
A Fundamental Review of Social Housing Allocations

Consultation on Proposals

Contents

A FUNDAMENTAL REVIEW OF SOCIAL HOUSING ALLOCATIONS POLICY	9
Background	9
Views on the current Housing Selection Scheme.....	11
Equality Considerations.....	12
How to respond	13
Principles	14
Outcomes	14
Our Proposals to amend the Housing Selection Scheme	15
THROUGHOUT THE PROCESS	22
Proposal 1: - An independent, tenure-neutral housing advice service for Northern Ireland.....	23
Universal access to social housing	27
A note on Armed Forces applicants.....	28
Proposals 2 & 3: - Changes to eligibility for applicants who have been involved in unacceptable behaviour.....	29
Proposal 4: - NIHE can meet their duty to homeless applicants on a tenure-neutral basis, provided that the accommodation meets certain conditions	34
APPLICATION STAGE PROPOSALS	38
Proposal 5: - A greater choice of areas for all applicants for a social home.....	39
Proposal 6: - Greater use of a mutual exchange service	43
ASSESSMENT STAGE PROPOSALS	45
Proposal 7: -The removal of intimidation points from the Housing Selection Scheme.....	50
Proposal 8: - Points should reflect current circumstances for all applicants.....	63

Proposal 9 - The Removal of interim accommodation points from the Housing Selection Scheme	66
Other points within the Housing Selection Scheme should remain unchanged	71
Unsuitable accommodation points	71
ALLOCATION STAGE PROPOSALS.....	72
Proposal 10:- The Housing Selection Scheme should place applicants into bands based on similar levels of need to meet long standing housing need more effectively.....	75
Proposal 11: - The Housing Selection Scheme rules should always align the number of bedrooms a household is assessed to need with the size criteria for eligible Housing Benefit customers	85
Proposals 12-14: - For difficult-to-let properties: social landlords should have a wider range of options when making an allocation.....	91
Proposal 15: - An applicant may receive two reasonable offers of accommodation.....	97
Proposal 16: -Social landlords may withdraw an offer of accommodation in specified circumstances	100
Proposals 17 & 18: – Circumstances where social landlords may withhold consent for a policy succession or assignment to a social home	103
Proposal 19: - Updating the Housing Selection Scheme to bring it in line with developments in Public Protection Arrangements Northern Ireland	108
Proposal 20: - Specialised properties should be allocated by a separate process outside the Housing Selection Scheme	111
IMPACT ASSESSMENTS.....	115
Equality.....	115
Equality impact assessment.....	116
Other impact assessments	119
NEXT STEPS.....	120

CONSULTATION QUESTIONS	121
SOURCES	132
ANNEX A: Continuous Tenant Omnibus Survey results	133
ANNEX B: A note on the key findings of the NIHE’s 2015 modelling exercise	147
ANNEX C: Detailed results of the NIHE’s 2015 modelling exercise for banding	149
Banding – Urban Area (high demand).....	150
Banding – Urban Area (low demand)	153
Banding – Urban Area (with rural hinterland)	156
ANNEX D: NIHE’s report - Modelling exercise to estimate effects of potential changes to current Housing Selection Scheme	157
ANNEX E: Draft implementation timescales	175

Foreword



Social housing in Northern Ireland is a success story. However, we cannot be complacent when we have over 37,500 households on the social housing waiting list and over half of these are in housing stress. Building new homes is only part of the answer; we need to make sure the current system works as effectively as possible.

This fundamental review of social housing allocations policy was launched in 2013. Research was commissioned from the Universities of Ulster and Cambridge to provide an entirely independent analysis of the current system and recommendations for change. The findings were presented for public comment. This consultation paper now sets out this Department's proposals to make the allocations process more fair, transparent and effective for all.

LEO O'REILLY
PERMANENT SECRETARY, DEPARTMENT FOR COMMUNITIES

A good allocations system cannot deliver more social homes, but it can ensure that we make the best use of our existing resources, including the new social homes that are delivered each year under the Social Housing Development Programme. We need to build on the strengths of our current allocations scheme, to enable it to work better for people in need.

THE PROPOSALS ARE INTENDED TO PRODUCE FIVE KEY OUTCOMES:

1. A greater range of solutions to meet housing need;
2. An improved system for the most vulnerable applicants;
3. A more accurate waiting list that reflects current housing circumstances;
4. Those in greatest housing need receive priority, with recognition of their time in need; and
5. Better use of public resources by ensuring the list moves smoothly.

Meeting housing need is the main priority. New social homes are of course needed, but the measures proposed in this document would give applicants more choice and help the waiting list move more effectively. I look forward to hearing your views.

A fundamental review of social housing allocations policy

Background

WHAT IS SOCIAL HOUSING ALLOCATIONS POLICY?

If you want to rent a home from the Northern Ireland Housing Executive (NIHE) or a Housing Association you apply to the NIHE. The NIHE has to have a scheme to decide which people get which homes when they become available. The scheme is made up of rules to make sure everyone is treated fairly when they want to rent a social home. Housing Associations in Northern Ireland have agreed to use the same scheme as the NIHE. It is referred to as the Housing Selection Scheme or the Common Selection Scheme. In the rest of this document we call it the Selection Scheme. When the social landlord finds a tenant for a home they 'allocate' the home or 'make an allocation'. This review of allocations policy is to decide if changes to the rules of the Selection Scheme are necessary.

WHY A REVIEW?

The Selection Scheme has not changed much since November 2000. The scheme introduced in 2000 was the first common Housing Selection Scheme in Northern Ireland which Housing Associations

used too. Before 2000 each Housing Association had its own scheme. The NIHE looked at the Selection Scheme in 2011 and suggested some changes to the Department for Communities (the Department). The Department decided there was an opportunity to look at allocations of social housing in a more fundamental way.

REVIEW RESPONSIBILITIES

The NIHE must have an allocations scheme which is approved by the Department. The Department has led this review, with input from the NIHE. The NIHE has also carried out research on some of the proposals. The Department has consulted with other stakeholders, including Housing Associations, about the proposals as they developed.

THE REVIEW SO FAR

Ulster University and the University of Cambridge examined how the Selection Scheme works and what happens in England, Scotland, Wales and the Republic of Ireland. They wrote independent academic reports about this and recommended changes to the Selection

Scheme. You can view these reports online at www.communities-ni.gov.uk/publications/fundamental-review-social-housing-allocations-policy

The Department asked people what they thought about the recommendations. You can view a summary of what was said about the proposals online at:

www.communities-ni.gov.uk/topics/housing/social-housing-allocations-research

The Department then carried out desk research on allocations policies in England and Scotland. You can find a summary of our findings on the Department's website:

www.communities-ni.gov.uk/allocations-review

We also commissioned two pieces of research from the NIHE to test some of our emerging proposals:

The first research exercise (**modelling**) used actual waiting list data and applicants to model what might happen if we changed the Selection Scheme in two ways:

- if homes were allocated to the applicant in greatest need who has waited longest (via a banding system); and
- the effect of removing intimidation points from the Selection Scheme.

The modelling showed that, in some cases, applicants had been on the waiting list with very high levels of need (over 100 points),

for a very long time. It also showed that the two changes would assist applicants who had waited a long time in high housing need to get an allocation more quickly.

The second research exercise (**a survey**) was a series of questions on allocations asked to NIHE tenants (see Annex A) through NIHE's Continuous Tenant Omnibus Survey Wave 2: April to June 2015. The sample was made up of 100 new tenants who gave their views on the length of time waiting and the areas of choice available to them.

The survey found that most people had waited less than a year to be allocated a social home: 29% had waited less than 6 months for a home, 41% had waited between 6 months and 1 year, 22% between 1 and 5 years, and 5% had waited more than 5 years. 3% did not know or could not recall.

Regarding how long they expected to wait, 44% said that their length of time waiting was shorter (or much shorter) than they expected, while 29% said it was longer, or much longer.

A clear majority of those surveyed (67%) agreed that an applicant who had spent longer on the waiting list should get priority over other applicants with similar needs.

The results of the modelling and the survey will be referred to in greater detail under the relevant proposals in this document. A note on the key findings of NIHE's

2015 modelling exercise can be found in Annex B, detailed results of the NIHE 2015 modelling exercise for banding in Annex C and NIHE's full report in Annex D.

We commissioned a third piece of evidence-gathering from Analytical Services Unit within the Department. This used waiting list and allocations data to show variations in waiting times. The results of this exercise have informed the proposal to give more priority to time waiting for a home. More information is available at:

www.communities-ni.gov.uk/allocations-review

The Department has worked with NIHE to include some changes NIHE expect should improve the Selection Scheme. Some are measures which they consulted on in 2011; others have arisen from their experience of running the Selection Scheme and a review of how it works from a customer perspective.

Views on the current Selection Scheme

WHAT PEOPLE VALUE ABOUT THE CURRENT SELECTION SCHEME

The responses to the recommendations made in the independent academic reports show that people:

- Value universal access to the Selection Scheme.
- Broadly support the use of points to measure an applicant's circumstances.
- Agree that allocations should prioritise the applicant in greatest need.

CONCERNS ABOUT THE CURRENT SELECTION SCHEME

There are concerns that:

- Applicants with intimidation points are given too much priority over other applicants who have received threats of violence or have experienced violence,

e.g. victims of domestic abuse.

- High numbers of refusals are inconvenient for the applicant and inefficient for the landlord: the Selection Scheme should more accurately capture where an applicant is prepared to live.
- The Selection Scheme should more accurately capture applicants' housing needs.
- Some people have been waiting on the list for a considerable time, often with a very high level of points. As at March 2017, there were 3,400 Full Duty Applicants (statutorily homeless households) who have been on the waiting list for over 5 years.
- Some applicants raised concerns around a lack of privacy, and therefore confidentiality, when making an application for a social home.

Equality considerations

As part of this review the Department carried out equality screening, a draft Equality Impact Assessment (EQIA), Social Inclusion Impact Assessment and a Rural Needs Impact Assessment on the proposals in this document. These documents are published at:

www.communities-ni.gov.uk/allocations-review

We have published the draft EQIA for consultation alongside this document.

Next steps of the review

We used the independent recommendations, public responses, evidence from the NIHE modelling and further desk research to evidence the following set of proposals for consultation.

The Department welcomes responses to this consultation document which we will use to inform the final proposals for implementation. We will publish a summary of your views on this consultation along with the Department's final proposals.

A table showing draft implementation timescales should the proposals be adopted following the consultation process can be seen at Annex E.

HOW MIGHT THIS AFFECT ME?

Changes to the system will affect future applicants to the Selection Scheme. Some changes will also affect current applicants. Transitional measures will be considered in light of responses received to the consultation.

How to respond

There are three ways you can tell us what you think about our proposals.

RESPOND ONLINE AT:

www.communities-ni.gov.uk/allocations-review

EMAIL US AT:

allocations@communities-ni.gov.uk

WRITE TO US AT:

Social Housing Policy Team
Department for Communities
Level 3, Causeway Exchange
1-7 Bedford Street
Belfast
BT2 7EG

**Please have all responses with us by
Thursday 21 December 2017.**

Principles

WE BELIEVE THE SELECTION SCHEME SHOULD BE BASED ON THE FOLLOWING PRINCIPLES:

- | | |
|----------------------|---|
| FAIRNESS | Be open to all and promote equality and good relations. |
| TRANSPARENCY | Be easy to understand and easily available. |
| EFFECTIVENESS | Work effectively so applicants in the greatest need have their housing needs met. |

Outcomes

Our proposals, taken together, are intended to produce five key outcomes:

1. A greater range of solutions to meet housing need.
2. An improved system for the most vulnerable applicants.
3. A more accurate waiting list that reflects current housing circumstances.
4. Those in greatest housing need receive priority, with recognition of their time in need.
5. Better use of public resources by ensuring the waiting list moves smoothly.

As we present this series of proposals for change, we will highlight which outcomes the proposals aim to meet.

Our proposals to amend the Selection Scheme

This document presents a significant number of proposals for change. To make this document easier to read, we have grouped the proposals together into stages. The first stage ('Throughout the process') covers the proposals that may be relevant throughout the entire process of: applying for a social home; undertaking a housing need assessment; and allocation of a home. The remaining stages take each of these in turn, i.e. application, assessment, and finally, allocation.

Depending on the outcome of this consultation, some or all of the proposals may be implemented.

Throughout the Process – At any stage from application to allocation of a social home	Outcome
<p>1. An independent, tenure-neutral housing advice service for Northern Ireland.</p> <ul style="list-style-type: none">• People should receive high-quality, tailored, tenure-neutral advice in a way which respects their dignity and confidentiality.• This proposal should ensure a greater range of solutions to meet housing need and provide an improved system for the most vulnerable applicants.• This Ulster University recommendation was broadly supported by stakeholders. NIHE has recently adopted a Housing Solutions and Support approach.	1,2

Throughout the Process – At any stage from application to allocation of a social home	Outcome
<p>2. An applicant who has been involved in unacceptable behaviour should not be eligible for social housing or Full Duty homelessness status unless there is reason to believe – at the time the application is considered – that the unacceptable behaviour is likely to cease.</p> <ul style="list-style-type: none"> This proposal should ensure allocations focus on good housing management and sustainable tenancies. It should also be a deterrent against serious anti-social behaviour. 	1,5
<p>3. NIHE may treat a person as ineligible for Full Duty homelessness status on the basis of their unacceptable behaviour at any time before allocating that person a social home.</p> <ul style="list-style-type: none"> This proposal should also ensure good housing management and aim to reduce nuisance to tenants; striking a better balance between excluding people from the waiting list and prioritising vulnerable groups. 	1,5
<p>4. NIHE can meet their duty to homeless applicants on a tenure-neutral basis, provided that the accommodation meets certain conditions.</p> <ul style="list-style-type: none"> This proposal should ensure a greater range of ways in which the NIHE can meet its duty to homeless applicants and increase the options for meeting applicants’ housing need. This proposal was welcomed in a 2010 consultation provided the Department regulated the private rented sector better. There have been many improvements in regulation since 2010 	1

At Application Stage – How someone applies for a social home	Outcome
<p>5. A greater choice of areas for all applicants for a social home.</p> <ul style="list-style-type: none"> • All applicants should be able to choose as many (or as few) housing areas as they wish to maximise the likelihood of receiving an offer of a home they can accept. • This proposal should provide a greater range of solutions to meet housing need, a more accurate waiting list and minimise the time that stock is left empty. • The NIHE recommended this change after examining the current Selection Scheme. Research shows that a significant minority of applicants would prefer a greater choice of areas. 	<p>1,5</p>
<p>6. Greater use of a mutual exchange service.</p> <ul style="list-style-type: none"> • Existing social tenants looking for a transfer should ordinarily also be considered for a mutual exchange service. • This proposal promotes an alternative solution to meeting housing need and minimises the time that stock is left empty. • Ulster University recommended this change and it was well supported. 	<p>1,5</p>

At Assessment Stage - How the Selection Scheme measures need	Outcome
<p>7. The removal of intimidation points from the Selection Scheme.</p>	<p>3</p>
<p>8. Points should reflect current circumstances for all applicants.</p>	<p>3</p>
<p>9. The removal of Interim Accommodation points from the Selection Scheme.</p> <ul style="list-style-type: none"> • These proposals aim to provide more equal treatment of applicants in similar circumstances. • They should ensure that there is a more accurate waiting list that reflects current housing circumstances and that those in greatest need receive priority. • The NIHE has requested these measures. The responses to its previous consultation on intimidation points and interim accommodation points suggest there is support for proposals 7 and 9. The NIHE has modelled the proposed removal of intimidation points. 	<p>3,4</p>

At Allocation Stage - How homes are allocated	Outcome
<p>10. The Selection Scheme should place applicants into bands based on similar levels of need to meet longstanding housing need more effectively.</p> <ul style="list-style-type: none"> Applicants should be assessed and points awarded, just as they are in the Selection Scheme at present. The points should then be used to place applicants in bands, alongside others with similar levels of need. This proposal should ensure that those applicants in the greatest housing need receive priority, with recognition of their time in need. Ulster University recommended a banded system. The NIHE has modelled the effects of a hybrid system of points and bands, which indicates that this approach can meet longstanding housing need more effectively than the current Selection Scheme. 	4
<p>11. The Selection Scheme should always align the number of bedrooms a household is assessed to need with the size criteria for eligible Housing Benefit customers.</p> <ul style="list-style-type: none"> Aligning the Selection Scheme with Housing Benefit should ensure a consistent approach, avoid confusion for applicants and enable good housing management. The NIHE consulted on the alignment in 2012. 	2
<p>12. For difficult-to-let properties: Social landlords should be able to make multiple offers to as many applicants as they think necessary.</p>	5
<p>13. For difficult-to-let properties: Social landlords should be able to use choice-based letting.</p>	5

At Allocation Stage - How homes are allocated	Outcome
<p>14. For difficult-to-let properties: Social landlords should be able to go direct to multiple offers if they have evidence that a property will be difficult to let.</p> <ul style="list-style-type: none"> • These proposals give landlords more discretion over how they let low-demand properties. • They help provide a greater range of solutions to meet housing need and allocate stock more quickly to those in greatest need. • Ulster University recommended a choice-based letting system for Northern Ireland. There is evidence of the benefits of choice-based letting for low-demand properties and recent pilots by the NIHE have confirmed this. 	5
<p>15. An applicant may receive two reasonable offers of accommodation.</p> <ul style="list-style-type: none"> • This proposal reduces the number of offers of accommodation from three to two. • If the two offers are refused, no further offers will be made for one year after the date of the last refusal. • This proposal minimises the time that stock is left empty and will enable stock to be allocated more quickly. • Ulster University recommended this change and it received support. 	5
<p>16. Social landlords may withdraw an offer of accommodation in specified circumstances.</p> <ul style="list-style-type: none"> • The NIHE told us this change is required to deal with a very specific, limited number of circumstances. 	4,5
<p>17. Social landlords may withhold consent for a policy succession or assignment to a general needs social home in limited circumstances where there is evidence an applicant needs it.</p> <ul style="list-style-type: none"> • This proposal should ensure good housing management and better use of public resources by enabling social landlords to make more effective use of general needs stock. 	4,5

At Allocation Stage - How homes are allocated	Outcome
<p>18. Social landlords may withhold consent for a policy succession or assignment of adapted accommodation or purpose built wheelchair standard accommodation where there is evidence an applicant needs it.</p> <ul style="list-style-type: none"> This proposal should ensure that the most effective use is made of existing adapted stock, and that waiting times for applicants requiring adapted accommodation are reduced. 	2,4,5
<p>19. Updating the Selection Scheme to bring it in line with developments in Public Protection Arrangements Northern Ireland.</p> <ul style="list-style-type: none"> The NIHE requested this change to bring the Selection Scheme in line with recent developments in legislation. 	2
<p>20. Specialised properties should be allocated by a separate process outside the Selection Scheme.</p> <ul style="list-style-type: none"> A review should be established to put a more effective allocation process in place for applicants needing specialised property such as sheltered dwellings / wheelchair standard accommodation. This proposal should ensure an improved system for the most vulnerable applicants. Ulster University recommended this approach and it received strong support. 	2,5

THROUGHOUT THE PROCESS

This section considers particular issues which can take place at any stage from application to allocation of a social home. There are four proposals:

1. An independent, tenure-neutral housing advice service for Northern Ireland.
2. An applicant who has been involved in unacceptable behaviour should not be eligible for social housing or Full Duty homelessness status unless there is reason to believe – at the time the application is considered – that the unacceptable behaviour is likely to cease.
3. NIHE may treat a person as ineligible for Full Duty homelessness status on the basis of their unacceptable behaviour at any time before allocating that person a social home.
4. NIHE can meet their duty to homeless applicants on a tenure-neutral basis, provided that the accommodation meets certain conditions.

Proposal 1: - An independent, tenure-neutral housing advice service for Northern Ireland

How it works now

Housing is an essential need, and the options available to meet that need can be complex. Individuals and households may have a variety of different needs and aspirations for their housing. People may not have detailed knowledge of all the options available to them. For example, they may:

- Wish to apply for social housing in a particular area but may not be aware that there are no social homes in that area which meet their needs;
- Not realise that they could qualify for co-ownership and part-buy / part-rent a home, possibly at less than their current rent;
- Be struggling with their mortgage and need help to keep their home; or
- Need help to resolve a dispute with a landlord.

The NIHE is now implementing a 'Housing Solutions' service. In areas with this service, NIHE's Housing Solutions and Support Teams work with customers who contact NIHE regarding a housing problem, to provide a comprehensive housing advice,

guidance, prospects and support service to help them find a solution. When customers first contact NIHE, staff work as housing advisors. That is they discuss their current circumstances and future housing aspirations, including their: living arrangements, financial situation, available social networks and any support needs. They then use this information to offer these customers suitable options to meet both their immediate housing needs and allow them to make informed choices regarding their permanent housing options. These may include social housing, home ownership, private rented accommodation or arrangements to help the customer remain in their current accommodation.

This service is provided in tandem with NIHE's statutory duties, under homelessness legislation and the Selection Scheme and is not an alternative to an individual's legal rights.

The Housing Solutions and Support Team will engage with customers and a range

of statutory and voluntary agencies to help secure their housing option. They will make sure the appropriate support is in place to ensure these customers have the skills and abilities to manage their home successfully over a sustained period of time, with or without support, giving them the best chance of making a success of their tenancy.

Organisations such as the Housing Rights Service also provide information on housing choices. Good independent housing advice is available and should continue to be available to everyone who needs it across Northern Ireland on a consistent basis. It should ensure that clients are able to discuss their housing options in privacy, respecting their dignity and confidentiality.

The proposal

There should be an independent, tenure-neutral housing advice service for Northern Ireland. It should be open to all adults, including those whose immigration status or history of anti-social behaviour does not allow them to apply for a social home, and to anyone who requires advice on private housing. We encourage views on whether a single organisation should be the main provider of this service or whether it could be carried out by a number of organisations (statutory and non-statutory) who commit to a standardised level of service.

It should be noted that because of its statutory functions, only the NIHE can make a statutory homelessness decision and take applications for a social home. Housing Associations may take applications from their own tenants.

We propose that the service should offer tailored advice to help individuals and households meet their specific housing need and find or keep suitable accommodation in any tenure. It should provide clear information to help people understand their housing options and the implications of the choices they might make. The service could help clients to:

- Apply for a social home (NIHE and Housing Association properties);
- Look for private rented accommodation;
- Get support to stay where they are (whether rented or owned);
- Consider co-ownership; or
- Consider full home ownership.

These options are not exclusive, for example someone may take up a private

rented tenancy but also apply for social housing and investigate co-ownership. (There is an exception if the property is available from Smartmove¹, a scheme to help people access private rented properties. A condition of this scheme is that the tenant gives up any social housing application).

The service should be accessible to individuals who are vulnerable through

disability, long-term illness, mental health issues or lack of competency in English. Provisions should be in place to ensure client privacy and confidentiality.

