
Homelessness Policy in the Netherlands: Nationwide Access to Shelter under Pressure from Local Connection Criteria?

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- › **Abstract_** *In many Dutch municipalities access to shelter is only given to a person when he or she has a 'local connection' to the geographical area: Homeless people who come from elsewhere are to be given shelter in the area from which they originate. Legally however, community shelter services funded by any municipality should be accessible to all those living in the Netherlands. Therefore, the question is to what extent shelter services are accessible nationwide and how often are homeless people not provided shelter because they do not have a local connection. Although this appears as an abstract policy issue, in practice this may have major consequences for a vulnerable group of people. In the present study, we collected data through surveys among municipalities and shelter organizations. In addition, interviews were conducted with representative organisations of homeless people. To test policy in practice, mystery guests (people with experience of homelessness) visited shelter facilities. It is concluded that under the current practice shelter is not accessible nationwide for all eligible homeless applicants.*
- › **Keywords_** *Homelessness, policy, emergency shelter, local connection, nationwide access of shelter*

Introduction

In the Netherlands, the Social Support Act (2007) provides the main legal framework for emergency shelter. The primary responsibility lies at central government level: National government monitors the support given to individuals and groups nationwide and makes sure that all individuals are entitled to adequate support. Article 20 of the Social Support Act states that the national government provides funds for municipalities to arrange emergency shelter. A total of 43 *central* municipalities receive funds from national government for the purpose of supporting homeless people and preventing homelessness under the provisions of the Social Support Act. The central municipalities coordinate policy and finances in the 368 *local* municipalities in their respective regions. The 43 central municipalities were appointed through an 'Order in Council' in connection with the Social Support Act. Based upon this mandate local municipalities are expected to develop a policy for arranging emergency shelter.

Before the introduction of the Social Support Act, emergency shelter was provided through the Welfare Act (1994). The leading principle of the Welfare Act was the so-called 'nationwide access' principle. According to this principle a homeless individual could request emergency shelter in any municipality, which had an emergency shelter. In the process of developing the Social Support Act, it was emphasised that the 'nationwide access' principle was to be maintained. In the years following the introduction of the Social Support Act, a number of municipalities introduced the requirement for an individual to have a local connection to the region before he or she was deemed entitled to emergency shelter. Local connection can be proven if a person can provide documentation that shows evidence of residency within the region over a period of two out of the previous three years.

Attempts were made between the 43 central municipalities to agree on a Code of Conduct concerning the so-called 'local connection criteria'. The Code of Conduct was intended to solve problems arising from this principle; that is that persons in need of shelter were refused access since they did not meet the local connection criterion. This Code of Conduct never materialized. Instead, the Association of Netherlands Municipalities created a '*Toolkit Nationwide Access and Local Connection*' (VNG, 2011) in which the principle of 'nationwide access' was elaborated.

The Ministry of Health, Welfare and Sport received information that access to emergency shelter was limited in a number of municipalities. In addition, the European Federation of National Organisations working with the Homeless (FEANTSA, 2012) asked the European Committee of Social Rights if current Dutch policy and practice on sheltering the homeless conflicts with the relevant provisions

of the Revised Social Charter¹. FEANTSA states that the criterion requiring local connection is problematic for (among others) groups such as homeless individuals without proof of registration in the municipal registry and former addicts who wish to escape their drug dealers and addicted friends. The Trimbos Institute² was commissioned by the Ministry of Health, Welfare and Sport to investigate the policy and practice of conditionality of access to (emergency) shelter.

This article starts with a short introduction, which describes the legislative and political context of the access to social relief. Second, methods are discussed and findings are presented based on five distinct stages in the process of access to shelter. Finally, the paper focuses on the translation of policy into practice.

The Local Connection in Brief

In the Netherlands, homelessness became a specific policy focus with the adoption of the Strategy Plan for Social Relief in 2006. The Strategy Plan was meant to improve the situation of homeless people in the four largest cities (G-4) in The Netherlands: Amsterdam, Rotterdam, The Hague and Utrecht. The principal objectives of the Strategy Plan are to provide each eligible homeless person with an income, suitable accommodation and effective support and care. Central to the plan is a person-oriented approach in which individualized care plans consist of personal aims concerning housing, (mental) health care, income and daily occupation activities (Tuyman *et al*, 2011).

In 2008, the Strategy Plan was adopted by 39 other central municipalities, which formulated an Urban or Regional Compass: Local variants to the Strategy Plan (Planije and Tuyman, 2011). As mentioned before, these 43 central municipalities receive funds from national government for the purpose of supporting homeless individuals and preventing homelessness according to the policy set out in the Social Support Act. From 2009 the allocation of funds has been based on objective

¹ The European Social Charter (revised) of 1996 guaranteed fundamental social and economic rights of all individuals in their daily lives. The rights guaranteed include the following: right to protection against poverty and social exclusion; right to housing; right to protection in cases of termination of employment; right to protection against sexual harassment in the workplace and other forms of harassment; rights of workers with family responsibilities to equal opportunities and equal treatment; rights of workers' representatives in undertakings.

