance in housing emergencies" promoted by the Federal Ministry of Education and Research from 2005. This definition encompasses a total of 17 categories and formed the basis for a survey taken in North Rhine-Westphalia in 2006, but has not caught on everywhere.

The definition of the German Association of Cities and Towns has proven to be helpful and fruitful because of the connection to the assistance system (assistance in accordance with the provisions of administrative law on the one hand and of social assistance law on the other).

**1.2 In several Member States there have already been countings of and studies about homeless people. What preconditions (general framework)– had to be established beforehand? – political, administrative, organisational. Who had to be ‘convinced’?**

Data are collected and studies implemented at different levels in Germany because of the graded assistance system; as a rule, individual target groups of the above definition of the German Association of Cities and Towns are covered here:

- The surveys carried out by local authorities are based partly on statutory provisions of administrative law and relating to risk aversion, and partly on empowerment provisions contained in Book XII of the Social Code (*Zwölftes Buch Sozialgesetzbuch – SGB XII*). These surveys are implemented on a regular basis, but not in all Federal *Länder* and not on the same scale. Since the introduction of the Second Book of the Social Code (*Zweites Buch Sozialgesetzbuch – SGB II*), individuals who are fit for employment have no longer been covered within the remit of the Federal Employment Agency.
- Corresponding data are documented in the Federal *Länder* in their social reporting. This reporting is however not carried out according to uniform standards.
- The independent welfare associations collect information in their facilities concerning the individuals who have sought help there on the basis of a differentiated specialist dataset which has been developed over time and coordinated with the local authorities’ national associations. These data are aggregated in the facilities and summarised and published at federal level for all the associations by the Federal Association for Help to the Homeless.
- What is more, the independent welfare associations carry out key-date surveys in the facilities which provide help to the homeless in several Federal *Länder*.

The Federal Ministry of Transport, Building and Urban Affairs (which is responsible for residential construction) commissioned the Federal Statistical Office in 1995 with “ascertaining the number of the homeless in conjunction with portraying the possibilities and boundaries for them to be recorded in official statistics”. This feasibility study was published in 1998. A test survey was carried out in North Rhine-Westphalia on the basis of this study. It was shown in the feasibility study that not all target groups can be properly covered in official social statistics in accordance with the definition of the German Association of Cities and Towns. It would however be possible to achieve integrated coverage of those individuals

- who are accommodated under administrative law;
  - who are accommodated under social assistance law; and
  - who have been served with an eviction order; as well as
  - special target groups in outside accommodation (e.g. ethnic German resettlers).
- By contrast, it proved to be difficult to survey individuals who lived in unacceptable housing circumstances. In principle, it was regarded as possible to survey housing emergencies, but

important indications were also developed for implementation, such as with regard to the nature of the survey, the tightening up of definitions and the inclusion of the national social assistance agencies and independent funding organisations.

Implementation of national housing emergency statistics is linked to a provision of federal law which has not yet been implemented. Moreover, implementation is contingent on the inclusion of beneficiaries in accordance with Book II of the Social Code.

### 1.3 Are countings and studies (commissioned) by public authorities one-off initiatives or are they carried out at regular intervals?

Data are collected on a variety of bases:

- The countings carried out at local level are based partly on statutory provisions (police and administrative regulations – in accordance with the risk aversion criteria applied therein), and partly on empowerment provisions contained in Book XII of the Social Code (Chapter 15). These countings are carried out on a regular basis, but not in all *Länder* and only for some of the beneficiaries, for instance not for beneficiaries in accordance with Book II of the Social Code (individuals who are fit for employment within the remit of the Federal Employment Agency).
- The surveys carried out in the independent welfare associations take place on a voluntary basis, but are carried out regularly.
- Comprehensive studies are based on commissions given at the initiative of the Federation or of an individual *Land*.

### 1.4 Did studies lead to a change of strategy? If yes, why and what changes? Has there been a change in the aims of the strategy?

The regular surveys and various studies which have been carried out in recent years have helped ensure that the group of homeless people/housing emergencies are perceived in a more differentiated manner in their respective life situations. On this basis, refinements have come about in the strategies and measures:

- At local level, new structures were created to prevent loss of housing (according to the so-called specialist unit concept), bundling all necessary remits.
- All in all, the preventive measures have been enhanced, for instance by early reporting of eviction notices by the courts and, as a result, acceptance without delay of rent owed by households threatened by homelessness.
- The independent welfare associations have increasingly developed cooperation with housing associations and enhanced their “housing counselling” activities.
- The legal position of women in violent households has been improved by the physical “protection of the home”, entailing evictions and expulsion orders imposed on the spouse/partner.