This advice service is a critical component of the service government provides and the effectiveness of a number of the other proposals in this document.

The evidence for proposal 1

The Ulster University research recommended a 'Housing Options' advice service for Northern Ireland. This would mean that individuals can explore a range of housing options to meet their specific needs. Ulster University's proposal for a housing advice service was extremely well-received by the people and organisations who responded to their proposals. Many who responded to the Ulster University recommendations stated that the service must be independent to ensure impartiality.

The NIHE's Housing Solutions and Support Teams (HSST) aim to assist not only those households who meet the statutory homelessness tests, but any household who is homeless or presents to the NIHE or another partner agency with a housing problem.

The ethos of the HSST approach is to, "Provide me with good quality housing / support when I need it, shaped around me". The approach includes a comprehensive interview with clients to

¹ Smartmove is the current provider: the terms of the scheme may change in future if the provider changes.

establish both their housing and support needs and to explore all options to agree an appropriate solution, drawing in the necessary additional support from other agencies as required.

The outcomes of NIHE's HSST approach so far, have included:

- In April 2016, the average time from first contact to housing assessment completed and letter issued, was reduced from between 15.4 - 29.4 days previously, to between 3.5 - 4.5 days.
- In April 2016, the average time from first contact to homeless assessment completed and decision letter issued, was reduced from between 22.9 - 37.5 days previously, to between 7.9 - 8.8 days.
- To 31 March 2016, more than 10% of customers were helped to sustain their tenancy or their homelessness prevented.
- 37% of HSST customers were re-housed in social housing and over 13% were supported to access the private rented sector.

NIHE found that the increase in the percentage of customers re-housed in social housing in a shorter period of time is reflective of the emphasis on encouraging customers to choose areas of choice where they have realistic prospects of being re-housed.

Customers are provided with facts and data regarding the availability of specific types of accommodation and turnover within areas, and so are increasingly widening their areas of choice or choosing more appropriate areas of choice and therefore increasing their likelihood of being allocated a property.

The average customer satisfaction scores for the HSST approach have been between 8.1 - 9.7 out of 10.

Expected outcomes of proposal 1

This proposal should contribute to the following high level outcomes:

- A greater range of solutions to meet housing need.
- An improved system for the most vulnerable applicants.

Throughout the process, we want applicants to receive high quality, tailored, tenure-neutral advice to identify and consider how to meet their housing needs.

Universal access to social housing

Social housing in Northern Ireland works on the principle of universal access. This means that any adult can apply for a home if they meet the eligibility criteria. The applicant has to:

1. be over 18 (duties are extended to 16 and 17 year olds who present as homeless as per the Housing (NI) Order 1988 and Children (NI) Order 1995 and exceptions are listed at rule 12 of the Housing Selection Scheme);
2. have a connection with Northern Ireland; and
3. not have engaged in unacceptable behaviour serious enough to make him/her unsuitable to be a tenant of social housing.

Some classes of people from abroad are not eligible (as set out in the Housing (Northern Ireland) Order 1981²).

We want changes in law to clarify criteria number 3 above. Proposals 2 and 3 deal with these changes.

² “22A. – 1.The Executive shall not allocate housing accommodation –

(a) to a person from abroad, if he is a person subject to immigration control who is ineligible for an allocation of housing accommodation by virtue of section 118 of the Immigration and Asylum Act 1999 (c.33);

(b) to any other person from abroad, if he is a person ineligible for such an allocation by virtue of regulations under paragraph 3...”

“(3) The Secretary of State may, for the purposes of paragraph 1(b), by regulations, specify classes of persons from abroad who are ineligible for an allocation of housing accommodation by the Executive”.

A NOTE ON ARMED FORCES APPLICANTS

The Armed Forces Covenant specifically states that:

“Members of the Armed Forces community should have the same access to social housing and any other schemes as any other citizen and not be disadvantaged in that respect by the requirement for mobility whilst in service”.

Members (and former members) of the Armed Forces, who have been based in Northern Ireland, do meet the local connection requirements and can access housing and homelessness assistance here. The NIHE processes applications from members and former members of the armed forces using the rules of the Selection Scheme as they would for any other applicant.

NIHE has processes in place to ensure staff are aware of the importance of dealing sensitively with housing and homelessness applications from former Armed Forces personnel. This should include considerations of privacy and confidentiality, which should be respected for all applicants.

HOMELESSNESS ISSUES FOR ARMED FORCES PERSONNEL

In terms of Homelessness assessments, the proposed housing advice service (see proposal 1) should examine an individual’s options and choices in the widest sense when they look for housing advice. This approach should include early preventative intervention and explore all possible housing options with a view to finding the best solution for the individual.

Where an applicant is a former member of the Armed Forces, any and all circumstances/ needs related to their service history should be taken into consideration. The housing advice service should signpost or make referrals to appropriate support organisations where necessary.

Proposals 2&3: - Changes to eligibility for applicants who have been involved in unacceptable behaviour

PROPOSAL 2: An applicant who has been involved in unacceptable behaviour should not be eligible for social housing or Full Duty homelessness status unless there is reason to believe – at the time the application is considered – that the unacceptable behaviour is likely to cease.

How it works now

The law³ states that the NIHE may treat a person as ineligible – for either Full Duty homelessness status or the allocation of a social home via the waiting list – if the person’s unacceptable behaviour is so serious that, if the person were a tenant, the NIHE would be entitled to have a possession order granted by the Court.

NIHE makes a decision based on a notional idea of what a court may do. It must:

- Satisfy itself that unacceptable behaviour has occurred, which is so serious that the NIHE would have been entitled to have a possession order granted by the Court; and
- Consider whether a Court would decide that it was ‘reasonable’ to grant a possession order.

All cases must be thoroughly investigated and all decisions based on established facts.

³ Article 22A of the Housing (NI) Order (1981), Article 29 of the Housing (Northern Ireland) Order 1983 in relation to Ground 2 or Ground 3 in Schedule 3 to that Order, and Article 7A of the Housing (NI) Order (1988).

The proposal

We want to change the law to make it clear how the NIHE should make a decision on eligibility:

- If the NIHE has good reason to believe that a person's conduct (or the conduct of a member of their household) will improve, they should not be treated as ineligible.
- Conversely, if there is no reason to believe that conduct will improve, the NIHE may determine that the applicant is unsuitable to be a tenant and therefore is ineligible for social housing or Full Duty homelessness status.

These changes may require changes to primary legislation.

PROPOSAL 3: NIHE may treat a person as ineligible for Full Duty homelessness status on the basis of their unacceptable behaviour at any time before allocating that person a social home.

How it works now

A Full Duty Applicant is a housing applicant that the NIHE has a legal responsibility towards.

The law⁴ states that the NIHE may decide to treat a person as ‘ineligible’ for Full Duty homelessness status if, “in the circumstances at the time the person’s application is considered, they are unsuitable to be a tenant of the NIHE”. People who have been involved in unacceptable behaviour which would make them unsuitable to be a tenant are not eligible for Full Duty homelessness status.

However, the law is being interpreted as meaning that any decision to treat a person as ineligible must be made ‘at the time their application is considered’, rather than at a later stage (e.g. after the

person’s application has been accepted and they have been placed in temporary accommodation or on the social housing waiting list).

People with a priority need for housing, who are not eligible for permanent re-housing under the homelessness legislation, retain their right to be provided with accommodation for as long as the NIHE considers that they need assistance.

Departmental guidance reminds the NIHE that it must provide anyone it has decided to treat as ineligible with information about the ways in which they may re-establish eligibility (e.g. evidence that the person has modified their behaviour or engaged with appropriate support).

⁴ Article 22A of the Housing (NI) Order (1981) and Article 7A of the Housing (NI) Order (1988).

The proposal

We want to change the law to make it clear that the NIHE may treat a person as ineligible for Full Duty homelessness status on the basis of their unacceptable behaviour at any time before allocating that person a social home.

This could mean that, after the consideration set out in proposal 2 – regarding whether there is good reason to believe that the unacceptable behaviour will stop – an applicant can be found to be ineligible if there is evidence of unacceptable

behaviour **after** the homelessness application has been accepted.

The NIHE must still take the circumstances of each case into consideration. The Department will issue guidance to the NIHE to ensure that it takes account of the stressful nature of homelessness and the possible impact on an individual's behaviour.

These changes may require changes to primary legislation.

The evidence for proposals 2 & 3

Decisions on ineligibility affect a small number of applicants each year. The NIHE cancelled 42 housing applications on grounds of unacceptable behaviour in 2014-15 and 27 in 2015-16. The researchers from Ulster University recommended a two year suspension from social housing allocations

for those guilty of unacceptable behaviour. The Department has considered this recommendation and the current legislation and believes that both the eligibility test and the legislation on eligibility should be further clarified as outlined above.

Expected outcomes of proposals 2 & 3

These proposals should contribute to the following high level outcomes:

- A greater range of solutions to meet housing need.
- Better use of public resources by ensuring the waiting list moves smoothly.

The objective is to have a fair allocation process, ensure good housing management, reduce nuisance to tenants and strike a better balance between excluding people from the waiting list and prioritising vulnerable groups. The housing advice service recommended at Proposal 1 should assist excluded applicants in ways other than an allocation of a social home.

Proposal 4: - NIHE can meet their duty to homeless applicants on a tenure-neutral basis, provided that the accommodation meets certain conditions

How it works now

The Housing (Northern Ireland) Order 1988 sets out NIHE's duty to people who are homeless. The NIHE:

- assesses if an applicant is homeless;
- assists those applicants to find accommodation; and
- awards the appropriate homelessness points under the Selection Scheme.

The NIHE normally seeks to meet its duty to homeless applicants by offering a secure tenancy in a social home. Many homeless applicants will receive an allocation of a social home in a reasonable time. However, the reality for many people is that there may be few social homes available in their chosen areas or, in very high-demand areas, they may have insufficient priority to access an allocation when it becomes available. There are 3,400 homeless applicants who

have been on the waiting list for more than 5 years, despite the high number of points awarded to homeless applicants.

This demonstrates the need for a greater range of solutions to meet housing need. Social housing may not always be the most effective way to meet an individual's housing needs or the most efficient use of resources.

While it has been custom and practice in Northern Ireland for the NIHE to discharge the statutory homeless duty in the social housing sector, existing legislation also allows for the homelessness duty to be discharged in the private sector.

The proposal

A more holistic assessment of customers' circumstances, particularly as part of the Housing Solutions and Support approach, may identify the private rented sector as offering a realistic and achievable solution to their current housing crisis.

We propose that the NIHE could, where appropriate, meet its homelessness duty by securing suitable accommodation in the private rented sector, subject to certain safeguards. This means, in line with practice in other areas of the United

Kingdom, that reasonable accommodation could include private rented sector accommodation. This would enable the NIHE to meet its homelessness duty on a tenure-neutral basis, provided the accommodation that it offers:

- is reasonable for the household to occupy;
- is of the appropriate standard; and
- is available for a reasonable period of time, e.g. a 12-month tenancy.

The evidence for proposal 4

The Department consulted on this proposal in 2010. Stakeholders welcomed this proposal provided there was greater regulation of the private rented sector and greater security of tenure within it. Since then the Department has worked on such improvements.

IMPROVEMENTS IN THE REGULATION OF THE PRIVATE RENTED SECTOR

The Rent (NI) Order 1978 and the Private Tenancies (NI) Order 2006 set out the law relating to the regulation of the private rented sector.

These laws say private landlords must:

- Fulfil tenancy management duties;
- Comply with notice to quit periods;
- Provide tenants with a rent book free of charge;
- Ensure tenants are free from harassment and illegal eviction; and
- Only charge a market rent on a property built before 1945 if the property meets the statutory fitness standard (for private tenancies commenced after 1 April 2007).

As a result of the Private Rented Strategy (2010) the Department introduced the Tenancy Deposit Scheme (April 2013) and the Landlord Registration Scheme (February 2014). These measures helped to improve tenancy management and provided greater security of tenure for long-term private rented tenants.

Building on the strategy and acting on a commitment in the Department's Housing Strategy (2012) the Department launched a further review of the role and regulation of the private rented sector; with the aim to:

- Consider the current and potential future role of the sector;
- Assess the effectiveness of current regulation;
- Evaluate the Landlord Registration and Tenancy Deposit Schemes; and
- Identify where improvements can be made to help make it a more attractive housing option.

The Department issued a discussion paper for public consultation (November 2015 to February 2016), with a commitment to issue a consultation document with a set of clear proposals on the way forward. This consultation (which ran from January to April 2017) focused on enhancing and improving the sector, making it a more attractive housing option for a wide range of households.

It will be important to get the balance right, protecting tenants while ensuring good landlords are not burdened with unnecessary or cumbersome regulation. Most landlords abide by the law and provide much-needed good quality and well managed accommodation.

The ongoing improvements to the regulation of the private rented sector provide evidence that the NIHE can meet its duty to homeless applicants in appropriate private rented sector accommodation. Meeting the homelessness duty on a tenure-neutral basis is crucial in providing a greater and more effective range of solutions to meet a household's housing need.

Expected outcomes of proposal 4

This proposal should contribute to the following high level outcome:

- A greater range of solutions to meet housing need.

The objective is to ensure that the NIHE has a greater range of ways to meet its duty to homeless applicants and that it can provide more options for those applicants to meet their housing needs.

APPLICATION STAGE PROPOSALS

This section looks at when someone makes an application for social housing. There are two proposals in this section:

5. A greater choice of areas for all applicants for a social home.

6. Greater use of a mutual exchange service.

Both proposals are intended to provide a broader range of ways in which applicants can meet their housing needs.

Proposal 5: - A greater choice of areas for all applicants for a social home

How it works now

Applicants who apply for a social home can choose one or two areas in which they would be prepared to live. The areas are defined by the NIHE, which offers either:

1. one or two of the over 800 Common Landlord Areas, which usually cover a housing estate, a group of streets, a small town or a small village; or
2. one or two of the over 300 General Housing Areas. These are usually bigger areas that contain the Common Landlord Area(s)

Landlords normally make offers to the relevant applicant with the most points when a suitable property becomes available in one of those areas.

Homeless applicants can select one or two Common Landlord Areas, but after six

months the NIHE expands their area of choice to the larger General Housing Area surrounding the Common Landlord Area(s) the applicant chose. This is intended to increase the applicant's likelihood of being offered a home.

There are two issues:

- The Selection Scheme limits applicants to choosing only two areas in which they would like to live.
- When the NIHE expands the area of choice for homeless applicants to the General Housing Area after six months, the applicant may receive an offer of a property within an area where they do not want to live. They may therefore refuse the offer. This can lengthen the time it takes to allocate a much-needed home.

The proposal

All applicants for social housing (including homeless applicants) should be able to choose as many or as few areas as they want, i.e. one Common Landlord Area, or two or more Common Landlord Areas or General Housing Areas.

An applicant might be able to increase their chances of an allocation by choosing more areas. Conversely, allowing applicants to more precisely limit their choices to areas where they genuinely wish to receive an offer of accommodation (for example, one Common Landlord Area) is likely to cut the number of refusals of offers of accommodation.

The NIHE should no longer automatically expand homeless applicants' area(s) of choice to the General Housing Area after six months. Instead, follow-up support from the Housing Solutions and Support Team should be provided after six months. This recognises the extra support that homeless applicants might need to find a home. Support should

help applicants reconsider their housing options, including considering a wider choice of areas, particularly where an offer of a social home is more likely, or considering suitable private rented housing if that is more readily available.

Greater choice for applicants should work in the context of tailored housing advice, both before and at the time of application. Advisors should clearly explain:

- areas of choice alongside realistic advice on the availability of social housing which is suitable for the applicant in that area;
- that choosing more areas might help applicants to get a social home more quickly;
- that only choosing one area might mean they wait longer; and
- the likelihood of an applicant with their particular circumstances being offered an appropriate property in particular areas.

The evidence for proposal 5

Ulster University considered the number of areas of choice in their first report ('Current approaches to accessing and allocating social housing in NI', pages 43-46). Some stakeholders they spoke to suggested reducing the total number of Common Landlord Areas in Northern Ireland (i.e. fewer, larger areas), but others thought that offering fewer, larger Common Landlord Areas would likely result in more refusals. There was a suggestion that "applicants should be able to select more areas of choice, including more than one General Housing Area and... this approach may help to manage expectations."⁵

Ulster University ultimately recommended a choice-based letting system across Northern Ireland which would have made Common Landlord Areas redundant. However this system did not secure widespread support in the public responses to the recommendations. Therefore there is still a case for change to the areas of choice available to applicants.

WHAT TENANTS THINK

We commissioned NIHE to ask its recently-allocated tenants about this in the Continuous Tenant Omnibus Survey

Wave 2: April to June 2015. The findings showed that:

- 25% would have preferred to have a wider/bigger area of choice if this resulted in them receiving an offer more quickly.
- 16% would have been interested in choosing a smaller area, even if it took longer for them to be allocated a property.

This suggests that the existing areas of choice (Common Landlord Areas and General Housing Areas) have a useful function in reflecting the area preferences of applicants. Making the areas larger – and choices less refined – could lead to more refusals. For full details of the survey results, see Annex A.

Based on the evidence available, it would be more effective to enable applicants to choose areas precisely (e.g. one Common Landlord Area, or many areas), as it increases the likelihood of an offer of social housing being accepted.

However, to work effectively, applicants should also receive good advice to support their decision and manage expectations.

⁵ At www.communities-ni.gov.uk/publications/fundamental-review-social-housing-allocations-policy

Expected outcomes of proposal 5

This proposal should contribute to the following high level outcomes:

- A greater range of solutions to meet housing need.
- Better use of public resources by ensuring the waiting list moves smoothly.

The key objective is to allow applicants to identify their geographical housing needs more precisely and by doing so reduce the number of refusals.

Proposal 6: - Greater use of a mutual exchange service

How it works now

People who live in social homes can apply for a transfer and / or they can use a mutual exchange service. The NIHE currently provides this service in Northern Ireland via a procured service (currently known as HomeSwapper). This service helps people find other households who want to swap their home. Tenants do not need to register for a transfer in order to register with a mutual exchange service.

The NIHE has approximately 10,000 transfer applicants and 1,700 registrations on the mutual exchange service. We cannot know for sure if the people registered for the service are also transfer applicants. However, it would appear that there is great room for expansion in the numbers of transfer applicants who could register for the service. A mutual exchange service could help some people to move more quickly and meets two transfer applicants' housing needs / aspirations at once.

The proposal

The NIHE and Housing Associations should promote the mutual exchange service more. When a tenant applies for a transfer this service should be discussed. Assistance and support to register and use the online service should be provided.

The housing advice service and landlords might advise victims of intimidation, anti-social behaviour or domestic violence NOT to register for such a service. This is because it might make it possible for perpetrators to trace the address of their new home via the new occupant.

The evidence for proposal 6

Ulster University looked at best practice elsewhere and recommended greater use of a mutual exchange service because:

- It can meet at least two cases of housing need at once;
- It has the potential to meet the housing need of existing tenants faster than simply using the transfer list;
- It has the potential to offer more choice for existing tenants including location, size and type of property;
- There are enhanced tenant satisfaction levels associated with these moves;
- There are better tenancy sustainment rates associated with these moves;
- They are particularly effective in areas where demand outstrips supply;
- It is an effective use of housing stock;
- There is no associated void loss (unlike when making a transfer); and
- There are no change of tenancy works costs.

Expected outcomes of proposal 6

This proposal should contribute to the following high level outcomes:

- A greater range of solutions to meet housing need.
- Better use of public resources by ensuring the waiting list moves smoothly.

The objective is to increase the proportion of transfer applicants who use the mutual exchange service. The proposal should also contribute to minimising the time that stock is empty.

ASSESSMENT STAGE PROPOSALS

This section looks at how the housing need of applicants for social housing is assessed. There are three proposals in this section. They aim to adjust the points system by ensuring that the waiting list is a fairer and more accurate representation of households' objective housing need.

7. The removal of intimidation points from the Selection Scheme.

8. Points should reflect current circumstances for all applicants.

9. The removal of Interim Accommodation points from the Selection Scheme.

It is not proposed to change any other elements of the current points scheme, unless there are impacts from other proposals within this consultation. For example, if Proposal 10 (banding) is implemented, it would be appropriate to remove points in the current scheme for time in housing need.

The Housing Selection Scheme

The Selection Scheme awards points under four categories: intimidation, insecurity of tenure, housing conditions, and health and social care needs. The total points from all categories should reflect the applicant’s current housing need. Points are allocated as follows:

Section 1	Intimidation	Points
	Intimidation	200
Section 2	Insecurity of tenure	Points
	Homeless or threatened with homelessness	70
	Other homeless	50
	Interim accommodation	20
Section 3	Housing conditions	Points
Sharing		
1	Applicant with dependant children who is:	
	- Sharing a kitchen	10
	- Sharing a living room	10
	- Sharing a toilet	10
	- Sharing a bath or shower	10

2	Applicant aged 18 years and over without dependant children who is:	
	- Sharing a kitchen	5
	- Sharing a living room	5
	- Sharing a toilet	5
	- Sharing a bath or shower	5
3	Applicant aged 16 -18 years without dependant children who is:	
	- Sharing a kitchen	5
	- Sharing a living room	5
	- Sharing a toilet	5
	- Sharing a bath or shower	5
Overcrowding	Each bedroom short of criteria	10
	Lack of amenities and disrepair The applicant's current accommodation:	
1	is not free from serious disrepair	10
2	is not free from dampness which is prejudicial to the health of the occupants	10
3	does not have adequate provision for lighting, heating and ventilation	10
4	does not have an adequate supply of wholesome water	10
5	does not have satisfactory facilities for the preparation and cooking of food, including a sink with a satisfactory supply of hot and cold water	10

6	does not have a suitably located water closet (W.C.) for the exclusive use of the occupants	10
7	does not have, for the exclusive use of the occupants, a suitably located fixed bath or shower, each of which is provided with a satisfactory supply of hot and cold water	10
8	does not have an electricity supply	10
Time in housing need	This is only awarded to applicants with points on the Waiting List. 2 points per year (for a maximum of five years) after two years on the Waiting List	Up to 10
Section 4	Health and social well being	Points
	Functional matrix	Max 32
	Unsuitable accommodation	10
	Support/care needs matrix (only applicable to those applying for sheltered or supported housing)	
	Home management	Max 16
	Self care	Max 14
	Each Primary Social Needs factor (capped at 2 factors i.e. 2x20 points)	Max 40
	Each Other Social Needs factor	Max 40
	Complex needs (General needs housing)	20
	Under-occupation (transfer applicants only)	10 per extra room

The highest points awarded are for intimidation (200 points), statutory (full duty) homelessness (70), and other homelessness (50). Almost all other points awarded are much lower. However, they can accumulate to reflect circumstances where an applicant has high housing need.

All the points relate directly to housing and personal safety circumstances, rather than to non-housing issues, such as whether an applicant is a 'key worker', or contributes to society by volunteering. This should continue to be the case.