² The Trimbos Institute seeks to enhance quality of life by engaging in the development and application of knowledge about mental health, addiction and associated physical illnesses. The activities of the Institute are intended to contribute to and facilitate changes in mental health and addiction care in order to elicit individual health gains within the Dutch population, promote more effective treatment methods and provide models for more efficient care.

criteria (e.g., the number of inhabitants and the number of persons belonging to a socially disadvantaged group). Many municipalities also devote a large part of their own budget to combating problems related to homelessness. As a result of the considerable influx of homeless persons experienced by some municipalities, several regional authorities for shelters felt the need to make access to community shelter services conditional on a local connection. They introduced a requirement of a (local) connection to the region meaning that a person is only entitled to emergency shelter when a local connection is apparent. The local connection criterion carries the potential risk of jeopardizing the 'nationwide access' principle of the emergency shelter, causing some groups of homeless individuals to be deprived from shelter opportunities.

The nationwide access principle is set out in the Social Support Act in which it is stated that community shelter services funded by municipalities are accessible to all those living in the Netherlands. To guarantee nationwide access the '*Toolkit Nationwide Access and Local Connection*' was developed. This Toolkit contains policy rules, which municipalities may use to determine which is the most appropriate city or municipality to provide a person with shelter. These rules are based on agreements made in 2010 by the 43 central municipalities. To ensure nationwide access, it was agreed that:

- Every person in the target group is entitled to apply for emergency shelter in each municipality.
- The municipality in which the person in need registers for shelter provides the necessary first shelter ('bed, bath and bread') and then decides which city or municipality is responsible for the person-oriented approach based on the chance of a successful care trajectory (i.e., mental health care, housing, income and daily occupation activities). The responsible municipality will take over care and will provide for shelter and the necessary care trajectory.

The Toolkit-rules are implemented by the municipalities on a voluntary basis. This has resulted in diversity in local legislation and practice. Some local governments have 'outsourced' the mandate to private parties (for example, shelter facilities or central admission facilities) who decide on who to provide with shelter. In these municipalities there is usually little regulation, except for a covenant with the shelter organization in some cases. Other cities, for example the so-called G-4 have come up with a common approach in their legislation and policies (Hermans, 2012).

Methodology

We collected data through surveys among central municipalities and shelter organizations. In addition, client representative organisations were consulted. Moreover, mystery guests (people who formerly experienced homelessness) visited shelter facilities to test policy in practice.

Surveys

In each of the 43 central municipalities, the official responsible for social relief was asked to fill out a written questionnaire on local connection and accessibility of shelter. The questionnaire included items on policy rules, practice of application and admission, transfer of clients and rights and obligations of clients. All but one municipality replied, resulting in a 98 percent response rate. To gain insight into the extent to which people are denied access to shelter on the grounds of local connection criteria, municipalities were asked to provide the researchers with their documentation regarding shelter applications. Twelve out of 43 municipalities provided information on the total number of applications for shelter, the number of people not admitted to shelter and the number of people not admitted to shelter because they lacked a local connection.

To gain insight into shelter practice, we approached the largest (night) shelter services in 39 municipalities. These night shelters are operated by non-governmental organizations, mainly funded by municipalities. In each of the shelter facilities, the unit manager was asked to fill out a written questionnaire. In a number of municipalities (including the G-4) homeless people who apply for shelter have to register in a central admission facility. These facilities were approached as well.

The total sample consisted of 49 organizations: 39 (night) shelters and 10 central admission facilities. Of the 49 organizations that were asked to fill out a web questionnaire (online survey), 44 responded (90 percent); 34 of the 39 (night) shelter services responded (87 percent), and all of the central admission facilities participated in the study. Questionnaire topics included items concerning application procedure; provision of information; assessing local connection; transfer of shelter applicants; and the presence of registrations. Some of the items in the web questionnaire corresponded to the survey administered to municipalities. This provided a perspective orientated on daily practice in shelter facilities, and a complementary 'double check' on the municipality perspective. In addition to the surveys, some municipalities and shelter facilities were contacted by phone for additional information.