- The interfaces for the law on benefits between the benefit statutes of the graded social benefits system have been more precisely described, and the cooperation that is needed has been identified (e.g. assistance for the homeless and youth welfare, help to the homeless and addiction assistance, help to the homeless and socio-psychiatric services).
- The help to the homeless group of independent welfare has developed the programme entitled "Community- and Citizen-orientated Help to the Homeless", via the Federal Association for Help to the Homeless, and this continues to form a major conceptual framework for the work.
- The independent welfare associations are currently discussing a socio-spatial orientation of their work. It might be possible in this conceptual context to link case-by-case assistance even closer to global structural work, with empowerment-related approaches and with civil-society initiatives, such as civil commitment.

#### **1.5 What has been the impact of studies on the target group? What is the effect on the public perception of the problem?**

The surveys of public and independent welfare have led at all levels to a more differentiated perception of the circumstances and of the need for assistance of the respective groups of individuals. Through the data which have been collected, the independent welfare associations have been able to underline the need for action which they consider to exist in the political arena and among the public. At local level in particular, the data, where they are collected and pooled, form an important foundation for planning and managing the assistance activities of public and independent welfare.

#### **1.6 In your opinion: Is it really possible to steer the battle against homelessness through standardised/harmonised counting?**

Data surveys which take place not only on a one-off basis, but regularly, provide information on those individuals who are affected by or at risk of homelessness and about their circumstances. They hence constitute a major foundation for planning at local, regional and *Land* level. In this way, it is possible for the strategies and interventions to be developed in a manner that is more likely to hit the mark. The data surveys can hence make a major contribution towards further improving assistance for the households in question and towards optimising the socio-political and housing-policy strategies.

In order to achieve this, obligatory, standardised surveys are necessary at local level (with the involvement of independent welfare). There is also a need for reporting and pooling of the data at *Land* and federal level.

## 1.7 Which data has not been collected in your country so far, but proved to be very relevant for your country?

cf. information provided at 1.2

## 2. Strategies, planning, evaluation

### 2.1 Who is developing the strategies for assisting the homeless in your country? (development on national, regional or local/city level?) Who provides the financial resources to implement them?

Assistance for the homeless is based largely on the federal-law provisions contained in Books II and XII of the Social Code. These are given concrete form via implementation provisions at *Land* level (Book XII of the Social Code) or via instructions emanating from the Federal Employment Agency (Book II of the Social Code). On this basis, the concrete activities and strategies are then developed and implemented by the local authorities as the competent executive authorities.

The local authorities are largely responsible for the cost of accommodation, for the activities carried out to overcome the special social difficulties in accordance with Chapter 8 of Book XII of the Social Code, as well as for basic security benefits (for homeless people who are no longer fit for employment). If homeless individuals meet the prerequisites for being fit for employment, they draw basic security benefits for job-seekers in accordance with Book II of the Social Code; they also have an entitlement to activities for re-integration into the labour market. The activities of Book II of the Social Code are funded via the Federal Employment Agency.

Suppliers and funding organisations of the activities for overcoming the special social difficulties in accordance with Book II of the Social Code are to a considerable degree the independent welfare associations. In particular with the development of new, innovative services or supplementary assistance (e.g. in the low-threshold field), the independent welfare associations frequently also contribute their own funding or donations in the sense of seed money.

In Germany, priority is given to a different approach to preventing homelessness; unlike other countries, such as Austria, for example, Germany does not spend large sums on housing subsidies (with subsidized housing reserved to low income groups). Instead, persons concerned have a legally guaranteed **claim** to (**adequate**) cost of **housing** (and heating), which is to ensure that **nobody** is left homeless. This means that in the case of households with one, two, three, four or five persons, the Hartz IV authorities or social assistance institutions, on national average, pay out (**monthly**) amounts of 280 €, 366 €, 430 €, 488 € or 546 €, respectively, to cover rent exclusive of heating and utilities. In addition, the following average (monthly) heating cost allowances are paid to the respective households: **63 €, 86 €, 95 €, 98 € and 115 €** (data as of 2009). Taken together, the following amounts are paid to the different household categories: **343 €, 452 €, 525 €, 586 €, 661 €/per month**. Judging from the figures contained in the table published by the EU (MISSOC), these amounts certainly bear comparison with other member countries.