Proposal 7: - The removal of intimidation points from the Selection Scheme

How it works now

At present, the Selection Scheme awards intimidation points if:

1. The applicant’s home has been destroyed or seriously damaged (by explosion, fire or other means) as a result of:
 - a terrorist, racial or sectarian attack;
 - an attack motivated by hostility because of an individual’s disability or sexual orientation; or
 - an attack by a person who falls within the scope of the NIHE’s statutory powers to address neighbourhood nuisance or other similar forms of anti-social behaviour.

OR

2. The applicant cannot reasonably be expected to live, or to resume living in his or her home, because, if he or she were to do so, there would, in

the opinion of the housing officer, be a serious and imminent risk that the applicant or one or more of the applicant’s household would be killed or seriously injured as a result of terrorist, racial or sectarian attack, or an attack which is motivated by hostility because of an individual’s disability or sexual orientation or as a result of an attack by a person who falls within the scope of the Housing Executive’s statutory powers to address neighbourhood nuisance or other similar forms of anti-social behaviour.

In practice therefore, an applicant who is the victim of intimidation receives 290 points, even if, in all other respects, their housing circumstances are suitable for their needs:

Intimidation	200
Homelessness	+70
Primary Social Needs for violence/ threat of violence	+20
	290

The 200 intimidation points were intended to give that applicant priority over almost every other household on the waiting list. Victims of intimidation will usually rank highest on the waiting list for permanent housing ahead of others who may, for example, be living in poor housing conditions and may have been waiting much longer for a home.

REASONS FOR THE AWARDING OF INTIMIDATION POINTS

The number of households awarded intimidation points is relatively small. In 2015/16, 582 applicants presented

as homeless on grounds of intimidation, of which 414 were accepted as Full Duty Applicants. The majority of intimidation cases now result from paramilitary threats. Other categories of intimidation include anti-social behaviour and intimidation on grounds of a person’s racial identity, disability or sexual orientation. Although intimidation points were originally introduced because of sectarian violence related to ‘the Troubles’, only 6% of intimidation cases in the three years from 2013/14 to 2015/16 were categorised as sectarian.

Intimidation statistics (2013/14 to 2015/16)	
Intimidation - Anti-social behaviour	9.5%
Intimidation – Paramilitary	76.9%
Intimidation – Racial	5.4%
Intimidation – Sectarian	6.0%
Intimidation - Sexual orientation	2.1%

HOUSEHOLDS AWARDED INTIMIDATION POINTS

At 1st December 2015 the household breakdown of the intimidation case applicants on the waiting list was as follows:

Household Type	Total
Elderly	14
Large Adult	<10
Large Family	37
Single	188
Small Adult	19
Small Family	41

There is a high proportion of single person households (62%) among those found to have been intimidated. Applicants with intimidation points are mainly Protestant or Catholic and generally white.

Figures for 2014/15 show that 9% of those who have been intimidated are re-housed in the same Common Landlord Area they were recorded as living in prior to being re-housed.

ISSUES WITH INTIMIDATION POINTS

There have been media reports alleging the abuse of intimidation points to gain access to desirable properties. The Ulster University Report 1: ‘Current approaches to accessing and allocating social housing in NI’ (pages 23-24)⁶ found no verifiable evidence of intimidation points being abused.

HOW INTIMIDATION IS CURRENTLY ADDRESSED

The NIHE acknowledges that hate harassment has been identified as a current issue in Northern Ireland. NIHE promotes a clear and strong message that it will not tolerate hate crime in any form on its estates and will take appropriate action to effectively address and eradicate hate crime motivated by someone’s perceived ethnicity, sexual orientation, religion, political opinion, disability or gender identity.

Local Offices can help if a victim has no home, is in danger of losing their home or is afraid to go home because someone has been violent, or because of threats of violence likely to be carried out. Support can range from providing safe temporary accommodation, or advice and assistance on finding somewhere else to live.

⁶ www.communities-ni.gov.uk/publications/fundamental-review-social-housing-allocations-policy

The NIHE's Housing Solutions and Support service (referred to under Proposal 1 in this document) is being successfully used to support customers who have experienced hate crime and incidents, utilising the expertise of other agencies where appropriate.

In respect of its own tenants, the NIHE provides support to individual victims of hate crime to enable them to continue to hold their tenancy. Support will vary depending on tenants' needs and wishes, as well as a range of external factors and local circumstances. NIHE works in partnership with the Police Service of Northern Ireland (PSNI), local groups, and a range of other agencies to identify the level of any threat, the potential for repeat attacks and to see if a solution can be developed to support a tenant to sustain their tenancy.

NIHE also supports a range of initiatives to address hate harassment, anti-social behaviour and fear of crime in their estates. Examples of these are community safety warden schemes, street pastors, home security schemes, good morning services, diversionary activities, physical works to communal areas and intergenerational workshops.

Through partnership with the Northern Ireland Association for Care and Resettlement of Offenders (NIACRO), the NIHE provides a floating support service which provides assistance to people whose tenancy may be at risk due to harassment or intimidation.

The NIHE's "Safer Together" Community Safety Strategy 2015-2017 recognises the devastating impact that hate harassment can have on victims. The NIHE is committed to identifying and responding to hate incidents and, where possible, perpetrators will be dealt with through the NIHE's Anti-Social Behaviour (ASB) process.

If the intimidation takes the form of physical damage, the HIPA (Hate Incident Practical Action) Scheme is available across Northern Ireland to support victims of hate incidents in their homes. It is supported by the Department of Justice, the PSNI, the NIHE and the Department for Communities. The scheme is available to owner-occupiers, tenants in privately rented accommodation, NIHE properties and has recently been extended to cover Housing Association properties.

The proposal

We propose the removal of intimidation points from the Selection Scheme. This proposed change would not affect the current practice regarding urgent treatment of those experiencing intimidation. Where a person is considered to be in serious and imminent danger the NIHE would remove them from that danger and offer alternative accommodation on an emergency basis.

As currently, should the person wish to remain in their home or subsequently express a wish to return to their home, the NIHE would take all reasonable steps to facilitate this.

The aim is to address the immediate personal safety of the applicant and then address the applicant's housing need via the Selection Scheme.

This process is in line with other homeless applicants also in serious emergency housing need (e.g. victims of domestic violence or people with serious medical or

mobility needs which are not met in their current home).

We believe that the removal of intimidation points from the Selection Scheme would recognise the housing need of intimidated households in a fairer and more proportionate way.

People who have been made homeless through intimidation should continue to receive Primary Social Needs points (20) to recognise the trauma associated with violence or the fear of violence the applicant has experienced, in addition to homelessness points (70). In this way they would be treated similarly to other applicants who may have experienced equally traumatic circumstances, for example the loss of their home because of fire, flood or other disaster and who are assisted, alongside all other existing applicants, through the homelessness legislation and the Selection Scheme.

The evidence for proposal 7

NIHE'S 2011 PRELIMINARY CONSULTATION ON CHANGES TO THE SELECTION SCHEME

In 2011 the NIHE consulted on changing intimidation points. It highlighted the low proportion of 'historical' (i.e. sectarian) intimidation and stated that,

“an increasing proportion of cases are of a community based nature involving neighbourhood disputes or instances of anti-social behaviour which may have escalated to a more serious level. In such cases there may be alternative options for mitigating or resolving the problem, thereby supporting and enabling the applicant to remain in or return to their home.

A range of community safety measures have been put in place by the NIHE and its partner organisations to help address anti-social behaviour, neighbour disputes, harassment and intimidation issues through discussion, support, mediation and, in some cases, legal action.”⁷

The consultation called for a review of the points awarded but did not specify a removal or a reduction of points. The NIHE proposal to review intimidation points was well-received. Ulster University referred to the NIHE consultation and spoke to stakeholders. Ulster University Report 1: Current approaches to accessing and allocating social housing in NI (p55) summarised the view of stakeholders:

“The majority of stakeholders thought that priority should be given to those who had experienced a sudden or serious act which could cause threat to life or loss of home. These included fire and flood or those forced from their homes as a result, for example, of racial harassment, domestic violence or another threat to the person. Intimidation points in their current form should be removed and serious situations should be dealt with in a consistent manner.”

⁷ Page 9 at www.nihe.gov.uk/housing_selection_scheme_preliminary_consultation_paper.pdf

NIHE MODELLING OF THE IMPACTS OF REMOVING INTIMIDATION POINTS

To provide evidence to support this fundamental review of allocations, the Department asked NIHE to model the impacts of two key proposed changes: allocations on the basis of bands (see proposal 10); and the removal of intimidation points. A note on the key findings of NIHE's 2015 modelling exercise is available at Annex B, with further information on banding at Annex C and the NIHE full report at Annex D.

The NIHE carried out the modelling in three stages; considering the impact of:

1. Allocating from bands of applicants in similar levels of need by time on waiting list (see proposal 10)
2. The impact of either removing the 200 intimidation points altogether or reducing them significantly, from 200 to 40.
3. The impact of allocating from bands with intimidation points removed (see proposal 10).

This section will consider the 'stage two' modelling, i.e. isolating the impact of the removal or reduction of intimidation points.

Actual allocations and waiting lists in three areas were examined:

- An urban area (high demand);

- An urban area (low demand); and
- An urban area (with rural hinterland).

The NIHE looked at allocations over a two-month period and identified any allocations which went to applicants with intimidation points. They then considered which households would have received an allocation if intimidation points had no longer been part of the Selection Scheme.

To do this, two circumstances were considered:

- i. if intimidation points were removed from all applicants who had been awarded them, and
- ii. if the intimidation points award was much lower, i.e. 40 instead of 200 (so 160 points were removed from all applicants who had been awarded intimidation points).

All applicants kept all other points, including (for those who had been intimidated) the 70 homelessness points and 20 points awarded for violence/ threat of violence at their address. The researchers then used the actual waiting list at the time the real-life allocation was made to go through every case and identify which applicant would have received an allocation if intimidation points were removed or reduced. There were only four intimidation cases allocated in the high demand urban area in the study period and one in the lower demand urban area.

There were none in the area with a large rural hinterland.

(Note that the researchers had no access to information about offers made to applicants that were refused. There were 28 applicants with intimidation points on the waiting list in the high demand

urban area at the time of the study.)

The following cases, using real-life applicants who were allocated a home or were on the waiting list, demonstrate who actually got the allocation as per the current scheme, and who would have got the allocation using the proposed scheme.

The Modelling Research: What happens now and what we propose




CASE 1

Household	Housing Points	What happens now	What we propose
Applicant 1  Age: 26-59 No dependants Applied 2013	70 Homeless 20 Primary Social Needs - Fear of Violence 10 Social Needs - access to children + 200 Intimidation Points awarded <hr/> 300	 300 HOUSE ALLOCATED	 100 REMAINS ON LIST
Applicant 2  Age: 16-25 1 dependant Applied 2011	70 Homeless 40 Overcrowding 10 Social Needs - remaining person's health 40 Family sharing kitchen & Living Room & WC & Bathroom 06 Time in Housing Need 18 Possible Functionality + 40 Other social needs <hr/> 224	 224 REMAINS ON LIST	 224 HOUSE ALLOCATED






CASE 2

Household	Housing Points	What happens now	What we propose
Applicant 1  Age: 18-25 No dependants Applied 2014	70 Homeless 20 Primary Social Needs - Fear of Violence 20 Over 18 sharing Kitchen & Living Room & WC & bathroom + 200 Intimidation Points awarded <hr/> 310	 310 HOUSE ALLOCATED	 110 REMAINS ON LIST
Applicant 2  Age: 26-59 1 Dependant Applied 2009	70 Homeless 20 Interim Accommodation 20 Primary Social Needs - Violence 40 Other Social Needs 40 Family sharing Kitchen & Living Room & WC & bathroom 20 Overcrowding 10 Lack of amenities - no light / heat / ventilation + 08 Time in housing need <hr/> 228	 228 REMAINS ON LIST	 228 HOUSE ALLOCATED







CASE 3

Household	Housing Points	What happens now	What we propose
Applicant 1  Age: 26-59 No dependants Applied 2013	70 Homeless 10 Overcrowding 10 Social Needs - Access to Children 20 Over 18 sharing kitchen & living room & WC & bathroom 02 Time in housing need + 200 Intimidation Points awarded <hr/> 312	 312 HOUSE ALLOCATED	 112 REMAINS ON LIST
Applicant 2  Age: 26-59 1 Dependant Applied 2009	70 Homeless 20 Interim Accommodation 20 Primary Social Needs - Violence 40 Other Social Needs 40 Family sharing Kitchen & Living Room & WC & bathroom 20 Overcrowding 10 Lack of amenities - no light / heat / ventilation + 08 Time in housing need <hr/> 228	 228 REMAINS ON LIST	 228 HOUSE ALLOCATED

CASE 4

Household	Housing Points	What happens now	What we propose
Applicant 1  Age: 18-25 No dependants Applied 2013	70 Homeless 20 Over 18 sharing kitchen & living room & WC & bathroom + 200 Intimidation Points awarded <hr/> 290	 290 HOUSE ALLOCATED	 90 REMAINS ON LIST
Applicant 2  Age: 18-25 No dependants Applied 2008	70 Homeless 20 Primary Social Needs; harassment/ fear of violence 10 Other Social Needs; remaining persons health 20 Complex needs 40 Family sharing Kitchen & Living Room & WC & bathroom + 10 Time in housing need <hr/> 170	 170 REMAINS ON LIST	 170 HOUSE ALLOCATED

CASE 5

Household	Housing Points	What happens now	What we propose
<p>Applicant 1</p>  <p>Age: 26-59 No dependants Applied 2014</p>	<p>70 Homeless 30 Other Social Needs 20 Complex Needs + 200 Intimidation Points awarded</p> <hr/> <p>320</p>	 <p>320 HOUSE ALLOCATED</p>	 <p>120 REMAINS ON LIST</p>
<p>Applicant 2</p>  <p>Age: 60+ No dependants Applied 2014</p>	<p>70 Homeless 10 Social Needs -socially isolated 28 Functionality Points (includes wheelchair dependency) 40 Other Social Needs + 20 Possible Area Points for social needs</p> <hr/> <p>168</p>	 <p>168 REMAINS ON LIST</p>	 <p>168 HOUSE ALLOCATED</p>

NOTE:

For reasons of confidentiality / anonymity / data protection the reason for all points awarded was not visible to the researchers. It is also unclear to the researchers if the applicant who actually received the allocation was homeless prior to the intimidation incident or not.

It is clear from the research and the case studies above that if intimidation points had been removed:

- In all cases, a different applicant in a high level of housing need would have received the allocation;
- The applicant who would have received the home had a larger range of housing issues and needs than the applicant with intimidation points;
- The applicant who would have received the home had waited much longer than the applicant with intimidation points; and
- In most cases the applicant who would have received the home had a dependant living with them, while the applicant with intimidation points did not.

The sample size of this exercise was small and therefore not necessarily representative of allocations as a whole. However, as proof of principle it confirms that the removal of all intimidation points:

- meets the policy intent of treating equally all homeless applicants in similarly traumatic circumstances; and
- should provide that those in greatest objective housing need receive priority, by ensuring that personal safety matters do not override unsatisfactory housing circumstances.

ADDITIONAL EVIDENCE

The NIHE provided a snapshot of the points level of applicants with intimidation points on the waiting list at 1 November 2015.

Intimidation Cases	
Points Band	Total Cases
360 points	17
320 – 359 points	74
< 319 points	186
Grand Total	277

This shows that one third of applicants with intimidation points have high points awards (320 or more). This means that in addition to the intimidation they are in housing stress. The remaining two thirds have less than 320 points; which includes 290 points to reflect the intimidation and highlights that they have less than thirty points for other housing reasons.

WHAT TENANTS THINK

The NIHE surveyed 100 recently-allocated tenants about the priority that should be given to applicants in different housing circumstances. Applicants who need to move to ensure their safety from domestic violence and those who need to move

because their home is unliveable (e.g. through fire), were regarded as “essential” ahead of those who need to move because they were threatened with intimidation. However, those threatened with intimidation were considered “high priority” by many (see Annex A).

Expected outcome of proposal 7

This proposal should contribute to the following high level outcome:

- A more accurate list that reflects current housing circumstances.

By continuing to award homelessness points and primary social needs points, this proposal continues to reflect the high priority of intimidation. However, the proposal ends the over-riding priority (i.e. 200 points) that intimidation currently

takes over similarly serious and enduring circumstances.

Removing intimidation points from the Selection Scheme would meet the objective of greater parity with other applicants in serious emergency housing need. This should recognise the housing need of intimidated households in a fairer and more proportionate way.

Proposal 8: - Points should reflect current circumstances for all applicants

How it works now

INCREASING AND DECREASING POINTS

When an applicant reports a change in their circumstances, such as a change in address or a change in household composition, the NIHE carries out a reassessment.

Following a reassessment an ordinary housing applicant can have points either added or taken away. However, a Full Duty homeless applicant can only have points added and never taken away. This is known as the 'No Detriment' policy.

Example:

If an applicant moves from self-contained accommodation into accommodation which they are sharing with others or where there is overcrowding their points would increase.

If that same applicant later moves to accommodation where there is no overcrowding the points would be removed if they are an ordinary applicant. Their points would not be removed if they are a Full Duty Applicant.

This 'No Detriment' policy is not set out in the rules of the Selection Scheme. It is a custom and practice which began with the introduction of the current Selection Scheme in November 2000. The rationale for this was to recognise the applicant's housing/homelessness journey, and to assist in discharging the statutory duty in a reasonable period of time.

WITHDRAWING POINTS

For ordinary applicants points may be withdrawn. However, points awarded to those found to be Full Duty Applicants (homeless) may not be withdrawn. The statutory duty may be discharged in the following circumstances:

- (a) When the applicant has been rehoused;
- (b) When the applicant has refused three reasonable offers; or
- (c) When the applicant has withdrawn the application.

The Selection Scheme works on the principle of allocating homes to people in the greatest housing need. Therefore, points awarded

under the Selection Scheme should reflect the applicant's current circumstances. However, as the examples show, the 'no detriment' policy means that an applicant who has been awarded Full Duty Applicant status can be on the waiting list with points accumulated from previous assessments or

even points awarded in error. Their points may reflect their historic, not their current, circumstances. Those applicants whose circumstances have improved may have priority over applicants who are currently in poorer circumstances.

The proposal

A new rule should be introduced to provide for the reduction or withdrawal of points where appropriate. The new rule should make it clear that points that have been awarded (or keyed) incorrectly shall be removed and the applicant notified.

The current 'No Detriment' policy of protecting a Full Duty Applicant's points, other than those detailed below, should cease. At all changes of circumstances the applicant should be reassessed and given points appropriate to their current circumstances. This means points may be awarded or withdrawn.

However some points are personal to the applicant (or a member of the applicant's household) and are awarded for serious circumstances. These points are known as Primary Social Needs points. We recognise that the factors for these points are a one-off award and cannot be removed.

These are awarded where the applicant or a member of the applicant's household is experiencing or has experienced:

1. violence or is at risk of violence including physical, sexual, emotional or domestic violence or child abuse; or
2. harassment, including racial harassment, and there is a fear of actual violence; or
3. fear of actual violence for another reason, and the applicant is afraid to remain in his or her current accommodation; or
4. distress/anxiety caused by recent trauma which has occurred in the applicant's current accommodation.

This should ensure that all applicants receive points according to their current housing circumstances.

The evidence for proposal 8

NIHE identified the need for this change to ensure the effective operation of the Selection Scheme. To properly reflect housing need and ensure accordance with

the Selection Scheme, the allocation of social housing should always be based on applicants' current circumstances.

Expected outcome of proposal 8

This proposal should contribute to the following high level outcome:

- A more accurate waiting list that reflects current housing circumstances.

It should make the Selection Scheme fairer and more transparent to applicants as they know they will be assessed on their current circumstances. This should maintain a focus on prioritising current housing need.

Proposal 9: - The removal of interim accommodation points from the Selection Scheme

How it works now

Under the current Selection Scheme Full Duty Applicants (homeless) are awarded 20 additional points if they have spent six months in temporary accommodation which is arranged by the NIHE under the Homelessness legislation.

Under the 'No Detriment' policy these points are retained by the applicant, even if they move to other accommodation at a later date (see proposal 8).

The points are not awarded to those applicants who arrange temporary accommodation themselves (whether with family or friends or in a short term private sector lease) or those applicants who remain 'homeless at home' because their accommodation is unreasonable for them to occupy.

REASON FOR AWARDING INTERIM POINTS

The points were introduced to recognise the additional stress associated with living in temporary accommodation. At the time

the points were introduced, temporary accommodation mostly involved sharing facilities such as bathrooms, kitchens and living areas with other people not in the applicant's household. The points were awarded after six months to recognise the length of time living in such circumstances and to improve the re-housing prospects of applicants experiencing homelessness. The points were intended to make it easier for applicants to move on and avoid expensive temporary accommodation provision getting full up.

The evidence set out below suggests that interim points are not resulting in households being allocated a home more quickly than the average applicant. There have also been concerns that this approach is inequitable particularly for those homeless households who arrange their own temporary accommodation.

The proposal

Interim Accommodation Points should be removed from the Selection Scheme.

The removal of interim points from the Selection Scheme would recognise the housing need of all those requiring temporary accommodation in a fairer and more proportionate way.

The fundamental issue is the length of time that people who are accepted as homeless await permanent re-housing. Rather than providing some applicants with 20 points after spending 6 months in temporary accommodation, the Department believes that housing need is more effectively addressed through the following proposals:

- the length of time spent waiting in temporary accommodation (whether provided by the NIHE or sourced by the applicant) should be recognised solely by time waiting rather than points; namely, by allocating to the applicant

in the highest band who has waited longest (see Proposal 10);

- Full Duty Applicants should be regularly assessed as part of the Housing Solutions and Support approach (see Proposal 1) so that their current circumstances are assessed and they are kept informed of the options available to them; and
- increasing the choice of areas for all applicants (see Proposal 5) provides greater opportunities to find suitable accommodation more quickly.

The NIHE's Homelessness Strategy for NI 2017-22, "Ending Homelessness Together" includes a commitment to develop a Temporary Accommodation Provision Strategy, with a view to providing the right mix of accommodation for the needs of clients.

The evidence for proposal 9

In 2011/12, the NIHE’s preliminary consultation on changes to the Selection Scheme identified a number of aspects of the scheme which could benefit from modernisation. With regard to homeless applicants in temporary accommodation it was proposed “that additional Interim Accommodation Points should be awarded incrementally to recognise time spent in temporary accommodation by those applicants who are owed the full statutory housing duty under the homelessness legislation (Full Duty Applicants; FDAs)”. In the main, respondents stated interim points should be awarded to all statutory homeless applicants and should be made on an incremental basis. Interim accommodation points were subsequently raised as an area of concern by stakeholders in the Ulster University Report 1: Current approaches to accessing and allocating social housing in NI (2013, page 57) in relation to the nature and weighting of housing need criteria. Of particular note was the view that “the current number of points awarded makes little or no difference to their chances of being re-housed.”⁸

Stakeholders again suggested to incrementally increase the award and to include those whose temporary accommodation was not provided by NIHE.