Representative organizations of homeless people

To better understand the practice of application and admission in shelter facilities, telephone interviews were conducted with employees of eight representative organizations of homeless people and 'street advocates'³. The underlying idea was that these organizations would have an overall view of the accessibility of shelter in practice. Interviews were conducted with employees of eight organizations from eight municipalities. Interview topics were overall experiences with homeless people with accessibility of shelter; transfer of clients; provision of information and handling by staff; application of the local connection criteria; consequences of the requirement of meeting local connection criteria for specific groups; and suggestions for improvement. Interviewees were asked if they were aware of homeless people who experienced problems resulting from the local connection regulations and to provide the relevant case reports.

Testing policy in practice using a mystery guest protocol

To test the practice of application and admission to shelter facilities, we used a 'mystery guest' design. Nine individuals who had experienced or still experienced homelessness were recruited through client organizations. Contact was lost with three people, despite several attempts by phone, email and SMS. Eventually, six individuals participated in the present study as 'mystery guests'.

To test shelter admission practice, mystery guests presented themselves as being homeless and applied for shelter in central municipalities. During the application process the mystery guests kept to a script that contained a number of fixed elements, including:

- Municipality of origin different from municipality of application;
- Unable to provide for own needs because of serious mental health issues, including addiction, combined with problems in other areas (to meet the criterion of belonging to Public Mental Health Care target group);
- A specific reason for applying for shelter in the municipality concerned.

All mystery guests attended a training session led by a researcher, assisted by a unit manager of a night shelter facility and a client representative, before data collection. The training consisted mostly of practicing the script that which mystery guests were going to follow when applying for shelter. Each mystery guest was given the opportunity to practice the script by role-playing. All participants received

³ A street advocate is a confidential advisor and proponent for people who are homeless or at risk of becoming homeless.

feedback from the other trainees. In addition, other matters were discussed: The purpose of the study, a structured checklist form, cancellation letter, confirmation of participation form and financial rewards.

To avoid mystery guests being denied access to shelter on grounds other than the requirement of local connection, they were instructed to use the above-mentioned elements with each application. They recorded their experiences on a checklist. Applications were made locally at the shelter unless registration was only possible by phone. None of the mystery guests actually made use of a bed in the night shelter during the mystery guest study. When all requested information was collected they made themselves known as mystery guests operating on behalf of the Trimbos Institute. They were paid for each application made.

The mystery guests applied for shelter at least once in every central municipality, with the exception of three municipalities. In total 51 applications for night shelters and central admission facilities were made (23 by phone). This provided an impression of the application procedure in practice: The way in which shelter staff acted at first application, the admission policies used, handling by staff, the information provided and information available.

The next section of this article describes our findings based on the following topics: 1) municipal policies, 2) application and assessment, 3) access to shelter, 4) transfer of clients, 5) information provided at application. Each topic starts with the relevant text from the Toolkit. It is followed by the perspectives of the municipalities and shelter organizations. An impression of the implementation of the admission policy in practice is given by the experiences of the mystery guests.

Findings

Municipal policies

Regulations regarding local connection criteria as formulated in the Toolkit (VNG, 2011) are recommended to serve as a standard example for municipalities to adopt and implement. These rules are important for two reasons. First, laid down policies may prevent arbitrary outcomes of shelter access. Second, the clear setting of rules ensures the democratic process of participation by stakeholders, such as shelter services and client organizations. One year after publication of the Toolkit it was found that 26 out of 43 municipalities (62 percent) did not set rules regarding the eligibility criteria for shelter. Eleven out of 43 municipalities adopted the Toolkit model-policy rules, 9 municipalities made some adaptations. More than four out of 5 (83 percent) of all municipalities use the following definition of region: the central

municipality and surrounding municipalities. Some municipalities use a narrower definition (region = central municipality), others a somewhat broader definition (region = province).

Of the central municipalities, 70 percent translate policy into written agreements with shelter organizations, for example in relation to decisions to grant shelter. Remarkably, shelter organizations and municipalities interpret these agreements differently. When asked what these agreements imply, 67 percent of shelter organizations – compared to only 21 percent of the municipalities- took the view that they should deny access to shelter applicants from outside the region. However, 59 percent of the municipalities – compared to 33 percent of the shelter organizations – believe that shelter organizations should determine which region is the most suitable to provide a person shelter. Thus, municipalities and shelter organizations seem to disagree regarding the agreements made on accessibility of shelter at an administrative level. Based on a number of telephone interviews with staff of central admission facilities, the discrepancy between municipalities and shelter organizations at operational level seems even larger. Contrary to municipal policy in their region, these employees stated that people from outside the region could not apply for shelter. According to the mystery guests, it regularly seemed as if staff of shelter organizations were not at all or were only partially informed of the regulations on local connection. The above underlines the importance of the question regarding who determines access to shelter at the operational level. According to half (52 percent) of the municipalities and 44 percent of shelter organizations, access is determined by the shelter organization. Six out of ten municipalities (59 percent) agreed with the statement that in practice the decision whether or not someone should be admitted to shelter is taken on the spot by staff of the shelter organization. A quarter (24 percent) of the municipalities and 42 percent of shelter organizations believe that municipalities and shelter organizations jointly determine access. Some municipalities indicate that they have delegated the authorization of admissions to the management of the shelter facility: In exceptional cases, the shelter facility consults the municipality. Final decisions lie at municipal level.