## 2.2 Who are the actors concerning planning and strategy development? Who has a coordination role and what are the problems encountered?

The ultimate responsibility for assistance for homeless people lies with the local authorities and the Agencies for Employment if individuals are fit for employment. They work together in the local Job Centres. They thus take on the role and function of coordinators; they are responsible for the planning and strategic orientation of assistance. As funding organisations of the measures for homeless persons and other target groups, the independent welfare associations have experience and knowledge regarding the circumstances of the homeless, as well as concerning changes in the clientele and their needs. On the basis of this experience, they develop proposals for the implementation of tailored assistance and for innovative approaches. In particular in the local communities, as well as at *Land* and at national level, therefore, cooperation and coordination between public and independent welfare have proven successful and have contributed by means of a joint effort towards a marked reduction in the number of homeless people.

## 2.3 Are there any targets at local or national levels? If so, who sets them and who is accountable for achieving them? Is progress regularly monitored? If so, by whom?

Because of the regional particularities, it is above all a matter for the local authorities to define and implement the goals and activities for overcoming homelessness in cooperation with the independent welfare associations (local authority self-administration).

Implementation provisions of the Federal *Länder* and the social legislation of the Federation constitute a major framework for this which helps to ensure that standards in care for homeless people – despite all the differences between local authorities – can be maintained and enhanced.

## 2.4 The European Parliament has adopted a declaration calling for an end to street homelessness by 2015. What consequences does this have on the local and national levels? How do EU legislation, processes and exchanges of best practice influence the local and national levels?

It has already been possible to considerably reduce the number of homeless people in Germany in recent years, including by enhancing preventive measures, by improving coordination between public and independent welfare, as well as by expanding a comprehensive assistance system. These efforts must be continued by further anchoring prevention of loss of housing, by providing early assistance, by improving cooperation between different fields of assistance, and by implementing a tailored housing policy.

The assistance available in accordance with Chapter 8 of Book XII of the Social Code is highly comprehensively orientated. Preventing “life on the street” is the primary goal being pursued here, but assistance is not only aimed to overcome “life on the street”, but at overcoming the special social difficulties and implementing social participation. Whilst providing housing is an indispensable task here, bringing about social participation goes far beyond this, and must remain the declared goal of all efforts.

The exchange and the evaluation of good practice models can provide major support here.

2.5 Have there been any specifics looking back on a certain time frame? (taking into account economic, judicial, structural and societal conditions, housing and labour market, migration, income, tenancy law, etc.). How is evaluation carried out?

- Social assistance as defined in the Federal Social Assistance Act (*Bundessozialhilfegesetz*) and unemployment assistance for individuals who are fit for employment have been combined since 2005 in the context of a comprehensive reform. "One-stop assistance" for individuals who are fit for employment is to be ensured by these means. The fundamental goals pursued by this reform were explicitly welcomed by the independent welfare associations.

Having said that, broad changes and problems have emerged from this for the homeless in particular. A particular challenge is constituted by the tailored combination of benefits in accordance with Books II and XII of the Social Code, for which different competences are provided. New difficulties have emerged in the housing area in administrative practice, such as with regard to the definition of "suitable" housing, establishing maximum rents, assuming rent arrears and taking on costs for moving house where such a move becomes necessary.

The respective federal governments and the national associations of independent welfare have agreed in the past two legislative periods on a process of social monitoring in which the undesired impact of the reforms on particularly vulnerable target groups, including the homeless, were documented and regularly discussed in summit talks. By these means, it was possible to resolve or alleviate several problems at statutory and administrative-practice level.

- The housing markets have been highly differentiated in recent years. Whilst all in all – in relation to the country as a whole – one may not speak of a new housing shortage, there is a shortage of small, affordable housing units in the large conurbations in particular. The local authorities are faced with new challenges as a result of demographic change, the increase in vocational flexibility, the increase in the number of single-person households and the entrenchment of poverty. At the same time, major management tools for ensuring a supply of housing for socially-disadvantaged households are being lost as occupancy obligations expire whereby housing is allocated to specific tenants.