Respondents also felt that recognition should be taken of the improving nature of temporary accommodation and the significant move away from B&B and shared hostel provision to self-contained accommodation in the private rented sector.

The University of Ulster’s Final Report recommendations focused on moving from a points-based system to a banded system to prioritise applicants, and therefore the issue of interim points within the current scheme was not directly addressed.

As part of the equality screening process for the review of the social housing allocations policy, the Department compared applicants with interim accommodation points with all applicants on the waiting list (see Annex B of the Equality Screening at www.communities-ni.gov.uk/allocations-review).

⁸ www.nihe.gov.uk/housing_selection_scheme_preliminary_consultation_paper.pdf and www.communities-ni.gov.uk/publications/fundamental-review-social-housing-allocations-policy

The screening exercise showed that almost all households with interim accommodation points are waiting longer than the average, both in terms of time on the waiting list and time waited to receive an allocation. There may be wider reasons for this, such as housing supply and changing demographics. However, it appears that under the current scheme, interim accommodation points do not mean that applicants experience shorter waiting times.

The Department considered the available options as follows:

Removal of interim accommodation points

- Whilst these points add to the priority status of this group, awarding 20 points is not having the desired effect: households in temporary accommodation are waiting longer than the average for an allocation.
- The removal meets the aim of awarding points equally to all who are statutorily homeless.
- An alternative way of prioritising is to allocate to the applicant in the highest band who has waited longest (see proposal 10). This gives more recognition to time waiting and may offer effective outcomes for those in temporary accommodation.

Retaining the points with an incremental increase in points the longer an applicant has waited

- This would ensure that those who have waited longest receive an increased level of priority.
- However, it would not address the current unfairness whereby those who source their own accommodation do not receive these points.

Extending the points to all applicants whether placed in temporary accommodation by the NIHE or self-arranged

- This would be fairer to those in high housing need who source their own accommodation.
- It would not necessarily benefit those most in need: it could simply have the effect of increasing the points awarded to all Full Duty Applicants, and may not work to prioritise those in greatest housing need.
- It may not resolve the issue of households spending long periods in temporary accommodation without receiving the offer of a home.

WHAT TENANTS THINK

The NIHE asked 100 recently-allocated tenants how long they had waited for an allocation:

- 29% had waited 6 months or less;
- 41% had waited 6 months to 1 year;

- 13% had waited 1-2 years;
- 9% had waited 2-5 years;
- 5% had waited more than 5 years; and
- 3% could not recall or did not know.

The NIHE asked the same people what level of priority should be given to different applicants. They responded that allocations were essential in the following circumstances:

- Domestic violence and emergencies (34%);
- Intimidation (28%); and
- Medical / mobility reasons (21%).

Living in temporary accommodation was less likely to be considered 'essential' (17%), although many (50%) thought it should receive high priority; when asked about 'homeless applicants staying with friends or family', 14% considered this group 'essential', while a further 38% thought they should receive high priority. This suggests that people perceive homelessness as a high priority whether or not applicants are in temporary accommodation or staying with family and friends.

For full details see Annex A.

Expected outcomes of proposal 9

This proposal should contribute to the following high level outcomes:

- A more accurate waiting list that reflects current housing circumstances.
- Those in greatest housing need receive priority, with recognition of their time in need.

By removing Interim Accommodation Points those homeless applicants who opt for other temporary accommodation (i.e. not arranged by the NIHE) would no longer be treated less favourably.

The high level of need of people who are homeless should continue to be reflected in the 70 Full Duty Applicant points and points for individual housing circumstances. Our proposal for greater recognition of time waiting through banding, combined with points should deliver the outcome that those waiting longest in high levels of need will have a greater likelihood of receiving an offer of a social home.

Other points within the Selection Scheme should remain unchanged

It is not proposed to change any other elements of the current points scheme, unless there are impacts from other proposals within this consultation.

UNSUITABLE ACCOMMODATION POINTS

As part of this review, we considered a proposal previously consulted upon by the NIHE, to increase the points awarded for unsuitable accommodation. The aim was to avoid the need for a homelessness assessment in some cases.

In the Selection Scheme, applicants can receive 10 'Unsuitable Accommodation' points. These are awarded where an applicant (or a member of their household) has difficulty getting access to their current accommodation which is above ground floor level and not served by a lift. Alternatively, ten points are awarded for unsuitable accommodation where a second person in the household is over a threshold of points for mobility in their current accommodation. **These points do not relate to the fitness or condition of the accommodation itself.** They assess an applicant's mobility needs for more easily accessible accommodation.

Points relating to the fitness or condition of accommodation are available in the 'lack of amenities and disrepair' part of the Selection Scheme for housing that is unfit (e.g. it is damp, or lacking a water or electricity supply).

NIHE's Housing Solutions Support Service and the proposed housing advice service (Proposal 1) will provide ongoing support throughout a tenancy. For applicants awarded unsuitable accommodation points, this will help them identify alternative accommodation or appropriate interventions/support to remain in their current home.

We believe that, in the context of the wider proposals for change, this service is a more appropriate method to address unsuitable accommodation than a points change.

ALLOCATION STAGE PROPOSALS

What is the allocation process?

When a property becomes available (or is about to be) the Housing Officer will:

- consider who has applied for and is eligible for that size of property in that area.
- usually offer the property to the applicant with the highest points for whom the property is suitable (i.e. in the applicant's area of choice and with the correct number of bedrooms).

If the applicant accepts the property, that completes the allocation and they will become the new tenant. If they do not accept, it will be offered to the applicant who has the second-highest points and so on.

It is not always quite as straightforward as allocating the property to the highest-pointed applicant. The property may go to a transfer applicant with fewer points, if so

doing enables a chain of moves that will ultimately house an applicant with greater housing need. The property might be allocated to a 'management transfer'- an applicant who needs to move for specified housing management reasons, for example if their house is in a redevelopment area.

Some properties are difficult to let, in other words they have to be offered to many applicants before someone accepts. This is not satisfactory as the landlord loses rental income and a property lies empty when it could be meeting housing need. In such circumstances the landlord can decide to allocate by multiple offers. This means they ask up to ten applicants at a time to express an interest in a property. The property is allocated to the applicant with the most points who expresses an interest.

A focus on meeting need

Despite the many new social homes that are built each year, it is still the case that there are not enough social homes to meet demand. The total number of applicants on the waiting list (with no existing NIHE or Housing Association tenancy) at 31 March 2016 was 37,586. Of these, 22,645 applicants were in housing stress, i.e. they had more than 30 points under the Selection Scheme. The number of properties allocated by the NIHE and Housing Associations to applicants on the waiting list who were not already social sector tenants was 7,805 (73% of total allocations) in 2015-16. In comparison, the number of properties allocated by the NIHE and Housing Associations to tenants who had applied for a transfer from an existing tenancy was 2,897 (27% of total allocations).⁹

The Department has been proactive in increasing the supply of social housing. Substantial amounts of investment were directed to the delivery of new social homes during the 2011-2016 mandate and 8,000 new starts were delivered. However, even the most ambitious building programme will leave some demand unmet. In that context it is important that allocations work as efficiently and quickly as possible to house applicants in the greatest need. Even if a property is low-demand, it is important that the time spent empty is minimised.

This section includes proposals which should make it quicker and easier to let properties to the applicant in most need, particularly where applicants in high need have been waiting a long time for an allocation.

The Key Proposals are:

10. The Selection Scheme should place applicants into bands based on similar levels of need to meet longstanding housing need more effectively.
11. The Selection Scheme should always align the number of bedrooms a household is assessed to need with the size criteria for eligible Housing Benefit customers.

⁹ DfC NI Housing Statistics 2015-16 page 56 www.communities-ni.gov.uk/publications/northern-ireland-housing-statistics-2015-16

12. For difficult-to-let properties: Social landlords should be able to make multiple offers to as many applicants as they think necessary.
13. For difficult-to-let properties: Social landlords should be able to use choice-based letting.
14. For difficult-to-let properties: Social landlords should be able to go direct to multiple offers if they have evidence that a property will be difficult to let.
15. An applicant may receive two reasonable offers of accommodation.
16. Social landlords may withdraw an offer of accommodation in specified circumstances.
17. Social landlords can withhold consent for a policy succession or assignment to a general needs social home in limited circumstances where there is evidence an applicant needs it.
18. Social landlords can withhold consent for a policy succession or assignment of adapted accommodation or purpose-built wheelchair standard accommodation where there is evidence an applicant needs it.
19. Updating the Selection Scheme to bring it in line with developments in Public Protection Arrangements Northern Ireland.
20. Specialised properties should be allocated by a separate process outside the Selection Scheme.

Proposal 10: - The Selection Scheme should place applicants into bands based on similar levels of need to meet longstanding housing need more effectively

The principle of the Selection Scheme is that homes should be allocated to the households in greatest need. The evidence suggests that some households with high levels of need are waiting for long periods of time, particularly in high-demand areas (see Annex B for a note on the key findings of NIHE's 2015 Modelling Exercise). The Selection Scheme needs to address this more effectively.

The objective measurement of need by points is recognised as a strength of the

current Selection Scheme. However, there is a disadvantage to allocating purely according to points. An applicant in high need who has waited a long time for a social home can be overtaken by new applicants who may only have a few more points. The proposal to group applicants with similar levels of need (still measured objectively by points) should allow greater weight to be given to the amount of time an applicant has been in housing need.

How it works now

Currently when a social home becomes available for an allocation it will generally be offered to the relevant applicant with the most points (with reference to suitable size and area of choice).

Waiting time is given fairly low priority in the current Selection Scheme, with only two points per year (for a maximum of five years) awarded to applicants in housing


need after they have spent two years on the waiting list.

While it is right that allocations should prioritise need, there is a concern that applicants in high levels of need are spending a long time on the waiting list because recent applicants with more points constantly 'overtake' them.

The proposal

When an applicant (or a transfer applicant) applies for a social home (or an existing applicant has a change of circumstances) their need should continue to be assessed using the points system. Their points should then be used to place them into a band with other applicants who have a similar level of points (need). The Department suggests the following band boundaries, to reflect households with:

- No housing need (0 points);
- Some need, but not in housing stress (1-29 points);
- Housing stress, but below the level of 70 points awarded to Full Duty Applicants (30-69 points);
- housing need (70-99 points);
- a high level of housing need (100-129 points); and
- a very high level of housing need (130+ points).

Bands	Housing need
130 points plus	
1100-129 points	
70-99 points	
30-69 points	
1-29 points	
0 points	

Ulster University's Report 1 (page 71)¹⁰ included data on housing applicants by number of points. This gives an approximate indication of how many households might be in each of the Department's proposed bands. (Note: data is not available for 100-129 and 130+ points.)

Points	No. of Households	%
0	8,090	19
1-29	11,106	27
30-69	8,913	21
70-99	5,129	12
100-149	6,779	16
150+	1,854	4

Under the new system when a property becomes available it should go to the applicant who has waited the longest in the highest need band. To maintain the importance of waiting times, there should be special rules for how to deal with change of circumstances. If the applicant's points put them in a lower band they should keep the application date they had in the higher band. If their points put them

in a higher band the date used to decide allocation should be the date that their circumstances changed.

Need should still be measured objectively, but applicants who have waited a long time should be allocated homes before newer applicants with a broadly similar level of need.

¹⁰ Data as at 1 January 2013. www.communities-ni.gov.uk/publications/fundamental-review-social-housing-allocations-policy

Applicant A



2008: Awarded 130 points



Applicant B



2014: Awarded 140 points

SUITABLE PROPERTY BECOMES AVAILABLE IN 2018

Under the current system Applicant B would be offered the property

Under the proposed system Applicant A should be offered the property - This is because they have waited longer in the 130+ band



Under our proposal, an applicant awarded 130 points in 2008 would be offered an allocation **before** an applicant who was awarded 140 points in 2014. This is because their level of need is similar but the first applicant has waited longer at that level of need.

If this Proposal is adopted the current points awarded for Time in Housing Need would be removed from the Scheme. Transitional measures for applicants with these points will be considered during implementation.

The evidence for proposal 10

Ulster University recommended that Northern Ireland should have a ‘banding’ system. These systems are quite common in Great Britain and the Republic of Ireland. Applicants are usually placed in bands according to broad written descriptions of their needs. Social homes are offered to the applicant in the appropriate band who has been waiting the longest.

There was some support for this proposal when the Ulster University recommendations were published. There was also concern that a banded system may not accurately reflect objective levels of need. Some respondents thought that points better measured the difference between individuals’ circumstances. Other respondents felt that bands would be better because similar need is grouped and then offers are made in date order.

Our proposed hybrid system uses points instead of the more commonly-used written descriptions to place people in bands. This proposal attempts to gain the benefits of points (objective measurement of need) with the benefit of bands (recognition of waiting time for applicants in similar levels of need).

NIHE MODELLING OF THE IMPACTS OF BANDING, USING A COMBINATION OF POINTS AND TIME ON WAITING LIST

The Department asked NIHE to model the impacts of two key proposed changes: allocations on the basis of bands and the removal of the intimidation points. They carried out the modelling in three stages; considering the impact of:

1. Allocating from bands of applicants based on similar levels of need by time on the waiting list.
2. Either removing the 200 intimidation points altogether or reducing them significantly, from 200 to 40 (proposal 7).
3. Allocating from bands with intimidation points removed.

The focus of this section is stages one and three, i.e. the impact of using bands, and using bands combined with removal of intimidation points.

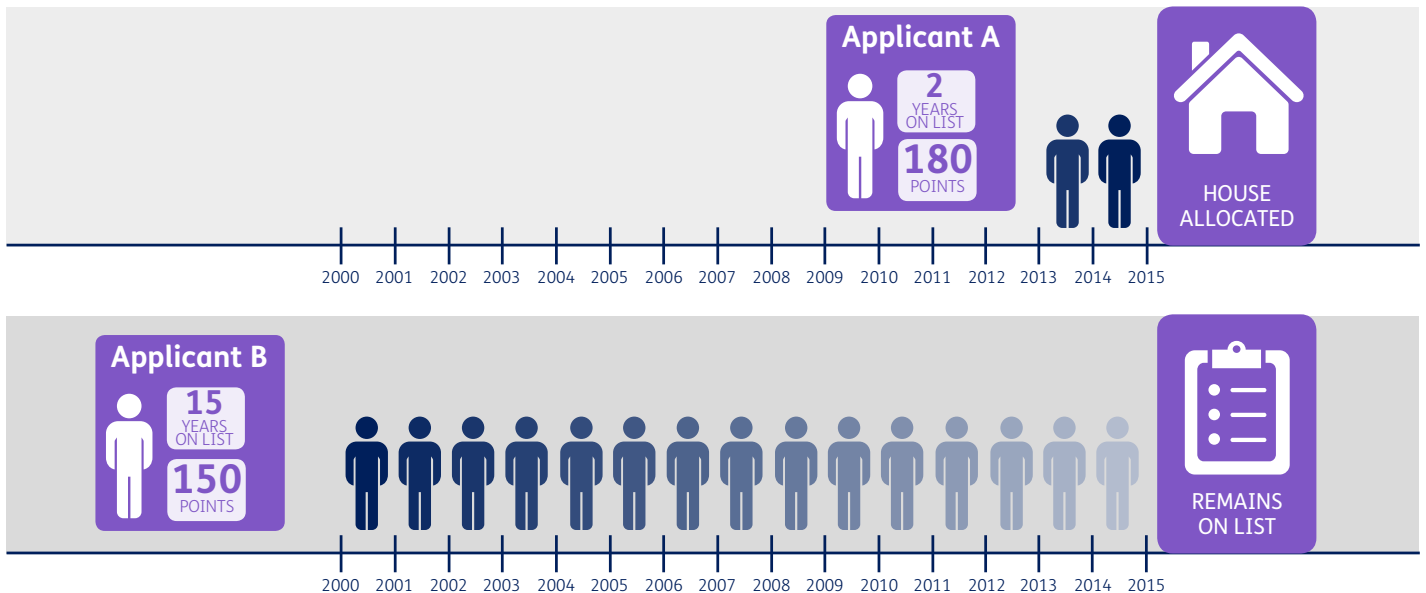
The NIHE compared the actual allocations made over a month in 2015 to the allocations that would have been made if bands (using a combination of points and time on waiting list) had been in

place. NIHE looked at three areas with the following characteristics:

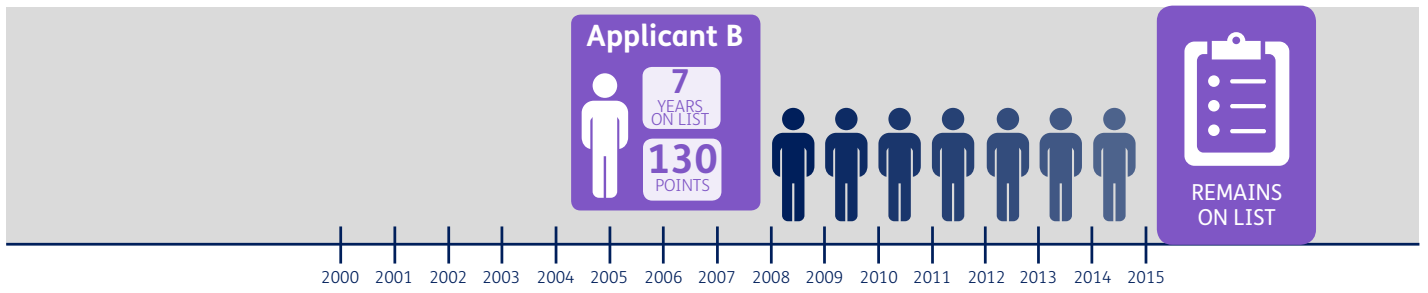
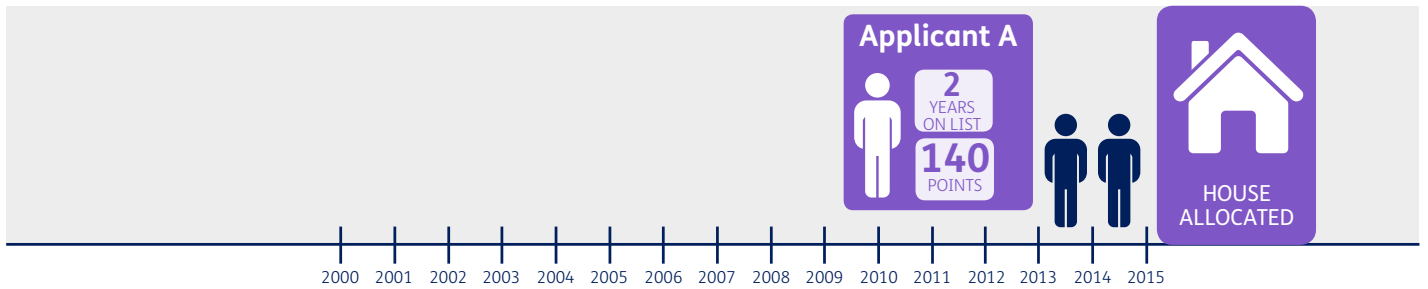
- An urban area (high demand);
- An urban area (low demand); and
- An urban area (with rural hinterland).

The following example cases - of real-life applicants who were allocated a home or were on the waiting list - illustrate how the current scheme works. A note on the key findings of NIHE's 2015 modelling exercise can be found in Annex B and detailed results of the NIHE 2015 modelling exercise for banding in Annex C.

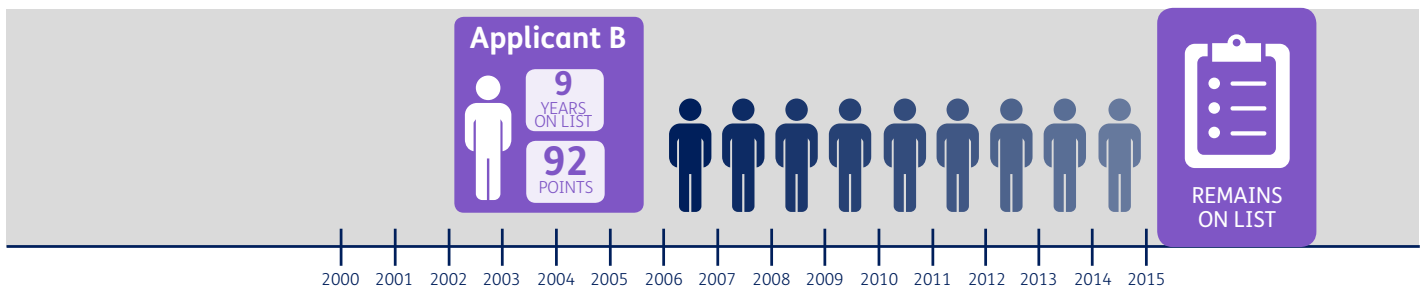
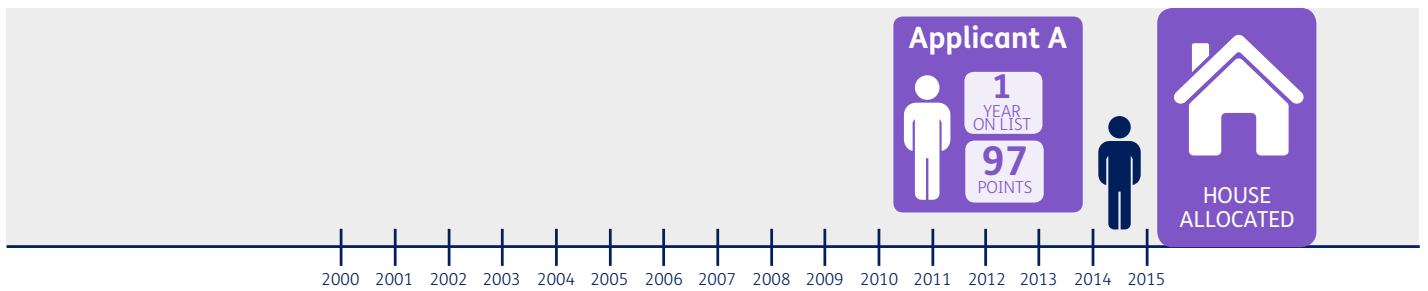
Case Studies: How the current scheme works



Under the current scheme Applicant A received a home with 180 points. Despite 15 years on the list, Applicant B did not have enough points to move off the list. Applicant B will not necessarily move closer to allocation, as any applicant with more points will receive an allocation ahead of them.



Under the current scheme Applicant A received a home with 140 points. Despite 7 years on the list, Applicant B did not have enough points to move off the list. Applicant B will not necessarily move closer to allocation, as any applicant with more points will receive an allocation ahead of them.