Two-thirds of shelter facilities (69 percent) agree with the statement that the requirement of local connection criteria is necessary in order to prevent too many people applying for shelter. The majority (67 percent) also agrees with the statement that people with a local connection should be given priority to access shelter above people from elsewhere. Thus it seems that within the shelter sector there is support for applying rules concerning local connection criteria. This may be related to the pressure experienced in the shelter sector: Due to a lack of shelter capacity not all applicants can be admitted. Therefore, choices have to be made and staff would rather select people with a local connection than people from elsewhere.

Application and assessment

The Toolkit (VNG, 2011) contains model-policy rules for the application and assessment process. The following criteria are applicable to determine which municipality or region is the most appropriate to provide a person shelter:

- a) The city or municipality with the greatest chance of implementing a successful exit from homelessness. An assessment is made based on the following facts and circumstances:
 - Whether the person has lived for at least two of the last three years in a particular municipality. Local connection is proven when a person can provide documentation that shows evidence of residency within the region over a period of two out of three years (for example, registration in the Municipal Personal Records Database;
 - Whether the person has a 'positive' social network in this locality;
 - Whether the person is known by local care agencies or the police;
 - The person's place of birth;
 - Reasons for removing the person from his former (negative) social network
- b) The preference of the person for shelter in a particular city or municipality; legitimate reasons to meet the wishes of the client.

Shelter organizations were asked by what means people can apply for shelter. In most organizations, one can apply for shelter by phone (86 percent) or at the shelter location (82 percent). Nineteen shelter organizations indicated that applications may also be done through the central admission facility. According to 18 organizations (41 percent), clients can also register by internet/ email. Finally, applications can be done by third parties, such as referring agencies (for example, mental health care facilities or addiction care services).

Various eligibility criteria are used for admission to shelter facilities. As shown in Table 1, the most frequently mentioned (80 percent or more) criteria are: Being homeless or roofless; minimum age of 18 years; abide by house rules; and local connection. The criterion of belonging to the Public Mental Health Care⁴ target group is used by half of the shelter organizations.

⁴ Public Mental Health Care (PMHC) deals with the care and policy for people who have multiple problems in various areas of their life, and often psychiatric or addiction problems. They can no longer provide for their own means of existence or will end up in such a situation in the absence of the appropriate support. PMHC encompasses medical care, practical support, rehabilitation and shelter as well as the policy developed by the state and municipalities for these vulnerable citizens.

**Table 1: Admission criteria most frequently used
(percent of shelter facilities that use the criterion)**

Criterion	percent
Being homeless or roofless	93
Minimum age of 18 years	82
Abide by house rules	82
Demonstrable local connection	80
Possession of a valid ID	66
Belonging to Public Mental Health Care target group and not being able to sufficiently provide for own needs without shelter or care	52
Citizen Service Number*	46

*A unique personal number allocated to everyone registered in the Municipal Personal Records Database

Shelter organizations use admission criteria that are in line with the policy of the Social Support Act. The Act leaves room for interpretation, for example, when it comes to the phrase *'being inadequately self-sufficient to participate in society'*. Regarding this criterion, some municipalities and shelter organizations argue that an individual should belong to the Public Mental Health Care target group. Based on the results of the municipal survey, there is no nationwide accessibility of (emergency) shelter: Of the 43 central municipalities, 17 percent claim that not all homeless individuals can apply for shelter and 10 percent claim that applications from people from outside the region will not be processed. This is consistent with the experiences of the mystery guests for whom in a number of cases the application for shelter was not successful: As soon as it became apparent to the staff that there was no local connection, they made clear that applying for shelter was not an option. This is in contrast to the model-policy rule from the Toolkit, which states that the central municipality must ensure that every homeless individual can apply for shelter.

According to the Toolkit, it should be determined which locality is the most suitable for providing shelter after application. Most municipalities (81 percent) claim that this is done for every person who applies for shelter. However, the determination of the most appropriate locality seems complicated and only half of the shelter organizations (48 percent) claim that it is possible to do this in a correct manner. The guiding principle in determining the most suitable locality for shelter should be the city or municipality with the greatest chance of ensuring successful exists from homelessness. This means that a number of facts and circumstances have to be considered. Both municipality and shelter organizations were asked which criteria are used to determine the most appropriate locality. We also asked about the weighting of these criteria (see Table 2).