Under the current scheme Applicant A received a home with 97 points. Despite 9 years on the list, Applicant B did not have enough points to move off the list. Applicant B will not necessarily move closer to allocation, as any applicant with more points will receive an allocation ahead of them.

The sample size of this exercise was small and not necessarily representative of allocations as a whole. However, broadly speaking the modelling exercise confirmed that this proposal would work as intended to increase the importance given to time spent waiting in housing need. Waiting time alone would not guarantee an allocation in a high-demand area, as the applicant would need to be in a high enough band.

In the high-demand urban area:

- The scale of the proposed change (i.e. giving greater priority to people who have waited for a long time) was particularly marked.
- The person who got the house generally had more points.
- On average, across one month's allocations, the person who would have got the house under the bands system had waited ten years longer than the actual applicant.

In the low-demand urban area:

- The impact was more muted with 9 cases where the person who would have got the house under the new scheme being the same as the person who got the house.
- In the remaining 20 cases, the person who would have got the house under the new scheme had been on the waiting list on average for two and a half years longer than the person who got the house.

In the urban area with rural hinterland:

- The person who would have got the house under the new scheme had waited on average three years longer than the person who got the house.

In both the low-demand urban and the urban area with rural hinterland locations:

- The points difference between the person who would have got the house under the new scheme and the person who got the house were generally very low, but the person who would have got the house under the new scheme had waited years longer.

In its report on the modelling exercise (Annex D), NIHE recommended that it would be appropriate to conduct further, more comprehensive modelling; perhaps in one of their busier local offices.

The Department believes that this proposal:

- Maintains the principle of allocation on the basis of greatest need but allows for consideration of the time spent at that level of need; and
- Delivers the precise assessment of need of the points system, but should address the impact of the current Selection Scheme, where some applicants are experiencing very long waiting times, despite being in a high level of need.

WHAT TENANTS THINK

The NIHE interviewed 100 recently-allocated tenants and 67% agreed that people who had spent a long time waiting for a home should be allocated ahead of other applicants with similar levels of need. For full details see Annex A.

Expected outcome of proposal 10

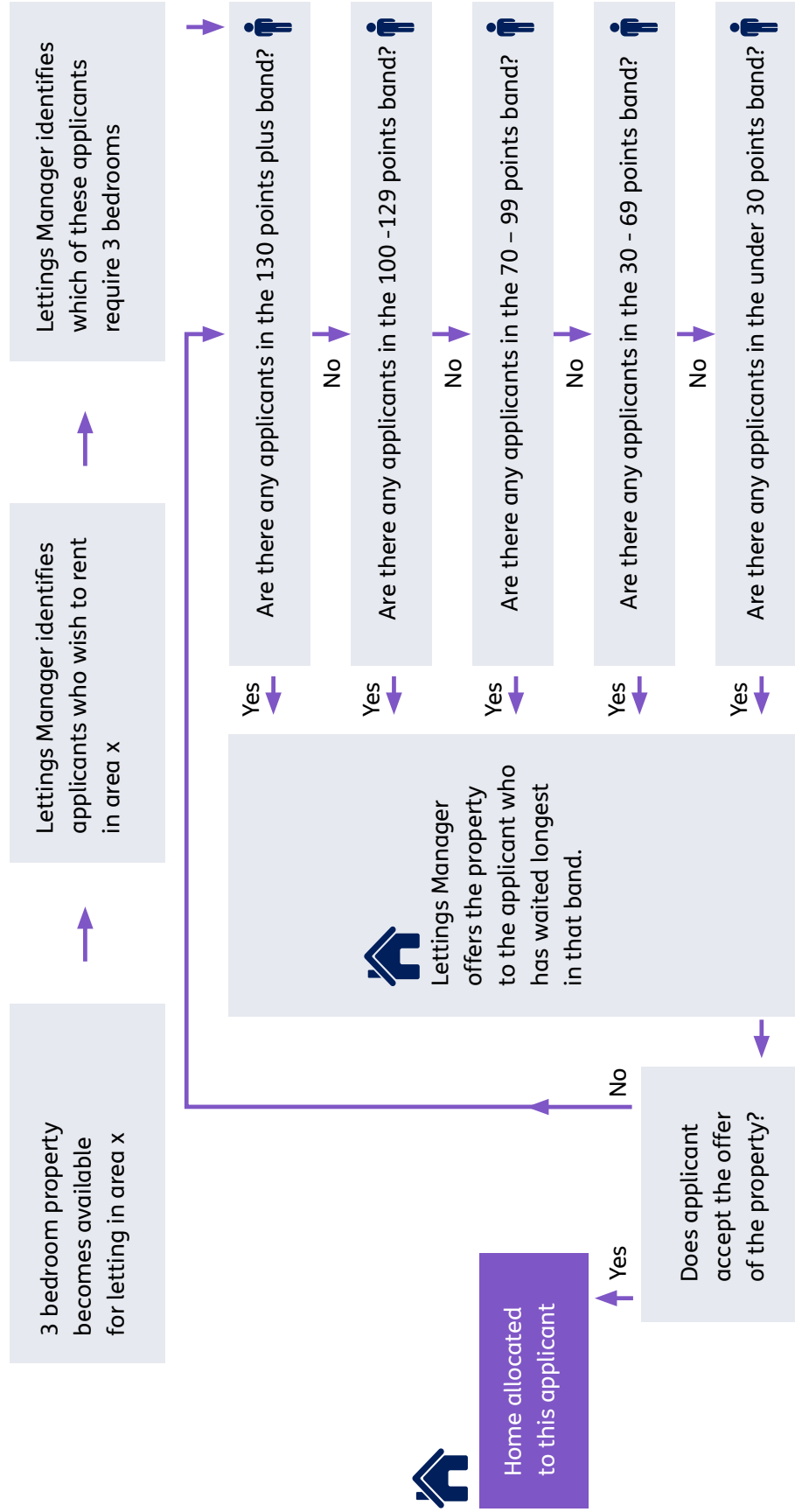
This proposal should contribute to the following high level outcome:

- Those in greatest housing need receive priority, with recognition of their time in need.

This measure should give greater priority to those applicants who have spent the longest time in a high degree of housing need. If this proposal is implemented, it should mean that over time, there should be a reduction in the number of applicants in high need who have been waiting a very long time.

Allocations System - A simplified model of allocations with banding system

Note: This is not a systematic, step-by-step description of what would actually happen but it captures the relevant factors.



Proposal 11: - The Selection Scheme rules should always align the number of bedrooms a household is assessed to need with the size criteria for eligible Housing Benefit¹¹ customers

This means:

- The ages at which children are expected to share a bedroom in the Selection Scheme should match the sharing ages for Housing Benefit / Universal Credit purposes;
 - The criteria for when an extra bedroom is required in the Selection Scheme should match the criteria for Housing Benefit / Universal Credit purposes;
 - In the future, the Selection Scheme should be updated so that the size criteria continue to match those used for Housing Benefit / Universal Credit purposes;
 - All of the above will determine how many rooms a household is determined to need;
 - This proposal only relates to how the number of bedrooms a household will need is determined;
- It is not proposed to:
 - treat applicants differently depending on whether or not they receive help with housing costs (such as Housing Benefit or the housing costs of Universal Credit);
 - treat applicants differently depending on whether or not they are eligible to receive help with housing costs; or
 - only place applicants in accommodation that is at the bedroom requirement.
 - At allocation stage social landlords can determine, in discussion with applicants, whether flexibility is appropriate (either for the reasons set out below, or for other reasons). This means that households may continue to be allocated a home larger than their needs, if this is appropriate.

¹¹ Or the Housing Cost element of Universal Credit

How it works now

The Selection Scheme sets out the number of bedrooms a household needs, referred to as the Bedroom Standard. Currently this means that two children of different genders are expected to share a bedroom up to the age of 7 years, while children of any age of the same gender are expected to share a bedroom up to the age of 18 years.

LANDLORDS CAN ALLOCATE HOUSEHOLDS AN EXTRA BEDROOM IN CERTAIN CIRCUMSTANCES.

The NIHE recognise that there are circumstances where a landlord may decide to make an allocation which is above the bedroom standard for good housing management reasons.

For example:

- Where smaller accommodation, particularly one bedroom accommodation does not exist or is not available.

- Where a property has special features / adaptations which would particularly meet the needs of the applicant or applicant's household.
- Parents who need an additional bedroom to facilitate access arrangements to children who do not permanently live with them.
- In areas of low-demand, where housing need has been met.

Since 2012 all prospective tenants have been advised when accommodation is offered that they will need to consider how they would meet any potential shortfall in rent as a result of a Housing Benefit restriction.

Social Sector Size Criteria has changed how Housing Benefit is calculated for tenants in social housing. Social Sector Size Criteria is sometimes called the 'Bedroom Tax'.

Under the new criteria, Housing Benefit will be calculated on the number of bedrooms in a home and the number of people living there.

THE NEW CRITERIA ALLOW ONE BEDROOM FOR:

- a couple;
- a person aged 16 or over;
- two children of the same gender aged under 16;
- two children aged under 10;
- any other child (other than a foster child or child whose main home is elsewhere);
- children who can't share because of a disability or medical condition; or
- a non-resident carer or carers providing overnight care.

Some other households might be allowed an extra bedroom.

If a household is assessed as having one or more extra bedrooms, the amount of Housing Benefit it receives will go down.

Housing Benefit allowed for rent and certain service charges will reduce by:

- 14 per cent if there is one extra bedroom; and
- 25 per cent if there are two or more extra bedrooms.

If Housing Benefit goes down due to Social Sector Size Criteria, tenants will receive a Welfare Supplementary Payment until 31 March 2020.

The proposal

It is proposed that the NIHE should always align the number of bedrooms the Selection Scheme Rules say a household needs with Housing Benefit regulations.

This means expecting two children of different genders to share up to the age of 10 years and children of any age of the same gender up to 16 years old. The Selection Scheme should say that any person 16 or over requires a room of their own (unless they share it with a partner).

This proposed change will mean younger children of different genders will be expected to share a bedroom for longer, until age 10. On the other hand, it will be more generous for older children who will be assessed as requiring their own bedroom from age 16. This change would align the

allocations policy with Housing Benefit regulations and ensure, so far as reasonably practical, that new allocations make best use of housing stock.

The Selection Scheme's rules determining whether a household is classified as overcrowded or under-occupied should also be brought into line with the age criteria for Housing Benefit.

In 2012, the NIHE consulted on a number of proposals to ensure the best management of social housing stock, given the changes to housing benefit / bedroom standard.¹² The proposals aim to be beneficial to tenants enabling greater flexibility in certain cases, and beneficial to landlords enabling better housing management.

¹² www.nihe.gov.uk/the_housing_selection_scheme_consultation_paper.pdf

NIHE 2012 CONSULTATION: FLEXIBILITIES TO ADDRESS UNDER OCCUPATION

THE CONSULTATION PROPOSALS INCLUDED :

- a. flexibility in the Selection Scheme to make allocations to applicants who do not meet the minimum bedroom requirements in **difficult-to-let areas or properties**; and
- b. flexibility in the Selection Scheme to make allocations to certain applicants of one bedroom more than their minimum requirements, **to facilitate access to children** or for good housing management reasons, including:
 - where **smaller accommodation does not exist or turnover of smaller sized accommodation is very low**; or
 - where **a property has special features / adaptations** which would particularly meet the needs of the applicant's household.
- c. a relaxation of the transfer : new applicant ratio and a new management transfer category to address the needs of tenants who are under-occupying and seeking to move to a smaller more affordable property; and
- d. a commitment to keep the changes under review.

Note: Where a tenant is offered a home with an extra bedroom NIHE recommended that working age tenants in receipt of housing benefit should be advised before they accept any offer of accommodation that they will need to consider how they would meet any potential shortfall in rent if their Housing Benefit provides for fewer bedrooms than the number in their proposed home.

While NIHE has already consulted on these proposals, the Department is mindful that policy continues to develop and therefore the proposals published in 2012 should be kept under consideration. **In particular, if a new management transfer category is introduced to enable tenants who are under-occupying to move to a smaller property, it may also be appropriate to provide for tenants who are over-crowded to move to a more suitable property as management transfers.** If any of the 2012 proposals are implemented, they will be kept under review as policy on this issue develops.

The evidence for proposal 11

The majority of social tenants (around 76%) receive either full or partial Housing Benefit. In NIHE homes, around 62% of households receive full Housing Benefit and 14% partial Housing Benefit, while in Housing Association homes, the figures are approximately 52% and 24% respectively.

It could be confusing for applicants who are entitled to full Housing Benefit to be allocated through the Selection Scheme to a home where Housing Benefit did not cover their rent. The Selection Scheme needs to be consistent with Housing Benefit and the Housing Cost element of Universal Credit.

Expected outcome of proposal 11

This proposal should contribute to the following high level outcome:

- An improved system for the most vulnerable applicants.

Aligning the bedroom requirements and the overcrowding rules, for the Selection Scheme with those of Housing Benefit or the

Housing Cost element of Universal Credit should ensure a more consistent approach, avoid confusion for applicants and enable good housing management.

Proposals 12-14: - For difficult-to-let properties: social landlords should have a wider range of options when making an allocation

PROPOSAL 12: For difficult-to-let properties: Social landlords should be able to make multiple offers to as many applicants as they think necessary.

PROPOSAL 13 – For difficult-to-let properties: Social landlords should be able to use choice-based letting.

PROPOSAL 14 – For difficult-to-let properties: Social Landlords should be able to go direct to multiple offers if they have evidence that a property will be difficult to let.

How it works now

Northern Ireland has a direct letting Selection Scheme. When a property becomes available it is normally offered to the highest pointed applicant for whom it is suitable. Landlords only offer the property to the next person on the waiting list for that area if the first applicant refuses it. Direct lettings are particularly useful for homes where there are likely to be very few refusals and offering it to multiple applicants may lead to disappointment.

Unfortunately direct lettings can slow allocations down if many applicants refuse

the property. This can happen, for example, if the applicants with the most points turn the property down: under the Selection Scheme, they must normally be offered the property before other applicants. This can lead to properties being empty for a longer time than necessary, not meeting housing need and the landlord losing rental income.

If a property is difficult to let (maybe because of its condition, its size, its history or its location) the landlord can decide to let it by multiple offers. The Selection Scheme allows the landlord to ask up

to a maximum of ten applicants at the same time if they would be interested in the property. The property is offered to the applicant with the most points who expresses an interest. (The applicant can see the property first before accepting the offer).

Multiple offers are a suitable way of dealing with properties which are difficult to let, but can also take time if none of the applicants accept. Under the current rules of the Selection Scheme, a property can only be let by multiple offers if it has failed to be let by direct letting over a number of weeks. This is a waste of a valuable housing asset, both for the landlord and for the potential tenants. In many cases it is predictable that a property will be difficult to let because similar properties in that area have proved difficult to let.

The NIHE, along with a number of Housing Associations, has run a choice-based letting pilot in some areas of Northern Ireland, as an alternative way to allocate difficult-to-let properties. In this system applicants can see all the properties available through choice-based letting (in the pilot this was via PropertyNews.com) and can register interest in the ones they like. The landlord will allocate the property to the relevant applicant with the most points who has shown an interest. The difference between this and multiple offers is that all applicants can see all the choice-based letting properties which may be suitable for them. With multiple offers the landlord contacts only the highest pointed applicants. Currently choice-based letting can only be used in the pilot areas that the NIHE has identified and the Department approved.

The proposals

The Selection Scheme ensures that landlords allocate their homes on the basis of housing need. A speedy allocation is in the interest of both the applicant and the landlord. We propose that landlords should have more discretion over which method of allocations they use for difficult-to-let properties. This should depend on evidence

and their knowledge of local demand for properties and areas. As long as landlords allocate according to housing need, they should have more discretion over what method is best to allocate a property i.e. to offer it directly to one applicant at a time (direct letting), through multiple offers or through choice-based letting.

There are three specific proposals:

12. For difficult-to-let properties: Social landlords should be able to make multiple offers to as many applicants as they think necessary. The number of applicants contacted should be the number they think most likely to secure an allocation, beginning with the applicants who have waited the longest in the highest priority band.

13. For difficult-to-let properties: Social landlords should be able to use choice-based letting. This should be an alternative to multiple offers and used in similar circumstances. The Department believes that landlords have the knowledge to decide whether choice-based letting or multiple offers is the best solution for a particular property. Landlords using choice-based letting must ensure that everyone on the waiting list who is interested in housing in that area is advised that properties may be advertised using choice-based letting. Landlords must ensure that enough support is given to applicants to enable them to express an interest,

particularly where some applicants may have a higher need for support. You can find examples of support in the independent academic reports (pages 33-37 of Report 2 and pages 42-51 of the Final Report).¹³ The housing advice service should also be an effective mechanism to explain choice-based letting to potential applicants. Landlords must allow people to show interest in choice-based letting properties through a range of communication methods; particularly those applicants who do not have access to a computer or cannot use one.

14. For difficult-to-let properties: Social landlords should be able to go direct to multiple offers if they have evidence that a property will be difficult to let. Such evidence would mainly come from previous similar properties being difficult to let.

Whichever method is used, the property must ultimately go to the applicant in the highest need who is interested in that property.

¹³ www.communities-ni.gov.uk/publications/fundamental-review-social-housing-allocations-policy

The evidence for proposals 12-14

The NIHE has asked the Department to increase the number of offers that can be made for difficult-to-let properties because of difficulties they have experienced in operating multiple offers. They believe increasing the number of potential applicants for such properties should increase the likelihood of a speedy allocation.

Ulster University recommended a choice-based letting system for Northern Ireland with the ability to still make direct lets in certain circumstances. Ulster University pointed out that choice-based letting is in use in many areas in the United Kingdom and Republic of Ireland. Many people here were supportive of this recommendation. However, many felt choice-based letting would not work for all properties and that some applicants would need support to use the system. There was greater support for the use of choice-based letting in allocating difficult-to-let properties.

The NIHE and some other social landlords have used choice-based letting in pilot areas since January 2014. The pilot was set up to test the choice-based letting approach as an alternative to the allocation of difficult-to-let properties under the

‘multiple offer’ system, and to test the practicalities of choice-based letting in terms of advertising online, managing registrations of interest, time taken to re-let properties and so on. While still a need-based approach, because the pilot is an exception to the usual operating rules of the Selection Scheme it was restricted to specific low-demand areas.

In late 2014, the NIHE reported to the Department on the first 30 weeks of the pilot (up to August 2014) and advised that:

- 171 properties had been advertised, across 6 NIHE local offices and 19 Common Landlord Areas;
- Of these 171, 80% were successfully allocated following one advertisement of the property under choice-based letting (the remainder were re-advertised);
- 148 properties were allocated by December 2014 (the remainder were being re-advertised or awaiting commencement of tenancy work);
- 1,473 bids were made for the 148 properties (an average of 10 bids per property);

- The type of applicants who were successful in being allocated a property were:
 - 26 successful applicants (18%) had more than 100 points
 - 60 successful applicants (41%) had between 30-100 points
 - 49 successful applicants (33%) had between 1-29 points
 - 13 successful applicants (9%) had no points ¹⁴
- Bids were made as follows:
 - 54% by email
 - 40% by telephone
 - 6% in person at the local office
- Re-let times for properties reduced from an average of 59 days for the ‘multiple offer’ approach, to 50 days under choice-based letting; and
- In terms of having a wider choice of area under choice-based letting (a benefit emphasised by Ulster University’s Report 1, pages 42-43), in the pilot, 34% of properties allocated were to applicants who had successfully bid for a property that was outside their chosen area.

The NIHE surveyed those who participated in the pilot and found that:

- 93% felt that the scheme improved their chances of being re-housed;

- 88% found the process easy; and
- 83% of participants believed the scheme was fair.

The pilot has continued to run since this initial report. As at October 2016, it has involved approximately 600 properties. It is currently operating in specific locations within 4 local areas.

In summary, the NIHE has reported that choice-based letting has been very useful as an option in certain circumstances in the efficient allocation of dwellings that are difficult to let. Some Housing Associations also participated in the choice-based letting pilot.

The Department also conducted further desk research internally to look at allocations systems elsewhere. A summary of our findings can be found on the Department’s website at:

www.communities-ni.gov.uk/allocations-review

The Department did not find strong support for choice-based letting in all circumstances but the benefits of choice-based letting for difficult-to-let properties seemed clear.

¹⁴ The results broadly compare to the waiting list as a whole. Ulster University’s Report 1 (2013) showed that: 20% of all applicants on the waiting list had over 100 points; 34% had 30-99 points; 27% had 1-29 points and 19% had no points (page 71).

www.communities-ni.gov.uk/publications/fundamental-review-social-housing-allocations-policy

Expected outcome of proposals 12-14

These proposals should contribute to the following high level outcome:

- Better use of public resources by ensuring the list moves smoothly.

The proposals aim to minimise the time that stock is empty by facilitating the allocation of all types of properties, including those that are difficult to let. These measures

should ensure that difficult-to-let properties are let more quickly. They may increase the likelihood and speed of allocation for applicants in lower housing need. Those in greatest housing need must continue to receive priority, with recognition of their time in need, as properties let by multiple offer or choice-based letting should still go to the applicant (who has shown an interest in the property) in the highest band who has waited longest.

Proposal 15: - An applicant may receive two reasonable offers of accommodation

How it works now

When a property becomes available the NIHE or Housing Associations normally make offers to the applicant with the most points who has selected that area as one of their areas of choice and who requires that size and type of accommodation. The applicant can accept the offer or refuse it. If refused, the home will then be offered to the person with the next highest amount of points. This process continues until the property is let. If a property is not let after four weeks the landlord can allocate by multiple offers instead (see proposals 12-14).

An applicant can receive three offers. If they refuse the third reasonable offer, they

will not be offered any further properties for one year from the date of the last refusal. (Note: It is not a refusal if someone does not express an interest in a property let by multiple offers.)

The NIHE conducted research into how many applicants refuse offers, and why. The first phase of the research found that, in 2006/7, 16,300 offers were made to allocate 4,700 properties, i.e. for every offer of housing accepted, two were refused.¹⁵ Every offer takes time, which means that refusals can leave available properties empty for longer, applicants waiting longer for a home and the landlord losing rental income.

¹⁵ Ulster University's Final Report, page 56 at: www.communities-ni.gov.uk/publications/fundamental-review-social-housing-allocations-policy

The proposal

We propose that an applicant should receive only two reasonable offers of accommodation.

If the two offers are refused, no further offers will be made for one year after the date of the last refusal.

The current one year suspension from the waiting list would be applied if an applicant refuses two reasonable offers.

The negative impact of this change on applicants is balanced by the increase of choice they will have (see proposal 5) over the areas where they would wish to live. Use of a housing advice service should also reduce refusals, as applicants will have considered their options fully before applying for a social home.

Safeguards would still be in place for applicants to ask for a review of an offer if they feel it to have been unreasonable. The current practice around what is a reasonable or unreasonable offer should not change.

The evidence for proposal 15

Ulster University recommended this proposal. Of the 13 responses the Department received on this issue, 9 were in favour, including all the social landlords who responded.

WHAT TENANTS THINK

The NIHE asked 100 recently-allocated tenants about their experience of refusals. It did not ask for any detail about whether offers were reasonable, whether they were challenged as unreasonable, or whether the offers were multiple offers. The survey showed:

- 72 tenants had accepted the first property they were offered;

Of those who did not accept the first property they were offered:

- 10 had refused one property; and
- 12 had refused two properties before accepting an offer.

The NIHE also asked about reasons for refusal: of those who had refused an offer, the most common reason given (15 of 25 respondents) was that the property was not within their area(s) of choice. For full details see questions and responses in full at Annex A.

Expected outcome of proposal 15

This proposal should contribute to the following high level outcome:

- Better use of public resources by ensuring that the list moves smoothly.

Combined with proposal 5 (a greater choice of areas for all applicants for a social home), and proposals 12-14 (social

landlords should have a wider range of options when allocating difficult-to-let properties), this proposal should, over time, reduce the number of refusals of property, which should in turn minimise the time that stock is empty.

Proposal 16: - Social landlords may withdraw an offer of accommodation in specified circumstances

How it works now

An offer of a social home can be withdrawn in the following circumstances:

1. If the information supplied by the applicant is not true, correct and complete.
2. If the applicant has not notified the landlord of any change in their circumstances or the information they gave before accepting the offer.
3. If the property offered will not be vacant and available for occupation on a specified date.
4. If the offer is to a current NIHE / Housing Association tenant who has not provided written notice of the termination of their existing tenancy to their landlord and returned the keys.

5. If the applicant does not accept the landlord's general conditions of tenancy.
6. If the applicant does not consent to and comply with the landlord's ID requirements.

There is currently no explicit provision in the Selection Scheme that sets out the circumstances in which a social landlord may withdraw an offer of accommodation.

In addition to the above, there may be other reasons when a social landlord considers it appropriate to withdraw an offer of accommodation.

The proposal

A new rule should be introduced to the Selection Scheme to allow offers to be withdrawn in the following circumstances:

1. Where the conditions of the letter of offer are not met / are breached.
2. Where it is subsequently established that the offer has been made on the basis of a material error by the landlord.
3. Where the offer is no longer considered reasonable under the rules of the Selection Scheme on the basis of information becoming available any time before commencement of tenancy.
4. Where the applicant's immigration status or eligibility for an allocation has changed and they are no longer eligible at the point of allocation.
5. Where it is subsequently established that the applicant is no longer able to take up occupancy of the property within a reasonable period of time. (e.g. a sentenced prisoner).

Withdrawing an offer of tenancy is a major decision with significant impact for a housing applicant. This new rule should ensure certainty and transparency by setting out the limited circumstances which would cause a landlord to withdraw an offer.

The evidence for proposal 16

The Scheme should make provision for withdrawal of offers in a specified range of circumstances, such as those outlined above. Some of these circumstances have arisen in the past. This proposal does not affect the eligibility of an applicant and the

issue of whether they remain on the list. The proposal will provide for social landlords to have specific circumstances, set out in the Selection Scheme, when they may withdraw an offer that has been made.

Expected outcomes of proposal 16

This proposal should contribute to the following high level outcomes:

- Those in greatest housing need receive priority, with recognition of their time in need.
- Better use of public resources by ensuring that the list moves smoothly.

Clear provision setting out when an offer can be withdrawn will ensure that the Selection Scheme is fair and transparent. It should enable better use of public resources and good housing management as homes will be made available for eligible applicants in greatest need.

Proposals 17&18: - Circumstances where social landlords may withhold consent for a policy succession or assignment to a social home

PROPOSAL 17: Social landlords may withhold consent for a policy succession or assignment to a general needs social home in limited circumstances (such as potential under-occupation or overcrowding) where there is evidence an applicant needs it.

How it works now

Rules 74, 75 and 77 of the Selection Scheme¹⁶ provide for specific circumstances where a person who does not have a statutory entitlement to a succession or assignment may be awarded a tenancy.

However, decisions to award a tenancy to an applicant who meets the policy assignment and succession criteria may not make best use of stock and may result in under-occupation or overcrowding for the new tenant.

The proposal

The relevant rules should be amended to clarify that landlords may decide to withhold consent in circumstances where the new tenancy is likely to, or would, result in under-occupation or overcrowding, and where there is evidence that an applicant on the waiting list is in need of the property.

Note: where a tenant is awarded a policy succession or assignment to a home

with an extra bedroom(s), prospective tenants should be advised that they will need to consider how they would meet any potential shortfall in rent if their Housing Benefit provides for fewer bedrooms than the number in their proposed home.

There is more information about the Social Sector Size Criteria under proposal 11.

¹⁶ The Scheme Rules are available at: www.nihe.gov.uk/housing_selection_scheme_rules.pdf

PROPOSAL 18: Social landlords may withhold consent for a policy succession or assignment of adapted accommodation or purpose-built wheelchair standard accommodation where there is evidence an applicant needs it.

How it works now

People who require wheelchair accommodation are currently waiting a long time for a social home that meets their needs: approximately three months longer than applicants for ‘general needs’ accommodation. According to the NIHE, wheelchair users have to wait on average 24 months (Median average as at 31 March 2016) to be housed in accessible accommodation compared to 21 months for general needs applicants. This situation needs to change: in addition to providing new wheelchair standard homes, more effective use needs to be made of existing accommodation. Wheelchair standard accommodation is more expensive to construct than general needs housing requiring a higher rate of public subsidy in Social Housing Development grant (an average of £55,000 more per property).

The law (Ground 8 in Schedule 3 of the Housing (NI) Order 1983) deals with situations where the tenancy of a house with disabled facilities provided is held by a person who does not need those facilities, and there is no member of their household

who requires them. It may apply if the landlord can identify an applicant on the waiting list who needs the property based on its specific features. So there is provision in law for a social landlord to apply for possession of an adapted home, if there is evidence that someone on the waiting list needs that adapted property.

In addition, the Selection Scheme allows management transfers for “transfer applicants residing in purpose-built or adapted accommodation who no longer have a need for such accommodation”. This enables the transfer of a tenant out of adapted accommodation and into another property, to make the accommodation available to an applicant who needs the adaptations.

In practice, expecting tenants to move out of adapted accommodation when it is no longer required is a sensitive and difficult issue. The above provisions appear to be rarely, if ever, used, for that reason. Some landlords focus on better communication to encourage tenants to move voluntarily.

A number of Housing Associations have developed housing management tools to support people who no longer require adapted accommodation. These primarily use effective communication and clear tenancy agreements to emphasise to tenants the need to retain specialist accommodation for those who need it.

As outlined above, under the current Selection Scheme, such tenants may be awarded Management Transfer status, which can speed up their transfer to another social home and enable an applicant in high housing need to access the adapted accommodation they require.

The proposal

The Department is keen that all reasonable steps are taken to ensure that adapted homes are being used to meet the needs of wheelchair users and their families.

Therefore, in respect of policy succession or assignment of a tenancy under rules 74, 75 and 77 of the Selection Scheme, the relevant rules should be amended to provide that the landlord has discretion to withhold consent to succession or assignment where a property has been adapted or built to wheelchair standard, no one in the prospective successor or assignee household requires the adaptation, and there is evidence of high housing need in that area for a property with such features.

Where a tenant is awarded a policy succession, or assignment to a home with an extra bedroom(s): tenants should be advised that they will need to consider how they would meet any potential shortfall in rent if their Housing Benefit provides for fewer bedrooms than the number in their proposed home.

There is more information about the Social Sector Size Criteria under proposal 11.

The evidence for proposals 17&18

In respect of general needs housing, some areas of Northern Ireland, or some types of stock, feature very high levels of demand, and consequently long waiting times. In respect of adapted accommodation, wheelchair users at present wait longer (approximately 3 months longer) than general needs applicants. It is therefore important that social landlords have more discretion to make the best use of high-demand or adapted stock.

In addition, wheelchair standard accommodation is more expensive to

construct than general needs housing, requiring a higher rate of public subsidy. Achieving value for money depends on ensuring that this stock is occupied by those who need it.

The Department aims to support social landlords to:

- maximise the efficient use of stock;
- ensure the best use of wheelchair standard housing stock; and
- balance the needs of tenants against the needs of applicants on the waiting list.

Expected outcomes of proposal 17

This proposal should contribute to the following high level outcomes:

- Those in greatest housing need receive priority, with recognition of their time in need.
- Better use of public resources by ensuring the list moves smoothly.

The proposal should ensure better housing management, making more effective use of general needs stock, particularly in areas of high demand, to reduce waiting times for applicants.

Expected outcomes of proposal 18

This proposal should contribute to the following high level outcomes:

- An improved system for the most vulnerable applicants.
- Those in greatest housing need receive priority, with recognition of their time in need.
- Better use of public resources by ensuring the list moves smoothly.

The objective is that the most effective use is made of existing adapted stock, and that waiting times for applicants requiring adapted accommodation are reduced.

Proposal 19: - Updating the Selection Scheme to bring it in line with developments in Public Protection Arrangements Northern Ireland

How it works now

The Public Protection Arrangements in Northern Ireland (PPANI) (more information at: www.publicprotectionni.com) were introduced in October 2008. They aim to make the work of the police, probation and others more effective when managing the risks posed by certain sexual and violent offenders when they are released from prison into the community. PPANI is not a statutory body in itself but a structure that enables agencies to undertake their statutory duties and coordinate their functions to enhance public protection.

Social landlords in Northern Ireland have an important role to play in the management of the risk posed by offenders and ensuring that appropriate offers of accommodation are made, taking into account both the needs of the individual and wider public protection issues.

Currently, where an applicant has been convicted or charged with a sexual offence against a child which either has or could have received a custodial sentence, restrictions may be made by the social landlord.

When making a decision on the suitability of an allocation the social landlord will take into account individual circumstances and the location of the accommodation. The social landlord may also take in account feedback from other statutory agencies regarding the assessed level of risk.

Since the introduction of the current Selection Scheme there have been a number of legislative changes including the management of risk in relation to individuals who have been charged or convicted of certain offences. The current rules reflect the victim type rather than the nature of the offence and the risks of re-offending. Therefore, restrictions cannot be made in relation to allocations where an individual has been charged or convicted with a sexual or violent offence against an adult, despite there being a potential public protection issue and the accommodation being unsuitable in that particular instance.

Currently landlords ask applicants a general question if they or a member of their household have been guilty of serious unacceptable behaviour. However, applicants are not directly asked if they or a member of their household has been charged or convicted of a sexual or violent

offence to help identify those applicants where social landlords may be required to work with other relevant agencies to identify the most appropriate offer of housing.

The proposal

The Selection Scheme Rules should be updated to reflect more recent legislative changes and widened to enable social landlords to make restrictions based on the suitability of an allocation in relation to applicants (or a member of their household) that have been convicted or charged with:

- A sexual offence against a child;
- A sexual offence against an adult and are subject to PPANI;
- A violent offence against a child or vulnerable adult and are subject to PPANI;
- A violent offence in domestic or family circumstances and are subject to PPANI;
or
- A hate crime and are subject to PPANI.

It is also proposed that additional questions are asked at application stage to help identify which applicants (or members of their household) may have been convicted of, or charged with, any of the offences listed above.

The social landlord will have regard to whether the offender is risk assessed and managed under PPANI when making restrictions.

The evidence for proposal 19

NIHE requested this change so that the Selection Scheme is in line with legislation and to ensure public protection.

The outcome of proposal 19

This proposal should contribute to the following high level outcome:

- An improved system for the most vulnerable applicants.

It aims to ensure that applicants managed under PPANI are not allocated a permanent home which is not suitable taking into account their particular circumstances.

Proposal 20: - Specialised properties should be allocated by a separate process outside the Selection Scheme

How it works now

Most social homes are considered 'general needs' properties and are allocated within the Selection Scheme. Sheltered housing is currently allocated within the Selection Scheme; however, other, specialised properties, including 'housing with care' are allocated under a separate, administrative, non-pointed list. The people who need these homes often have a complex needs assessment from the NIHE, as well as specific assessments for the type of property. While an assessment is necessary to determine the accommodation most suitable for their needs, the complex needs assessments can lead to delays for people who may have an urgent need to move.

Some of the issues raised by stakeholders in respect of specialised accommodation include:

- As sheltered housing is allocated within the Selection Scheme, some Housing Associations have reported pressure to house people with needs that sheltered housing was not designed to accommodate.
- Some young disabled adults who live with their parents in adapted accommodation want to move into accommodation which supports their independence. They often cannot do so because they do not have enough points to secure appropriate independent accommodation.
- Most new social homes are built to Lifetime Homes standards, which meet the needs of 'active elderly' households and other households that require ground floor accommodation. However, these standards do not match the enhanced wheelchair accessibility housing needs, for an increasing percentage of the population.
- There is evidence that some older applicants, applicants needing adapted homes, and applicants needing homes that meet the wheelchair standard all wait longer than the average applicant to be allocated a home.

Given the range of issues identified, where households require specialised – rather than general needs – housing, they should receive a bespoke, tenant-focused pathway to access this accommodation. To ensure they

are housed appropriately, they should not have to ‘compete’ for specialised properties against those who require general needs housing.

The proposal

Specialised accommodation should go to those who need it most. To ensure that this happens – that specialised property is ‘ring-fenced’ for those who need it – the following property types should be deemed specialist and should be allocated outside the main (general needs) Selection Scheme:

a) ‘Housing with care’ and residential schemes

(already allocated outside the Selection Scheme)

b) Schemes for those people diagnosed with dementia

(already allocated outside the Selection Scheme)

c) Sheltered housing

(currently allocated within the Selection Scheme)

d) Properties designed or adapted to meet the wheelchair accessible design standard

(currently allocated within the Selection Scheme)

A time-bound review should be led by social landlords, to determine how specialised properties should be allocated.

In addition, when social housing providers allocate these homes, they should employ housing management tools – such as effective communication and clear tenancy agreements – to emphasise to new tenants the need to retain specialist accommodation for those who need it.

Tenants should be made aware that they can transfer to general needs accommodation if they no longer require an adapted home. For this reason, it is proposed that transfer applicants who wish to move to general needs accommodation,

freeing up a specialist home (i.e. one which should be allocated outside of the main Selection Scheme) should continue to be awarded Management Transfer status. This should enable landlords to quickly facilitate a transfer and make the adapted accommodation available.

For clarity, no change is proposed to 'Lifetime Homes', ground floor or level access accommodation: unless accommodation is specifically designed or adapted for specialist or wheelchair use, it should be allocated via the Selection Scheme.

The evidence for proposal 20

Ulster University recommended a review of the classification of properties with specialised accommodation which would sit outside the principal scheme. This recommendation was extremely well supported, including by social landlords.

WHAT TENANTS THINK

The NIHE asked 100 recently-allocated tenants about the circumstances which would make an allocation 'essential' or 'high priority'. The highest score for these combined categories was for applicants with serious medical or mobility needs.

For full details see Annex A.

Expected outcomes of proposal 20

This proposal should contribute to the following high level outcomes:

- An improved system for the most vulnerable applicants.
- Better use of public resources by ensuring the waiting list moves smoothly.

‘Ring-fencing’ specialised homes for those who need them, and planning for new wheelchair standard accommodation within the Social Housing Development Programme, should result in an improved system for applicants who need specialised housing. It should also make the waiting list for general needs housing more accurate by allocating specialised properties outside the Selection Scheme.

Increasing the supply of wheelchair standard accommodation

The Department is keen to progress as quickly as possible with implementing the new wheelchair design standards and taking a new approach to the construction of wheelchair standard accommodation within the Social Housing Development

Programme (SHDP). This should result in new wheelchair standard accommodation being programmed more systematically within the SHDP based on NIHE’s needs analysis. This should help to address the waiting time for this type of accommodation.

IMPACT ASSESSMENTS

Equality

Section 75 of the Northern Ireland Act 1998 requires each public authority, when carrying out its functions in relation to Northern Ireland, to have due regard to the need to promote equality of opportunity between nine categories of persons, namely

- between persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation;
- between men and women generally;
- between persons with a disability and persons without; and
- between persons with dependants and persons without.

Without prejudice to its obligations above, the public authority must also have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.

Under the statutory duties contained within Section 75, the Department carried out an equality screening of the proposals. A copy of the screening form can be found on the Department's website: www.communities-ni.gov.uk/dfc-equality.

We decided to conduct a full Equality Impact Assessment (EQIA) because the decision to review the allocations scheme is an area of major social policy, affecting over 10,000 households a year. The screening suggested some potential adverse impacts and these required further investigation. An EQIA will provide everyone with an interest in this area with the opportunity to tell us about any equality concerns they have.

Equality impact assessment

The draft EQIA consultation is available as part of the formal consultation stage of the EQIA relating to the Fundamental Review of Social Housing Allocations. A copy can be found on the Department's consultation page along with other material relevant to this consultation:

www.communities-ni.gov.uk/allocations-review

The proposals in this consultation document were examined in light of information obtained to assess whether or not there are actual or potential adverse impacts on any of the nine Section 75 categories and to ascertain if action could be taken to promote Equality of Opportunity and /or Good Relations.

The draft EQIA sets out each of the proposals and provides detail of actual or potential adverse impact where it has been identified, mitigation where appropriate and possible, and details of further actions required.

It proposes that the Department will take the following action in respect of the potential adverse impacts identified:

(i) Provide a greater range of solutions to meet housing need, specifically the

provision of a housing advice service as at Proposal 1;

(ii) Determine any impact as a result of changes to the Selection Scheme by monitoring waiting times for:

- key Section 75 groups to determine:
 - if any impact is a result of removal of intimidation points from the Selection Scheme;
 - if any impact is a result of removal of interim accommodation points from the Selection Scheme; and
 - if any impact is a result of giving greater weight to time waiting.
- those needing adapted stock; and
- those requiring specialised properties.

Note that key Section 75 groups are those in respect of religious belief, age, disability, dependants and ethnic group. NIHE does not collect quantitative data on sexual orientation or political opinion of households on the waiting list, but qualitative research may provide a means to monitor change. Gender and marital status are less informative in the context of waiting lists as they only record the main applicant in a household.

(iii) Undertake reviews to determine:

- whether the impact of removing intimidation points reflects the desired outcome ;
- whether the impact of removing interim accommodation points reflects the desired outcome. In particular, consideration should be given to whether average waiting times are falling for those in temporary accommodation or if further changes to the scheme are required;
- whether the impact of landlord discretion over policy succession / assignment reflects the desired outcome of an improved system for the most vulnerable applicants; and
- how specialised properties should be allocated.

EQIA Consultation Questions

We would very much welcome your responses to the following consultation questions:

1. Do you agree that the proposals will provide for a fairer and more transparent system of assessing housing need?
2. Do you agree with our assessment of impact as outlined in the draft EQIA?
3. Are there any other pieces of information and evidence relevant to the Fundamental Review of Social Housing Allocations that you would like us to consider?
4. Do you have any other comments/views on any aspect of our impact assessment?

How to respond

There are three ways you can tell us what you think about our proposals.

RESPOND ONLINE AT:

www.communities-ni.gov.uk/allocations-review

EMAIL US AT:

allocations@communities-ni.gov.uk

WRITE TO US AT:

Social Housing Policy Team
Department for Communities
Level 3, Causeway Exchange
1-7 Bedford Street
Belfast
BT2 7EG

**Please have all responses with us by
Thursday 21st December 2017.**

Other impact assessments

We have also published the findings of the following impact assessments:

- a Rural Needs Impact Assessment. This looks at the potential impacts of our proposals on people living in rural areas.
- a Social Inclusion Impact Assessment. This looks at the potential impacts of our proposals on poverty and social inclusion.

These documents can be found on the Department's consultation page:

www.communities-ni.gov.uk/allocations-review

NEXT STEPS

The Department welcomes feedback in relation to these proposals for change and the draft Equality Impact Assessment (EQIA). All responses will be analysed and used, as appropriate, to shape the final recommendations.

Following the end of the consultation period the Department will:

- Collate and analyse consultation responses;
- publish a response report (all responses may be published in full or in summary form);
- Finalise proposals and the EQIA; and
- Agree an implementation plan with NIHE (an indicative timescale for each proposal is at Annex E).

The Department believes that regular reviews of the Scheme may be appropriate, for example based on five yearly data on the operation of the Scheme and the changing levels of housing need in Northern Ireland.

Consultation questions

Have your say on changes to
the Housing Selection Scheme

1. An independent, tenure-neutral housing advice service for Northern Ireland.

- People should receive high-quality, tailored, tenure-neutral advice in a way which respects their dignity and confidentiality.

Q1. Do you agree?

Strongly agree	Agree	Don't mind	Disagree	Strongly Disagree

Any other comments?

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2. An applicant who has been involved in unacceptable behaviour should not be eligible for social housing or Full Duty homelessness status unless there is reason to believe – at the time the application is considered – that the unacceptable behaviour is likely to cease.

- There should be a focus on good housing management, sustainable tenancies and a deterrent against serious anti-social behaviour

Q1. Do you agree?

Strongly agree	Agree	Don't mind	Disagree	Strongly Disagree

Any other comments?

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3. NIHE may treat a person as ineligible for Full Duty homelessness status on the basis of their unacceptable behaviour at any time before allocating that person a social home.

- This proposal should also ensure good housing management and aim to reduce nuisance to tenants; striking a better balance between excluding people from the waiting list and prioritising vulnerable groups.

Q1. Do you agree?

Strongly agree	Agree	Don't mind	Disagree	Strongly Disagree

Any other comments?

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4. NIHE can meet their duty to homeless applicants on a tenure-neutral basis, provided that the accommodation meets certain conditions

- This proposal should ensure a greater range of ways in which the NIHE can meet its duty to homeless applicants and increase the options for meeting applicants' housing need.

Q1. Do you agree?

Strongly agree	Agree	Don't mind	Disagree	Strongly Disagree

Any other comments?

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5. A greater choice of areas for all applicants for a social home.

- All applicants should be able to choose as many (or as few) housing areas as they wish to maximise the likelihood of receiving an offer of a home they can accept.

Q1. Do you agree?

Strongly agree	Agree	Don't mind	Disagree	Strongly Disagree

Any other comments?

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6. Greater use of a mutual exchange service.

- Existing social tenants looking for a transfer should ordinarily also be considered for a mutual exchange service.

Q1. Do you agree?

Strongly agree	Agree	Don't mind	Disagree	Strongly Disagree

Any other comments?

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7. The removal of intimidation points from the Selection Scheme

- This would not affect the urgent help for those experiencing intimidation. Where a person is in danger the NIHE would remove them from that danger and offer alternative accommodation on an emergency basis.
- This should recognise the housing need of intimidated households in a fairer and more proportionate way.

Q1. Do you agree?