Table 2: Criteria used to determine which locality is the most promising for providing shelter*

	Municipalities (N=39-41)		Shelter organizations (N=38-43)	
	<i>Decisive</i>	<i>Standard</i>	<i>Decisive</i>	<i>Standard</i>
Main residence in last three years	49	44	42	37
After care as former detainee	10	56	10	64
Presence of a 'positive' social network in this locality	7	73	10	41
Place of birth	8	40	8	33
Known by local care or shelter facilities	7	64	5	47
Reasons for pulling the person away from his former (negative) social network	8	60	2	36
Chance of completing trajectory successful in region	7	62	2	44
Known by the police	-	30	5	16
Preference of the person for shelter in a particular city or municipality	-	30	2	23

* Possible answers were: *decisive* (necessary condition or very weighty argument); *standard* (customary procedure); *if objection is made* (not customary but it weighs in appeal procedures); *no argument*; *unknown/inapplicable*.

It is striking that for both municipalities (49 percent) and shelter organizations (42 percent) the criterion 'Main residence in last three years' is most commonly used as decisive. Furthermore, the criteria 'Chance of completing trajectory successful in region' and 'Preference of the person' is hardly ever used as decisive arguments. Compared to shelter organizations, municipalities apply more standard criteria in determining the most promising locality for shelter as is shown in Table 2. Possibly, this is where the distinction between policy and practice reveals itself. In other words, according to the agreements made, these criteria should be taken into account but in practice this is not always the case. Another explanation might be that shelter organizations do not abide by the agreements made. A number of facts to determine which locality is the most appropriate for providing shelter (such as place of birth, registration in the Municipal Personal Records Database, registration with care facilities) can be verified relatively easily. It is more difficult to determine the presence of a person's social network or to find out what are reasonable grounds for pulling a person away from his former (negative) social network. This might explain why these criteria are rarely used.

Representatives of homeless individuals are under the impression that there is some weariness in applying the regulations for access and local connection; because employees of shelter facilities are not always informed accurately regarding the admission policy of the shelter organization, they tend to resort to tangible requirements for admission such as a registration in the Municipal Personal Records Database.

In practice, the questions asked by staff upon application for shelter are indicative of the extent to which it is determined which locality is the most suitable for providing shelter. In almost all applications (96 percent) by mystery guests, some socio-demographic characteristics were sought. Shelter organizations equally inquired about applicants' identities, local connections and need for care. The need for care is more fully examined upon application at central admission facilities than at (night) shelter organizations. Night shelter organizations are often set up along the lines of an easily accessible facility that provides basic needs: an extensive intake process and examination of the need for care does not fit that model. However, it should be ensured that in all applications for (night) shelter it is carefully determined which locality is the most appropriate for shelter. According to the mystery guests not all their applications were registered.

Access to shelter

Municipalities were asked about the availability of information regarding the number of people not admitted to shelter. 12 of the 43 municipalities maintained a register that recorded the reasons for related to reasons for not providing shelter. Together these 12 municipalities provide for shelter in an area with 4.6 million inhabitants. Based on the registered data of these municipalities, the following can be outlined: 3 applications per 1 000 inhabitants are processed on average each year; on average half (52 percent) of all applicants were admitted for shelter; in three out of ten rejected applications it appeared that the local connection criterion had been of importance. However, these statistics are not complete and are only loosely comparable: In some municipalities applications for shelter are registered at all times, while in other municipalities applications for shelter are only registered in certain cases; in some municipalities all applications run through a central admission facility, while in other municipalities only a few shelter organizations have registrations available. To summarize, the available figures regarding influx and numbers of applications rejected are insufficient to draw firm conclusions at present.

Whether a homeless individual gets admitted to shelter is determined after the process of application and assessment. The Toolkit (VNG, 2011) states that as long as the applicant is awaiting a final decision, the municipality must, if necessary and possible, provide temporary accommodation and support. In theory, most municipalities follow this policy. Most municipalities (84 percent) and almost two-thirds of the shelter organizations (62 percent) claim that they provide (temporarily) shelter for applicants who do not have a local connection. However, this does not match the experiences of our mystery guests: Out of a total of 51 applications, access to shelter and care was only given 4 times (8 percent). In 10 out of 51 cases the mystery guests were offered temporary shelter. Still, temporary shelter was usually not offered pending the decision concerning local connection; mystery guests were

often advised to leave the next day in order to apply for shelter in their hometown. No admission to shelter resulted from the remaining 37 applications (73 percent). In 47 of the 51 applications for shelter made by mystery guests, access was not given or was only temporary: in 36 of these cases (77 percent), not having a local connection was one of the reasons, in 27 of these cases (57 percent) not having a local connection was the *only* reason.