Strongly agree	Agree	Don't mind	Disagree	Strongly Disagree

Any other comments?

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8. Points should reflect current circumstances for all applicants.

- This should make the scheme fairer and more transparent to applicants as they know they will be assessed on their current circumstances. It should also maintain a focus on prioritising current housing needs.

Q1. Do you agree?

Strongly agree	Agree	Don't mind	Disagree	Strongly Disagree

Any other comments?

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9. The removal of Interim Accommodation points from the Selection Scheme

This proposal aims to:

- Provide more equal treatment of applicants in similar circumstances;
- Ensure a more accurate waiting list that reflects current housing circumstances; and
- Ensure those in greatest need receive priority.

Q1. Do you agree?

Strongly agree	Agree	Don't mind	Disagree	Strongly Disagree

Any other comments?

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10. The Selection Scheme should place applicants into bands based on similar levels of need to meet longstanding housing need more effectively

- Applicants should be assessed and points awarded, just as they are in the Selection Scheme at present. The points should then be used to place applicants in bands, alongside others with similar levels of need.

Q1. Do you agree?

Strongly agree	Agree	Don't mind	Disagree	Strongly Disagree

Any other comments?

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11. The Selection Scheme Rules should always align the number of bedrooms a household is assessed to need with the size criteria for eligible Housing Benefit customers.

- Aligning the Selection Scheme with Housing Benefit should ensure a consistent approach, avoid confusion for applicants and enable good housing management.

Q1. Do you agree?

Strongly agree	Agree	Don't mind	Disagree	Strongly Disagree

Any other comments?

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12 For difficult-to-let properties: Social landlords should be able to make multiple offers to as many applicants as they think necessary.

- The number of applicants contacted should be the number the landlord thinks is most likely to secure an allocation.

Q1. Do you agree?

Strongly agree	Agree	Don't mind	Disagree	Strongly Disagree

Any other comments?

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13. For difficult-to-let properties: Social landlords should be able to use choice-based letting.

- Landlords must ensure that enough support is given to applicants to enable them to express an interest.

Q1. Do you agree?

Strongly agree	Agree	Don't mind	Disagree	Strongly Disagree

Any other comments?

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14. For difficult-to-let properties: Social landlords should be able to go direct to multiple offers if they have evidence that a property will be difficult to let.

- Such evidence would mainly come from previous similar properties being difficult to let.

Q1. Do you agree?

Strongly agree	Agree	Don't mind	Disagree	Strongly Disagree

Any other comments?

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15. An applicant may receive two reasonable offers of accommodation.

- This proposal reduces the number of offers of accommodation from 3 to 2.
- If the two offers are refused, no further offers will be made for one year after the date of the last refusal.

Q1. Do you agree?

Strongly agree	Agree	Don't mind	Disagree	Strongly Disagree

Any other comments?

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16 Social landlords may withdraw an offer of accommodation in specified circumstances.

- This change is required to deal with a very specific, limited number of circumstances.

Q1. Do you agree?

Strongly agree	Agree	Don't mind	Disagree	Strongly Disagree

Any other comments?

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17. Social landlords may withhold consent for a policy succession or assignment to a general needs social home in limited circumstances where there is evidence an applicant needs it.

- There should be a focus on good housing management and better use of public resources by enabling social landlords to make more effective use of general needs stock.

Q1. Do you agree?

Strongly agree	Agree	Don't mind	Disagree	Strongly Disagree

Any other comments?

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18. Social landlords may withhold consent for a policy succession or assignment of adapted accommodation or purpose built wheelchair standard accommodation where there is evidence an applicant needs it.

- This proposal should ensure that the most effective use is made of existing adapted stock, and that waiting times for applicants requiring adapted accommodation are reduced.

Q1. Do you agree?

Strongly agree	Agree	Don't mind	Disagree	Strongly Disagree

Any other comments?

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19. Updating the Selection Scheme to bring it in line with developments in Public Protection Arrangements Northern Ireland.

- The NIHE requested this change to bring the Selection Scheme in line with recent developments in legislation to enable social landlords to make restrictions to applicants (or a member of their household) who have been convicted or charged with a violent offence.

Q1. Do you agree?

Strongly agree	Agree	Don't mind	Disagree	Strongly Disagree

Any other comments?

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20. Specialised properties should be allocated by a separate process outside the Selection Scheme.

- Specialised accommodation should go to those who need it most. A review should be established to put a more effective allocation process in place for applicants needing specialised property such as sheltered dwellings / wheelchair standard accommodation.

Q1. Do you agree?

Strongly agree	Agree	Don't mind	Disagree	Strongly Disagree

Any other comments?

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Sources

- Department for Communities (2016) **Northern Ireland Housing Statistics 2015-16** www.communities-ni.gov.uk/publications/northern-ireland-housing-statistics-2015-16
 - Department for Communities (2017) **Private Rented Sector in Northern Ireland – Proposals for Change** www.communities-ni.gov.uk/sites/default/files/consultations/communities/private-rented-sector-proposals-for-change-consultation.pdf
 - Department for Social Development (2010) **Building Sound Foundations: A Private Rented Strategy**
 - Department for Social Development (2012) **Facing the Future: The Housing Strategy for Northern Ireland 2012-2017** www.communities-ni.gov.uk/publications/facing-future-housing-strategy-northern-ireland
 - Fitzpatrick, S., Pawson, H., Bramley, G., Wilcox, S. and Watts, B., Institute for Social Policy, Housing and Equalities Research, Heriot-Watt University & City Futures Research Centre, University of New South Wales (2016) **The Homelessness Monitor: Northern Ireland 2016** www.crisis.org.uk/data/files/publications/NI%20Homelessness%20Monitor%20FINAL_FOR_www.pdf
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 - Northern Ireland Housing Executive (2011) **Housing Selection Scheme Preliminary Consultation Paper** www.nihe.gov.uk/housing_selection_scheme_preliminary_consultation_paper.pdf
 - Northern Ireland Housing Executive (2012) **Consultation on Changes to the Housing Selection Scheme** www.nihe.gov.uk/the_housing_selection_scheme_consultation_paper.pdf
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Annex A

Continuous Tenant Omnibus Survey (2015)

Table 1: Before becoming a Housing Executive tenant for approximately how long had you been on the waiting list?

	Frequency	%
6 months or less	29	29
More than 6 months, up to 1 year	41	41
More than 1 up to 2 years	13	13
More than 2 up to 5 years	9	9
More than 5 years	5	5
Don't know/Cannot recall	3	3
Total	100	100%

Table 1: Was your time on the waiting list longer or shorter than you thought it would take to be allocated a property?

	Frequency	%
Much shorter	21	21
Shorter	23	23
About the time expected	23	23
Longer	16	16
Much Longer	13	13
Don't know/Cannot recall	4	4
Total	100	100%

Table 3: Do you think an applicant who has spent longer on the waiting list should get priority over other applicants with similar needs?

	Frequency	%
Yes	67	67
No	33	33
Total	100	100%

Table 4: Did you accept the first property you were offered?

	Frequency	%
Yes	72	72
No	25	25
Don't know/Cannot remember	3	3
Total	100	100%

Table 5: If no, how many other properties were you offered before you accepted an offer?

	Frequency	%
1	10	40
2	12	48
3	<5	8
4	<5	4
Total	25	100%
Missing	75	
Total	100	

Table 6: What were the two main reasons why you refused the previous offers?

	Frequency	%
Property was not within my area(s) of choice	15	60
Dwelling type unsuitable	8	32
Dwelling size unsuitable	9	36
Perception of Estate/Area the property was located in	4	16
Not close enough to family/friend support network	4	16
Lack of local amenities	3	12
Other - please specify	2	8
Base: 25 respondents who did not accept the first property they were offered		

Table 7: Is the property you accepted located within any of your areas of choice?

	Frequency	%
Yes	88	88
No	12	12
Total	100	100%

Table 8: What were the two main reasons why you accepted this property offer?

	Frequency	%
Property was within my area(s) of choice	67	67
Dwelling type suitable	39	39
Close to family/friend my support network	32	32
Dwelling size suitable	16	16
Availability of local amenities	14	14
Estate/Area property located in	9	9
Other - please specify	9	9
Base: 100 (all respondents)		

Table 9: I would have preferred the size of area(s) of choice to be WIDER/BIGGER because this might have resulted in me being allocated a property more quickly

	Frequency	%
Agree	25	25
Neither	25	25
Disagree	50	50
Total	100	100%

Table 10: I would have preferred a LARGER/WIDER choice of area(s) because I would have been happy to consider living outside my area(s) of choice

	Frequency	%
Agree	15	15
Neither	22	22
Disagree	63	63
Total	100	100%

Table 11: I was happy with the size of the area(s) of choice I selected when I applied to go on the waiting list

	Frequency	%
Agree	73	73
Neither	14	14
Disagree	13	13
Total	100	100%

Table 12: I would have been interested in choosing a SMALLER area, even if it took longer for me to be allocated a property

	Frequency	%
Agree	16	16
Neither	21	21
Disagree	63	63
Total	100	100%

Table 13: I would have chosen a SMALL SPECIFIC area even if I had to wait longer to be allocated a property

	Frequency	%
Agree	17	17
Neither	25	25
Disagree	58	58
Total	100	100%

Table 14: Are there any reasons why you would have wanted a LARGER area(s) of choice?

	Frequency	%
No	64	64
More property options available to me	17	17
Shortened time spent on waiting list	7	7
To choose a specific area	<5	4
To get closer to family/friend support network	<5	3
Obtain a property in a nicer area	<5	2
Availability of local amenities	<5	2
Don't know	<5	1
Total	100	100%

Table 15: Are there any reasons why you would have wanted a SMALLER area(s) of choice?

	Frequency	%
No	82	82
To get closer to family/friend support network	<5	4
Obtain a property in a nicer area	<5	3
Ability to choose a specific property type	<5	2
Availability of local amenities	<5	2
Don't know	<5	3
To choose a specific area	<5	3
Other	<5	1
Total	82	100%

Table 16: Thinking about the area(s) of choice you selected when applying to go on the waiting list, if you could, would you have been interested in seeing and applying for other properties outside of these areas?

	Frequency	%
Yes	19	19
No	64	64
I was able to consider other properties outside my area(s) choice	11	11
Don't know	6	6
Total	100	100%

Table 17: If the Housing Executive was to have contacted you about other available properties outside of your area(s) of choice, how would you have liked the Housing Executive to make you aware of these properties?

	Frequency	%
By telephone	85	85
In writing	58	58
By Text/SMS	44	44
By email	28	28
Visit you in your home	19	19
Post it on Facebook	4	4
Advertise in a local newsletter	4	4
Other - please specify	4	4
Via Twitter	2	2
Advertise on the Housing Executive's website	2	2

Table 18: When the Housing Executive is allocating a property, what level of priority, if any, should be given to applicants with serious medical or mobility needs?

	Frequency	%
Not a priority	2	2
Medium priority	6	6
High priority	71	71
Essential	21	21
Total	100	100

Table 19: When the Housing Executive is allocating a property, what level of priority, if any, should be given to homeless applicants living in temporary accommodation e.g. hostel?

	Frequency	%
Not a priority	2	2
Low priority	6	6
Medium priority	25	25
High priority	50	50
Essential	17	17
Total	100	100%

Table 20: When the Housing Executive is allocating a property, what level of priority, if any, should be given to homeless applicants staying with friends/family?

	Frequency	%
Not a priority	1	1
Low priority	12	12
Medium priority	35	35
High priority	38	38
Essential	14	14
Total	100	100%

Table 21: When the Housing Executive is allocating a property, what level of priority, if any, should be given to applicants who need to move to ensure their own safety from domestic violence?

	Frequency	%
Not a priority	2	2
Medium priority	9	9
High priority	55	55
Essential	34	34
Total	100	100%

Table 22: When the Housing Executive is allocating a property, what level of priority, if any, should be given to applicants who need to move because they were threatened with intimidation?

	Frequency	%
Not a priority	2	2
Low priority	2	2
Medium priority	6	6
High priority	62	62
Essential	28	28
Total	100	100%

Table 23: When the Housing Executive is allocating a property, what level of priority, if any, should be given to applicants who need to move as their home is unliveable e.g. through fire?

	Frequency	%
Not a priority	2	2
Medium priority	17	17
High priority	47	47
Essential	34	34
Total	100	100%

Table 24: When the Housing Executive is allocating a property, what level of priority, if any, should be given to applicants in low paid employment?

	Frequency	%
Not a priority	12	12
Low priority	24	24
Medium priority	39	39
High priority	23	23
Essential	2	2
Total	100	100%

Table 25: When the Housing Executive is allocating a property, what level of priority, if any, should be given to applicants whose child(ren) goes (go) to local schools?

	Frequency	%
Not a priority	11	11
Low priority	20	20
Medium priority	32	32
High priority	32	32
Essential	5	5
Total	100	100%

Table 26: When the Housing Executive is allocating a property, what level of priority, if any, should be given to applicants who have waited the longest time?

	Frequency	%
Not a priority	4	4
Low priority	5	5
Medium priority	39	39
High priority	42	42
Essential	10	10
Total	100	100%

Annex B

A note on the key findings of NIHE's 2015 modelling exercise

The Department for Communities asked NIHE's Research Unit to undertake a modelling exercise on the effects of potential changes to the current Selection Scheme in relation to:

- (i) making allocations by bands based on similar levels of housing need by time on waiting list; and
- (ii) removing intimidation points from the Scheme or reducing the level of points awarded.

Annex C sets out the detailed findings from the modelling. Included at Annex D is NIHE's report on the modelling in full.

Allocations made by three NIHE District Office areas were used in the modelling: an urban area with high demand, an urban area with low demand and an urban area with rural hinterland.

The modeling considered the 'what if' scenario, by comparing the allocations that were made ("**actual applicants**") with the 'what if' scenarios for the two changes above, i.e. who would have been allocated a property if those changes had been in place ("**research applicants**").

Transfer applicants were excluded from the research on the basis that it would be easier to compare actual allocations with research allocations if one type of applicant (i.e. a new applicant, rather than a transfer) was consistently used.

FINDINGS

In respect of banding, **research applicants in general had been waiting longer** than the actual applicants (10 years longer in the case of the high demand area and 2.5 / 3 years longer in the other areas). In some cases, the same applicant would have received the allocation regardless of which method was used.

In respect of removing intimidation points, in **each case the actual applicant would not have had enough points to receive an allocation**. In all 5 cases, the research applicant had been waiting longer than the actual applicant. (In this stage of the modelling, no additional weight was given to time waiting.)

When both changes were considered together, in the small number of cases of applicants with intimidation points, it was clear that a different household in all cases would have been allocated the property. The impact of both changes was particularly clear in the high demand urban area, where **modelled applicants could be seen to have been waiting on the list for a much greater length of time**.

Some equality impacts were noted by NIHE in respect of age and dependants, but it was also noted that the total numbers in this research are relatively small. The findings are set out in more detail below, in Annexes C and D.

Annex C

Detailed results of NIHE's 2015 modelling exercise for banding

Banding - Urban Area (high demand)

The table below shows all the allocations made by one NIHE District Office in a sample month, in the urban area (high demand). It also shows allocations made by that District Office for a subsequent month for intimidation cases only. Allocations to households with intimidation points

are shown separately. The proposals to remove intimidation points (proposal 7) and to place applicants into bands based on similar levels of need (proposal 10) are not interdependent. Decisions on implementation will be taken depending on the outcome of this consultation.

Urban Area (High Demand)			
Actual applicant: points and date of application	Research applicant if banding used: points and date of application	Difference in points between the two applicants	Difference in time waiting between the two applicants
146 (2013) *	130 (1997) *	+ 16 points *	16 years *
180 (2005) *	160 (2005) *	+ 20 points *	Same year *
212 (2012)	150 (2000) □	+ 62 points	12 years
210 (2007)	150 (2000) □	+ 60 points	7 years
200 (2014) ⊕	156 (2010)	+ 44 points	4 years
190 (2014)	150 (2000) □	+ 40 points	14 years
186 (2011) *	150 (2005) *	+ 36 points *	6 years *
180 (2013)	150 (2000) ◇	+ 30 points	13 years
190 (2013) * ⊕	150 (2000) * ◇	+ 40 points *	13 years *
162 (2012)	176 (2000) ◇	- 14 points	12 years
158 (2014)	176 (2000) ◇	- 18 points	14 years

Urban Area (High Demand)			
Actual applicant: points and date of application	Research applicant if banding used: points and date of application	Difference in points between the two applicants	Difference in time waiting between the two applicants
140 (2013) * ⊕	130 (2008) *	+ 10 points *	5 years *
134 (2010) *	120 (1974) *	+ 14 points *	36 years *
134 (2011) *	126 (2007) *	+ 8 points *	4 years *
110 (2013) ⊕	118 (1996)	- 8 points	17 years
147 (2005) * ⊕	138 (2005)*	+ 9 points*	Same year *
144 (2007)	146 (2001)	- 2 points	6 years
146 (2010) ⊕	120 (2003)	+ 26 points	7 years
130 (2014) * ⊕	136 (2012)*	- 6 points	2 years
116 (2014)	118 (2007)	-2 points	7 years
106 (2010)	110 (2003)	- 4 points	7 years
97 (2014)	92 (2006) ◇	+ 5 points	8 years
97 (2014)	92 (2006) ◇	+ 5 points	8 years
Intimidation cases, i.e. before / after intimidation points were removed			
310 / 110 (2014) § ⊕	180 (1995) ◇	+130 / - 70 points	19 years
300 / 100 (2013) § ⊕	180 (1995) ◇	+120 / - 80 points	18 years
312 / 112 (2013) §	110 (2002)	+ 202 / +2 points	11 years
290 / 90 (2013) §	110 (2003)	+ 180 / -20 points	10 years

	Entries in bold are the examples used earlier in this document.
*	This property was offered to multiple applicants to express an interest. In some cases the research applicant had been asked to express an interest, in others not.
⊕	This applicant was allocated a property in excess of the bedrooms their household required.
□ ◇ ◇ ◇	These symbols represent four applicants who might have received a number of offers based on their time waiting and level of need.
§	The applicant who received the property had their intimidation points removed for the purposes of the modelling exercise.

Note that the research applicant is different from the examples cited earlier in this document, because in this phase of the research, the focus is on the research applicant who has **waited longest** in a similar level of need. Proposal 7 sets out the applicants who would have been successful if the sole change to the Scheme was the removal of intimidation points.

Note that, for the second research month, which identified additional intimidation cases, a full banding analysis was not undertaken. In the modelling, the research applicant was the applicant who had waited longest in the same band (rather than the highest band). This means that, in the last two rows of the table above, there may have been research applicants in higher need than the two applicants with 110 points from 2002 and 2003.

Banding - Urban area (low demand)

The table below shows all the allocations made by one NIHE District Office in a sample month, in an urban area (low demand). Allocations to households with intimidation points are shown separately.

A different pattern can be seen from the high demand area, with 9 of the 29 allocations being made to the same

applicant regardless of which approach (the current Scheme or the proposed banding system) is used.

The points difference between the actual and research applicants, and the difference in time waiting, tend to be lower than in the high demand urban area.

Urban Area (Low Demand)			
Actual applicant: points and date of application	Research applicant if banding used: points and date of application	Difference in points between the two applicants	Difference in time waiting between the two applicants
150 (1996)	Same applicant	Same applicant	Same applicant
0 (2015)	0 (2014)	No difference	1 year
143 (2014) *	125 (2014)*	+ 18 points *	Same year *
130 (2013)	Same applicant	Same applicant	Same applicant
126 (2013)	126 (2008)	No difference	5 years
126 (2013)	130 (2009)	- 4 points	4 years
116 (2014)	90 (2013)	+ 26 points	1 year
116 (2013)	104 (2009)	+ 12 points	4 years
110 (2014)	90(2014)	+ 20 points	Same year
104 (2014)	116 (2007)	- 12 points	7 years
100 (2014)	92 (2010)	+ 8 points	4 years

Urban Area (Low Demand)			
Actual applicant: points and date of application	Research applicant if banding used: points and date of application	Difference in points between the two applicants	Difference in time waiting between the two applicants
100 (2014)	Same applicant	Same applicant	Same applicant
90 (2014)*	92 (2012)*	- 2 points*	2 years*
84 (2014)	Same applicant	Same applicant	Same applicant
90 (2014)	Same applicant	Same applicant	Same applicant
70 (2013)*	72(2012)*	- 2 points*	1 year*
60 (2014)*	Same applicant	Same applicant	Same applicant
60 (2014)	Same applicant	Same applicant	Same applicant
59 (2014) *	Same applicant	Same applicant	Same applicant
50 (2014)	50 (2014)*	No difference	Same year
50 (2014) *	30(2006)	+ 20 points	8 years
40 (2014)*	50 (2004)*	- 10 points	10 years
30 (2013) *	30 (2013)*	No difference	Same year
20 (2014) *	24 (2011)*	- 4 points	3 years
20 (2014) *	26 (2010) *	- 6 points	4 years
20 (2014)*	20 (2005)*	No difference	9 years
0 (2014)	Same applicant	Same applicant	Same applicant
0 (2014)*	0 (2012)*	No difference*	2 years*
Intimidation cases, i.e. before / after intimidation points were removed			
320 / 120 (2014) §	160 (2007)	+ 160 / - 40 points	7 years

*	<p>This property was offered to multiple applicants to express an interest. In some cases the research applicant had been asked to express an interest, in others not.</p>
§	<p>The applicant who received the property had their intimidation points removed for the purposes of the modelling exercise.</p> <p>Note that the research applicant is different from the examples cited earlier in this document, because in this phase of the research, the focus is on the research applicant who has waited longest in a similar level of need. Proposal 7 sets out the applicants who would have been successful if the sole change to the Scheme was the removal of intimidation points.</p>

Banding - Urban area (with rural hinterland)

The table below shows all the allocations made by one NIHE District Office in a sample month, in an urban area with a rural hinterland. No applicants in this sample had intimidation points.

There are fewer total allocations, and a similar pattern can be seen to the low demand urban area, i.e. the differences between the applicants, in terms of points and time waiting, are not as great as in the high demand urban area.

Urban area (rural hinterland)			
Actual applicant: points and date of application	Research applicant if banding used: points and date of application	Difference in points between the two applicants	Difference in time waiting between the two applicants
149 (2014)	144 (2011)	+ 5 points	3 years
112 (2014)	94 (2010) <input type="checkbox"/>	+ 18 points	4 years
90 (2013)	94 (2010) <input type="checkbox"/>	- 4 points	3 years
90 (2014)	94 (2010) <input type="checkbox"/>	- 4 points	4 years
59 (2014) *	30 (2013) *	+ 29 points *	1 year *
42 (2003)	34 (2005)	+ 8 points	- 2 years
<p>* This property was offered to multiple applicants to express an interest.</p>			
<p><input type="checkbox"/> These symbols show where the research identified that the same household might have received a number of offers based on their time waiting and level of need.</p>			

Annex D

NIHE report:

Modelling exercise to estimate effects of potential changes to current Housing Selection Scheme

NIHE report:

Modelling exercise to estimate effects of potential changes to current Housing Selection Scheme

1.0. Introduction

Following the publication of the University of Ulster/University of Cambridge report “Research to Inform a Fundamental Review of Social Housing Allocations Policy” in December 2013 and a subsequent consultation exercise, the DSD has asked the Housing Executive’s Research Unit to undertake a modelling exercise which will estimate the effects of potential changes to the current Selection Scheme in relation to (i) a combination of points and length of time on the Waiting List and (ii) the impact of removing intimidation points from the Scheme. The research study was carried out by NIHE’s Research Unit in partnership with its Landlord Services.