According to the Toolkit, it would be appropriate to provide temporary shelter for applicants who are awaiting admission/ the decision on local connection. Two thirds (62 percent) of the municipalities and 70 percent of the shelter organizations claimed to do so. However, temporary shelter for the mystery guests was effectively offered in only 8 out of the 27 relevant cases (30 percent). Providing temporary shelter is an important first step to implement the so-called 'warm transfer' of clients. By this term we mean the opposite of a 'cold transfer', which is characterized by refusals or referrals without any support. Thus, a 'warm transfer' is meant to create conditions to facilitate a smooth transfer; time for further inquiries and time to contact another shelter organization to form transfer agreements. The next section focuses on this so-called warm transfer of clients.

Transfer of clients

The Toolkit includes the following model-rules concerning the transfer of clients from one shelter facility to another. If it turns out that shelter is best provided in another locality, the municipality or shelter organization commissioned by the municipality, contacts the other municipality to organize a (warm) transfer of the client. While the client is awaiting transfer, the municipality may provide temporary shelter and support if necessary. Arrangements are to be made concerning the transfer of a client, such as the date of transfer; the accommodating organization; the mode of transport and any travel assistance; and the transfer of personalized data. If the client is not admitted to shelter in another locality, he should be provided shelter (if capacity is available) in the municipality of admission ('guarantee scheme').

Based on the surveys it remains unclear how often transfers of clients occur. Around 40 – 50 percent of the municipalities and shelter organizations claim to 'always or 'often' make agreements regarding the transfer of clients. Around 10 percent of the municipalities and shelter organizations state that they never make such arrangements. Thus, warm transfer does not appear to be customary. This finding has been confirmed by the experiences of the mystery guests: In 47 of the 51 applications made by mystery guests, access to shelter was not given or only temporary shelter was provided. In only 7 of these 47 applications (15 percent) another shelter organization was contacted for the purposes of arranging a transfer. Contrary to the mode of transfer as described in the Toolkit, mystery guests were often provided with addresses of other shelter organizations and were urged to seek shelter over there.

On the other hand, in 10 cases the mystery guests were offered temporary shelter, which is an important first step in the implementation of 'warm transfer'. In 65 percent of the applications, mystery guests were referred to another municipality or another institution without any support: this usually involved referral back to their own region, to the police, to social welfare, or to addiction centres. Mystery guests were sometimes referred to another nearby municipality despite the fact that the mystery guest had no local connection with that municipality either.

According to municipalities and shelter facilities, the following factors complicate the transfer of clients:

- Lack of (contact) information: Not all municipalities have up to date lists of contacts that can be reached in case clients need to be transferred. Moreover, mystery guests indicated that in some cases employees of shelter organizations lack the correct information for referring a client.
- Lack of capacity: It is difficult to get a homeless individual placed in a municipality in which the shelter is already fully populated. The experiences of the mystery guests demonstrate that in 30 percent of the rejected applications, a lack of capacity was one of the reasons for not providing shelter.
- Lack of a consistent policy: Differences exist between municipalities in how the criterion of local connection is applied. This hampers a smooth transfer because discussions may arise about how to proceed and about which party will bear the costs. As a result, it might be unappealing for municipalities to provide shelter for homeless people who do not have a local connection.
- 'Difficult-to-place' clients: There are indications that shelter organizations attempt to transfer 'unruly' clients to other institutions. 'Unruly' clients are people who do not abide by house rules and cause a lot of nuisance. They are not welcomed everywhere. Not having a local connection is being used as a ground for not providing shelter to this group of clients. These people often need specialized care, such as daily supervision in a low stimulus environment aimed at people with multiple problems and mild intellectual disabilities.

Provision of information

According to the Toolkit, a confidential advisor may assist clients. It is also mentioned that the municipality is responsible for the provision of proper and sufficient information on the rights and obligations, both in oral and written form. Based on the municipal survey, it is apparent that clients only rarely seek assistance during an inquiry or objection procedure concerning local connection. Almost all municipalities (93 percent) believe that it is the responsibility of shelter organizations to inform people about their rights and obligations. This finding is confirmed by employees from shelter organizations. According to 35 organizations (81 percent), clients are always informed verbally of their rights and obligations. Six shelter organizations only provide information verbally when requested or in special situations (e.g., when there is no local connection or when an applicant is underage). Clients are also informed of their rights and obligations in writing. More than half (57 percent) of the shelter organizations indicated that they actively provide clients with written information, for example by providing leaflets. A further eighteen shelter facilities (41 percent) stated that written information is available (for example in a leaflet stand at the registration desk). Mystery guests were mostly informed verbally, in their experience written information seemed relatively unavailable. The nature of the written materials differs, ranging from a copy of the house rules to comprehensive information about the appeal procedure and privacy policy.

According to the Toolkit, in all cases in which it is decided whether or not a person should be granted access to shelter, municipalities are required to issue an administrative decision. The decision should be based on sound reasons (Article 3: 46 General Administrative Law Act) and refer to the policy rules applied. Applicants for shelter should be made aware of the possibility of filing a notice of objection. Municipalities and shelter organizations were asked whether clients are given written evidence (copy or administrative decision) of the admission decision (approval or rejection). Written evidence is not often provided. According to ten municipalities (24 percent) and nine shelter organizations (21 percent) clients are always given written evidence when shelter is not provided. Written evidence of the admission decision was rarely given to the mystery guests: Evidence was provided in only 2 of the 28 applications at the desk.

Less than half (48 percent) of the municipalities had established an appeals procedure for clients who disagree with the decision not to grant them access to shelter. In such municipalities clients can file a notice of objection to a specially appointed committee (at the municipality or shelter organization).

Conclusions

In conclusion, there is much support amongst municipalities and shelter organizations for a local connection requirement. Several municipalities and shelter organization make serious efforts to guarantee the nationwide accessibility of shelter by complying with the Toolkit. However, there is still work to be done. Four steps have been observed in the translation of policy concerning the nationwide accessibility of (emergency) shelter in The Netherlands into practice. First, municipalities made agreements on nationwide accessibility in consultation with the Association of Netherlands Municipalities, as evidenced in the model-policy rules in the Toolkit. Second, translation of the model-policy rules for local governance (central municipalities) took place. Third, local policies were generated in the form of procedures and processes. The fourth and final step was to translate the agreements made into practice: The manner in which executive staff handles applications for shelter. The net result of these four steps is that currently in practice the nationwide accessibility of shelter is not guaranteed for all eligible homeless applicants. The following, partly interrelated, reasons for the observed discrepancy between theory and practice seem apparent:

Limited interpretation and insufficient implementation of the Toolkit

Municipalities tend to opt for 'hard' unambiguous criteria that are easy to check administratively. This explains why municipalities prefer to investigate whether a person is registered in the Municipal Personal Records Database than determine which locality promises the greatest chance of a successful care trajectory. This undesirable outcome means that homeless individuals who have never resided in any city for longer than two years or who have lived abroad in the previous three years, are not admitted for shelter. Whenever national or local authorities plan to make guidelines for local connection, the concept of local connection may cause conflicts and misinterpretations, which has to be taken into account.

Many municipalities have not yet established policy rules regarding the eligibility criteria for shelter. As this may lead to arbitrariness and impede access to social rights, this is an undesirable situation. It is recommended that every central municipality establish policies concerning local connection and accessibility to shelter facilities. Establishing rules creates clarity for executive shelter organizations and shelter applicants regarding what to expect and respective rights and obligations. By monitoring the extent to which municipalities have adopted policy rules it is possible to identify trends as well as to determine the relationship between policy and practice.

Determining the most appropriate locality for shelter remains complex: Only half of the shelter organizations report that this is possible to do in a correct manner. Various reasons are mentioned: Insufficient capacity for conducting a comprehensive intake assessment; no clear and simple criterion to determine which municipality promises the greatest chance of a successful trajectory out of homelessness; the easily accessible character of (night) shelter organizations does not seem to be in line with a comprehensive intake process at admission for shelter. In addition, municipalities believe a tangible local connection is important. When a homeless individual is not able to show tangible evidence of contact with care or shelter facilities or when a homeless person is not registered in the Municipal Personal Records Database, the burden of proof often lies with the homeless individual himself. For example, applicants may be required to provide bank statements in order to prove their whereabouts in the previous few years. Homeless people cannot always provide the necessary documents to prove their local connection. It should be recommended that (night) shelter facilities provide temporary shelter for all eligible clients. A back office, for instance a central admission facility, would then make a decision regarding the most suitable locality afterwards. The severity of one's situation should be the principal criterion in municipalities where too many people apply for shelter, not a local connection.

Differences between policy and practice

Shelter organizations often seem to have a different perception of the agreements than municipalities. Staff at registration desks of shelter facilities regularly acted contrary to the facility's admission policies: some mystery guests found that they could not apply for shelter or that no assessment was made. Possibly, staff members are not always knowledgeable regarding policies or have a general sense but not enough tools to bring policy into practice. For instance, if employees refuse to grant someone access to shelter due to the absence of a local connection, they do not perceive this as a decision within the meaning of the General Administrative Law Act⁵. Employees are aware of the unpleasant situation of the relevant applicant, but in their view the applicant was just in the wrong place. Therefore, training and regular instruction of executive staff is of importance. The development of an assessment tool (for example a flowchart or checklist) may support staff members of shelter organizations in the careful application of the admission policy.