The research will inform a further round of consultation on changes to the Selection Scheme. It will provide the Department for Communities (DfC) and Northern Ireland Housing Executive (NIHE) with evidence to support engagement with tenants and their representatives

in introducing a revised Selection Scheme which addresses a number of concerns identified to date.

It is important to note the limitations of the study; the sample size is small and therefore not necessarily truly representative of allocations as a whole. Nevertheless this essentially qualitative methodology is valuable in that it provides an evidence base for assessing the impact of the two proposals and indicating the likely outcomes of change. It is recommended that a more comprehensive Pilot study should be carried out following any initial Departmental consultation, in one of the busier local offices.

2.0 Methodology

The outcome of preliminary meetings between the DSD and NIHE was a three stage methodology designed to address a number of issues that arose in the academic research and subsequent consultation:

- **Stage 1:** Banding using a combination of points and time on waiting list;

- **Stage 2:** Intimidation points to be tested separately from Banding; with 40 points awarded and 0 points awarded (instead of 200 as in the current Scheme); and
- **Stage 3:** Intimidation points to be tested (with 40 points awarded and 0 points) alongside Banding using a combination of points and time on waiting list.

Three areas for modelling were agreed:

- **Area 1:** Urban area (High demand);
- **Area 2:** Urban area (Low demand); and
- **Area 3:** Urban area (with Rural hinterland).

The Research Unit reviewed actual allocations made in a given month, including headline information on the household who was allocated the property. The Unit then reviewed all other applicants on the waiting list in that area of choice, who could have been allocated the same size property. For Stages 1 and 3, this involved reviewing the points award and date of application for all applicants in that area, to identify those applicants within the same points band and then to identify their date of application. This was an intensive and time-

consuming case-review approach, of which only the high level outcomes are presented here.

NIHE Landlord Services provided the Research Unit with a listing of all allocations for a given month for each of the 3 areas. This listing was to be the database for Stages 1-3. However, for Stage 2 and 3 the database was boosted to include allocations for an additional month as the given month saw very few allocations to applicants with intimidation points.

Using the database, the Research Unit accessed the Housing Management System (HMS) to obtain the matching criteria (characteristics to enable a suitable match) for that property. This information was then converted to SPSS (a statistical package used by the Research Unit to process data) for easier manipulation of the data.

Banding was applied at stages 1 and 3 with date of application as proxy for the date final points were awarded for those allocations made before July 2011.

The Research Unit also requested Landlord Services provide a listing of all applicants with intimidation

points on the waiting list for the high demand urban area and an additional urban area for contextual information. Landlord Services provided a listing for two consecutive months, one of which was the additional month included in Stage 2 of the research.

Transfer applicants were excluded from the research on the basis that they typically have a different profile of housing need from applicants on the waiting list, and therefore the distribution across bands may be significantly different from new applicants. It was determined that it would be easier to compare actual allocations with research allocations if one type of applicant (i.e. a new applicant, rather than a transfer) was consistently used.

The Research Unit has policies, procedures and structures in place to ensure that there is a safe environment for the handling and storage of all data as required under the UK Statistics Authority's Code of Practice.

2.1 Stage 1: Banding using a combination of points and time on waiting list

The initial stage of the modelling exercise involved allocating properties

which had actually become available in the given month on the basis of seven hypothetical Bands ranging from 0 to 150+ with a range of 30 points between each Band:

- **Band 1:** 0 points
- **Band 2:** 1-29 points
- **Band 3:** 30-59 points
- **Band 4:** 60-89 points
- **Band 5:** 90-119 points
- **Band 6:** 120-149 points
- **Band 7:** 150+ points

Rather than priority being determined by the number of points, the modelled allocation was based on the property being awarded to the household (which matched the area of choice and the bedroom criteria) in the highest band that had been on the waiting list the longest.

2.2 Stage 2: Intimidation points reduced / removed

At stage 2, intimidation points were tested separately from Banding.

Two approaches were followed: in the first, all 200 intimidation points were removed, meaning an award of 0 points for intimidation. In the second, 160 points were removed, meaning an award of 40 points for intimidation. Under both approaches,

it was assumed that applicants who had been intimidated would continue to be awarded the 20 social needs points for threat of violence.

All modelled allocations were based on the removal of all intimidation points or all but 40 intimidation points, combined with the choice of area and the appropriate bedroom requirement. This ensured that a consistent approach was taken to variations in the number of bedrooms and the appropriate household composition for the dwelling available. The modelled applicant on the list with the highest points – after all intimidation points (or all but 40 points) had been removed – was deemed the applicant who would have been allocated the property.

2.3 Stage 3: Intimidation points removed with Banding applied

At stage 3, all intimidation points were removed and banding was applied as in Stage 1.

All modelled banding allocations were based on: removal of all 200 intimidation points combined with the choice of area and appropriate bedroom requirement and date of application.

3.0 Key Findings

“Actual applicant/allocation” refers to the applicant that was in fact allocated the property under the current scheme.

“Research (or modelled) applicant/allocation” refers to the applicant who would have been allocated the property if the modelled changes had been put into practice.

3.1 Stage 1: Banding using a combination of points and Time on Waiting List

High demand urban area

There were a total of 34 allocations in the high demand urban area in the research month. Nine were transfers, and were excluded from the modelling exercise, leaving a total of 25 actual allocations to be analysed.

Nine of these actual allocations were made to households registered on the waiting list before 2011.

Only on two occasions was the actual applicant and the research applicant the same (i.e. the same applicant would have been allocated the property regardless of which method was used).

As part of the research, the modelled applicants were not removed from the list as it could not be known that they would accept an offer. Therefore they all remained ‘live’ cases for the purpose of the research. As a result, four applicants would have been offered a property, using the Banding method, on numerous occasions. For example, an applicant on the waiting list from 2000 would have been offered a property through the Banding exercise five times.

On average modelled allocations would have been made to households who have been on the waiting list for approximately 10 years longer than the actual applicants who were allocated the property.

There are clear signs of some equality impact in relation to age. In six cases out of 25, actual allocations went to younger age groups (either 18-25 or 26-59) but under Banding, the dwellings would have been allocated to people aged 60+.

This change in age profile had little effect on dependants, probably because of the bedroom standard being applied.

Under the Banding approach, modelled applicants typically had significantly lower points totals. Some of the actual applicants had more than 200 points (5 cases out of 25) whereas none of the modelled applicants had.

The table below shows that there were more applicants in the higher bands in the high demand urban area. This would be as expected as the high demand urban area had more people on the waiting list with higher points and for a greater length of time.

Table 1: High demand urban area: Number of cases in each Band

Banding	Number of Cases
Band 1: 0 points	0
Band 2: 1-29 points	0
Band 3: 30-59 points	0
Band 4: 60-89 points	0
Band 5: 90-119 points	5
Band 6: 120-149 points	8
Band 7: 150+ Points	12

Low demand urban area

There were a total of 34 allocations in the low demand urban area in the research month. Five were transfers: these were excluded from the modelling exercise, leaving a total of 29 actual allocations to be analysed.

One actual allocation was to a household registered on the waiting list before 2011.

On nine occasions the actual applicant and the modelled applicant were the same (i.e. the same applicant would have been allocated the property regardless of which method was used).

On average modelled allocations would have been made to households who had been on the waiting list for approximately 2.5 years longer than the actual applicants who were allocated the property.

There was little equality impact in relation to age. In only four cases out of 29 did actual allocations go to a younger age group (26-59) whereas under Banding, the dwelling would have been allocated to people aged 60+.

There was little variation between the points levels. On seven occasions the modelled applicant had fewer points than the actual applicant. Only on one occasion had the actual applicant more than 200 points in total (320).

In the low demand urban area there were generally more applicants in the lower Banding compared to the high demand urban area, as shown in Table 2 below:

Table 2: Low demand urban area: Number of cases in each Band

Banding	Number of Cases
Band 1: 0 points	3
Band 2: 1-29 points	3
Band 3: 30-59 points	4
Band 4: 60-89 points	4
Band 5: 90-119 points	9
Band 6: 120-149 points	5
Band 7: 150+ Points	1

Urban area with rural hinterland

There were a total of eight allocations in the urban area with rural hinterland in the research month. Two were transfers: these were excluded from the modelling exercise, leaving a total of six actual allocations to be analysed.

One actual allocation was to a household registered on the waiting list before 2011.

One research applicant would have been offered a property on numerous occasions. For example, an applicant on the waiting list from 2010 would have been offered a property through the Banding exercise three times.

On average research allocations have been made to households who have been on the waiting list for approximately 3 years longer than the actual applicants who were awarded the property.

There is little equality impact in relation to age. Only in one case out of the six did actual allocations go to a younger age group (26-59) whereas under Banding, the dwelling would have been allocated to people aged 60+.

On two occasions the modelled applicant had more points than the actual applicant. (This may occur for a valid reason, for example, the modelled applicant had in fact been offered the property, but had refused it.) However, there was little variation between the points awarded to the actual and modelled applicants.

The urban area with rural hinterland had fewer allocations compared to both the high demand and low demand urban areas, with applicants in Bands 3, 5 and 6 as shown in Table 3 below:

Table 3: Rural: Number of cases in each Band

Banding	Number of Cases
Band 1: 0 points	0
Band 2: 1-29 points	0
Band 3: 30-59 points	2
Band 4: 60-89 points	0
Band 5: 90-119 points	3
Band 6: 120-149 points	1
Band 7: 150+ Points	0

An example of a case study from one of the areas analysed in Stage 1 can be seen in Table 4 below.

Table 4: Case study number 1:

	Actual Applicant	Modelled Applicant	Comments
Date of Application	2013	1997	16 years difference
Age	26-59	26-59	
Dependants	No	no	
Points	146	130	16 points difference

Summary

As would be expected under Banding, modelled allocations are made to applicants who have been on the waiting list longer than the actual applicant. There is some indication of an equality impact based on age in all three areas, particularly in the high demand urban area, with actual allocations being more likely to go to younger households, and modelled allocations more likely to go to those over 60. There is generally little variation in points between the actual and modelled applicant. However, variation between the three Areas is clearly evident in respect of length of time on waiting list

and points allocated, with the low demand and rural areas having fewer people on the waiting list for long periods of time and with lower points compared to the high demand area. In conclusion Banding shows a clear impact in all districts, but particularly in the urban area of high demand.

3.2 Stage 2: Intimidation points removed

In this stage, the Banding analysis of Stage 1 was set aside. The only change modelled was that intimidation points were removed from those applicants on the list who had been awarded them. All other points remained unchanged.

The high demand urban area had only made two allocations in the research month to applicants with intimidation points, the low demand urban area had made one and the urban/rural area had made none. The sample was boosted therefore to include an additional month of allocations. However, again the low demand urban and urban/rural areas had no intimidation allocations in the additional month and the high demand urban area had only two.

As there were very few allocations to applicants with intimidation points in the area of high demand, the Research Unit asked Landlord Services to provide a listing of all those applicants on the waiting list with intimidation points for the high demand area, and a separate area for comparison. There were a total of 40 intimidation applicants: 28 in the high demand area and 12 in the comparison area; points awards ranged from 270 to 432 and the two modelled applicants from the high demand urban area were included on the list. Further work with the Local Offices may be required to see why there appear to be a low number of allocations made to intimidation cases, compared to the number of applicants on the waiting list. However, relevant factors may be

applicants' areas of choice, and the size and type of property they were deemed to need: these may not have been available in the research month or the additional month.

All actual applicants but one were awarded 20 social needs points for violence or fear of violence.

High demand urban area – research month

There were a total of two allocations to applicants with intimidation points in the high demand area in the research month.

If the intimidation points were removed from both applicants, in each case, they would not have received an allocation. The same modelled applicant would have been allocated the property regardless of whether all intimidation points or all but 40 intimidation points were removed.

Both modelled allocations would have been made to applicants who had been on the waiting list on average 3.5 years longer than the actual applicants.

There was an age difference between actual and modelled applicants: in

case 1, the actual allocation was to someone aged 26-59 and the modelled applicant was aged 16-25yrs. In case 2 the actual applicant was aged 18-25 and the modelled applicant was aged 26-59yrs.

There are clear signs of some equality impact in relation to dependants. In both cases the actual applicant had no dependants and the modelled applicants both had 1 dependant child.

As would be expected in both cases, modelled applicants had typically significantly lower points totals than the actual applicant, because the actual applicants had intimidation points. However, the modelled applicants both had 200+ points based on their housing circumstances (i.e. excluding any intimidation points they may have been entitled to). Table 2 below shows the points difference between the actual and modelled applicants for the two intimidation allocations.

Table 5: High demand urban Allocations (research month) – Points difference

	Actual Applicant		Modelled Applicant	
	Points Awarded	Date of Application	Points Awarded	Date of Application
Case 1	300 (if all intimidation points removed, applicant would have had 100 points; if 160 intimidation points removed – 140 points)	2013	224	2011
Case 2	310 (If all intimidation points removed, – applicant would have had 110 points; if 160 intimidation points removed –150 points)	2014	228	2009

In both cases, the actual applicants had 70 homeless points and 20 social need points, meaning their underlying housing need, excluding all factors related to the intimidation, was 10-20 points.

High demand urban area – additional month

There were a total of two allocations to applicants with intimidation points in the high demand area in the additional month.

If the intimidation points were removed from both applicants, in each case, they would not have received an allocation. Again on both occasions the same modelled applicant would have been allocated the property regardless of

whether all intimidation points or only 160 intimidation points were removed.

Modelled allocations would have been made to households who had been on the waiting list since 2008 and 2009, on average 4.5 years longer on the waiting list than the actual applicants.

There was no age difference between actual and modelled applicants in both cases. In 1 case the modelled applicant had 1 dependant child whereas the actual applicant had none.

In both cases the modelled applicant had lower points than the actual applicant as detailed in the Table 3 below:

Table 6: High demand urban area Allocations (research month) – Points difference

	Actual Applicant		Modelled Applicant	
	Points Awarded	Date of Application	Points Awarded	Date of Application
Case 1	312 (If all intimidation points removed, applicant would have had 112 points; if 160 intimidation points removed – 152 points)	2013	228	2009
Case 2	290 (If all intimidation points removed, applicant would have had 90 points; if 160 intimidation points removed -130 points)	2013	170	2008

In both cases, the actual applicants had 70 homeless points and 20 social need points, meaning their underlying housing need, excluding all factors related to the intimidation, was 0-22 points.

Low demand urban area – research month

There was one intimidation allocation in the low demand urban area in the research month.

The same modelled applicant would have been allocated the property regardless of whether all intimidation points or only 160 intimidation points were removed.

The modelled allocation was made to a household which has been seven months longer on the waiting list.

There was an age difference in actual and modelled applicants; the actual applicant was 26-59 and the modelled applicant was 60+yrs. Both had no dependants.

As would be expected, the modelled applicant had a typically significantly lower points total as detailed in the summary table below:

Table 9: Low demand urban area Allocations (research month) – Points difference

	Actual Applicant		Modelled Applicant	
	Points Awarded	Date of Application	Points Awarded	Date of Application
Case 1	320 (If all intimidation points removed, applicant would have had 120 points; If 160 intimidation points removed-160 points)	2014	168	2014

The actual applicant had 70 homeless points and 20 social need points, meaning their underlying housing need, excluding all factors related to the intimidation, was 30 points.

Summary

Clearly if intimidation points are removed a different household is in all cases allocated the property; there are too few cases to make any significant assessment of the equality impact in relation to age and dependants. However, regardless of whether all intimidation points are removed or 40 intimidation points are awarded instead of 200, there is no difference in terms of which applicant is awarded the property. The exercise also clearly shows again that in the high demand urban area there were applicants on the waiting list for a considerable length of time with 150+ points. This was evident in the modelling exercise when intimidation points were removed and allocations were still going to applicants who had been on the waiting list for on average 3.5 years longer with 150+ points.

3.3 Stage 3: Intimidation points removed with banding applied

As stated in Phase 2, the high demand urban area had two intimidation allocations in the research month, the

low demand urban area had one and the urban / rural area had none. For this reason the sample was boosted again by including an additional month's allocations, however both the low demand urban and the urban / rural area had no intimidation allocations in the additional month and the high demand urban area had two.

High demand urban area – research month

There were a total of 2 intimidation allocations in the high demand urban area in the research month.

Both modelled allocations were made to applicants who had been on the waiting list on average 10.5 years longer than the actual allocations.

There was an age difference between actual and modelled applicants in one case: the actual applicant was aged 18-25 and the modelled applicant was aged 26-59yrs.

There is some indication of an equality impact in relation to dependants. In both cases the actual applicant had no dependants and the modelled applicants both had one dependant child. However the number of cases is very small.

As would be expected in both cases, modelled applicants had typically significantly lower points totals than the actual applicant. However, when all intimidation points were removed,

points allocated to actual and modelled applicants were either very similar or the same as shown in the table below:

Table 8: High demand urban area – research month allocations – Points difference

	Actual Applicant		Modelled Applicant	
	Points Awarded	Date of Application	Points Awarded	Date of Application
Case 1	300 (Intimidation points removed – 100 points)	2013	90	2004
Case 1	310 (Intimidation points removed – 110 points)	2014	110	2002

High demand urban area – Additional month

There were a total of two intimidation allocations in the high demand urban area in the additional month.

Modelled allocations were made to households who had been on the waiting list since 2002 and 2003, on average 10.5 years longer on the waiting list than the actual allocations made.

There was an age difference between both actual and modelled applicants

in one case: the actual applicant was aged 18-25 and the modelled applicant was aged 26-59yrs. In one case the modelled applicant had one dependant child whereas the actual applicant had none.

In both cases the modelled applicant had fewer points than the actual applicant and again when intimidation points were removed and banding applied the points were very similar; in one case the modelled applicant had more points than the actual applicant as detailed in the table below:

Table 5: High demand urban area – additional month Allocations – Points difference

	Actual Applicant		Modelled Applicant	
	Points Awarded	Date of Application	Points Awarded	Date of Application
Case 1	312 (Intimidation points removed -112 points)	2013	110	2002
Case 2	290 (Intimidation points removed - 90 points)	2013	110	2003

Low demand urban area – Research month

There was 1 intimidation allocation in the low demand urban area in the research month.

The modelled allocation was made to a household which had been one year longer on the waiting list.

There was no age difference between actual and modelled applicants. Neither applicant had dependants.

Modelled applicants had typically significantly lower points totals. However, when all intimidation points were removed and banding applied the modelled applicant had more points than the actual applicant as detailed in the summary table below:

Table 6: Low demand urban area – Research month Allocations – Points difference

	Actual Applicant		Modelled Applicant	
	Points Awarded	Date of Application	Points Awarded	Date of Application
Case 1	320 (Intimidation points removed -120 points)	2014	149	2013

Summary

In scenarios in which intimidation points were removed and banding applied, a different household in all cases would be allocated the property. There are too few cases to make any significant assessment of the equality impact in relation to age and dependants. However, the importance of the removal of intimidation points and the application of banding is particularly evident in the high demand urban area, where modelled applicants are shown to have been on the waiting list for a much greater length of time.

4.0 Conclusion

This small research study has provided a number of insights into the effects of applying banding, using a combination of points with time on waiting list, and the removal of all or most intimidation points, on the allocation of housing. Both have a significant impact on the length of time of an applicant awarded a

dwelling has been on the waiting list. There is clear evidence that introducing one or both of these amendments would address some of the concerns raised to date as referenced by the academic research. There would also appear to be equality impacts in relation to the age of households and the number of dependants.

However it is important to note the limitations of the study; the sample size is small and therefore not necessarily truly representative of allocations as a whole. Nevertheless this essentially qualitative methodology is valuable in that it provides an evidence base for assessing the impact of the two proposals and indicating the likely outcomes of change. It is recommended that a more comprehensive Pilot study should be carried out following any initial Departmental consultation, in one of the busier local offices.

The table below suggests which of the proposals (if adopted following consultation) will receive priority for implementation. This will be reviewed based on the likely complexity of implementation.

Measure	Likely Timescales
1. An independent, tenure-neutral housing advice service for Northern Ireland.	Short Term
2. An applicant who has been involved in unacceptable behaviour should not be eligible for social housing or Full Duty homelessness status unless there is reason to believe – at the time the application is considered – that the unacceptable behaviour is likely to cease.	Medium Term (subject to legislative timescale)
3. NIHE may treat a person as ineligible for Full Duty homelessness status on the basis of their unacceptable behaviour at any time before allocating that person a social home.	Medium Term (subject to legislative timescale)
4. NIHE can meet their duty to homeless applicants on a tenure-neutral basis, provided that the accommodation meets certain conditions.	Short Term
5. A greater choice of areas for all applicants for a social home.	Short Term
6. Greater use of a mutual exchange service.	Short Term
7. The removal of intimidation points from the Selection Scheme.	Short Term
8. Points should reflect current circumstances for all applicants	Short Term
9. The removal of Interim Accommodation points from the Selection Scheme.	Dependent on proposal 10
10. The Selection Scheme should place applicants into bands based on similar levels of need to meet longstanding housing need more effectively.	Long Term (further modelling may be required)

11. The Selection Scheme should always align the number of bedrooms a household is assessed to need with the size criteria for eligible Housing Benefit customers.	Medium Term
12. For difficult-to-let properties: Social landlords should be able to make multiple offers to as many applicants as they think necessary.	Short term
13. For difficult-to-let properties: Social landlords should be able to use choice-based letting.	
14. For difficult-to-let properties: Social landlords should be able to go direct to multiple offers if they have evidence that a property will be difficult to let.	
15. An applicant may receive two reasonable offers of accommodation.	Short Term
16. Social landlords may withdraw an offer of accommodation in specified circumstances.	Short Term
17. Social landlords may withhold consent for a policy succession or assignment to a general needs social home in limited circumstances where there is evidence an applicant needs it.	Short Term
18. Social landlords may withhold consent for a policy succession or assignment of adapted accommodation or purpose built wheelchair standard accommodation where there is evidence an applicant needs it.	Short Term
19. Updating the Selection Scheme to bring it in line with developments in Public Protection Arrangements Northern Ireland.	Short Term
20. Specialised properties should be allocated by a separate process outside the Selection Scheme.	Medium Term