⁵ The General Administrative Law Act contains rules for orders made by administrative authorities and that creates the right of appeal to an administrative court. This Act regulates the process of administrative decision-making in a general sense and provides a general framework for legal protection against the orders issued.

Demand for shelter exceeds supply

It has been shown that there is a shortage of capacity in homeless shelters, combined with a growing inflow and a faltering outflow in many municipalities (Tuynman and Planije, 2013). Choices have to be made in the light of this shortage. Municipalities pay for the costs of services for homeless people. Therefore, some local municipal councils choose to give priority to their 'own' homeless citizens. At the executive level, staff regularly observe how people are queuing up to secure temporary accommodation from night shelter organizations. As a consequence, employees feel compelled to refuse access to people who do not have a local connection without conducting an intake assessment or arranging for transfer to another shelter. However this shortage should also give rise to a stronger (policy) focus on prevention, improving inflow and outflow, agreements with other municipalities on transfer of clients and – if necessary – expansion of shelter services.

Improper use of local connection criterion

In certain cases, the local connection criterion seems to be used improperly as a reason for denying people access to shelter. There is confusion about the concept of eligibility in some cases. For some municipalities eligibility means 'eligible and having a local connection', meaning that people with no local connection are not eligible. However, local connection and eligibility are two different matters. Under Article 1a and Article 8 of the Social Support Act, people may be entitled to social support. Key aspects of these articles are a legal residence status, not being excluded from social support and a need for care because one cannot participate in society. Homeless people who do not have a local connection can therefore indeed be eligible. The local connection criterion is sometimes used to deny a person access to shelter because of the costs of services for homeless people. Some of these costs are related to the provision of a benefit under the Work and Welfare Act (WWA).

Disagreement about which municipality will bear the cost of the benefit is mentioned several times as a limiting factor for transfer of clients. Finally it is mentioned that 'unruly' clients who do not abide by house rules and cause a lot of nuisance are not welcomed everywhere. For this group of people, not having a local connection is being used as grounds for not providing shelter. This issue has been known for a long time and potential solutions are not easy to achieve. Instead of denying access, shelter organizations should be able to quickly refer these clients to an appropriate care facility. It may be helpful to revise the current assessment and referral under the Dutch General Exceptional Medical Expenses Act and Health Insurance Act. It should also be considered whether the capacity of forensic or judicial care facilities is sufficient.

Increase of feedback mechanisms

The staff of shelter organizations have a great deal of discretionary power within the current system for the implementation of nationwide accessibility and local connection. There is little verification and countervailing power. Therefore, a vulnerable, often unassertive group is at risk of being subject to arbitrary outcomes. This was indeed demonstrated in the present study: Mystery guests having comparable profiles and demand for care were treated in different ways within the same shelter organization, depending on the employee present. There are various ways to organize the assessment and to incorporate controls on the exercise of power, both in the design, implementation and accountability of policy.

Regarding policy design, municipalities should at least establish policy rules. Representatives of homeless people could be asked for submissions regarding the agreements made on accessibility of shelter and local connection. They may also be involved in reviewing policy implementation. It is also suggested that the services of a confidential advisor are offered in respect of each application by a homeless individual. Another suggestion is to devote more attention to providing shelter applicants with information, for example by providing contact details of a street lawyer when an applicant disagrees with the decision on admission. Written evidence of the admission decision (approval or rejection) is rarely provided. The course of the application procedure is often informal: In various applications for shelter by mystery guests they were briefly questioned and then referred to the municipality of origin without further support or documentary evidence. It seems that municipalities and shelter organizations are rather hesitant to provide written evidence of their decisions in some cases. This might happen in order to prevent clients from appealing against the decision, or out of concern for excessive administrative burden. For some municipalities it is common practice to provide written evidence (copy or administrative decision). Their experiences might help to give an impression of the corresponding administrative burden.

Only half of the municipalities provide an appeal procedure for clients. It is important for municipalities to formalize appeal procedures and to set this out clearly in agreements with (staff of) shelter organizations. Homeless people should be made aware of the possibility to appeal. Many municipalities were found to have little knowledge of matters such as the transfer of clients and the availability of information for clients. It is recommended that municipalities should be better informed since the support of this vulnerable group of homeless individuals is their responsibility. Registration of the number of people (not) admitted to shelter may provide an indication of the need for measures to be put in place to constrain the power of local actors. Registering and publishing these figures may help horizontal accountability. It is worth considering vertical accountability as well: The national government has responsibility for coordinating nationwide accessibility of shelter in decentralized policies.

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