

Equality Commission

FOR NORTHERN IRELAND

Equality in Housing and Communities

Draft Policy Recommendations

June 2017



POLICY
RECOMMENDATIONS
HOUSING AND COMMUNITIES

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1 Executive summary

- 1.1 Housing is a basic human need and provides a foundation for family and community life. Good quality, affordable housing in safe, sustainable communities is essential to ensuring health, well-being and a prosperous society.
- 1.2 The Commission is mindful of the complex relationships that exist between housing and other domains. Addressing key inequalities will not only require work across a range of Departments, agencies and functions of government, but also by organisations who have responsibilities for, or an interest in, housing and communities in Northern Ireland.
- 1.3 Developed from a range of research and evidence sources, and the Commission's wider work over a number of years, this policy position paper sets out the Commission's views on specific policy priorities and recommendations for action.
- 1.4 While the Commission would urge prompt action to address and implement these recommendations, we will for the next period continue to engage with a range of key stakeholders to further refine our proposals and recommendations.
- 1.5 It is anticipated that these policy recommendations, in tandem with our *Statement on Key Inequalities*, will both support and challenge government and key partners to address key inequalities in housing and communities through the development and delivery of legislation, policy and services over the coming period.
- 1.6 The Commission has identified the following as priority areas for action:
- **Develop shared, safe communities based on equality, dignity and respect.**
 - **Ensure that everyone has access to a sustainable, secure home and enjoys the right to independent living.**
 - **Address the specific housing needs of particular equality groups.**
- 1.7 We also set out two additional cross-cutting priority areas for action
- **Mitigate the long-term negative impacts of Welfare Reform.**

- **Ensure equality data collection and disaggregation is sufficient to inform the development of robust Programme for Government and the delivery of effective PfG outcomes.**

1.8 We set out below a summary of key recommendations under each of these priority areas:

Develop shared, safe communities based on equality, dignity and respect.

advance sharing in housing, while ensuring that objectively assessed housing need is met.

1.9 The Commission restates its view on the value of shared housing and that segregated housing in Northern Ireland is not the way forward for our society. We view socially, ethnically, politically and religiously integrated housing as a preferred option and long-term goal. The Commission recognises that people need to feel safe where they live, and considers that actions are needed to encourage and incentivise integration. While reiterating the importance of ensuring that housing need is met on the basis of objectively assessed need, actions which advance sharing in housing could also serve to expand housing markets; increase opportunities to meet objectively assessed housing need; and advance sharing more generally.

implement specific long-term measures to eliminate discrimination and intimidation, tackle prejudicial attitudes and promote values of acceptance and respect for difference.

1.10 Access to adequate and sustainable housing will be maximised where families and individuals from across the Section 75 grounds are able to feel safe in their homes and communities. We recommend¹ that the programme of work for government includes priority actions to challenge prejudicial attitudes, behaviour and hate crime, to ensure that public spaces, communities, workplaces and services are free from intimidation, harassment and or discrimination across the equality grounds.

¹ ECNI (2016) [Programme for Government](#)

further tackle the under-reporting of hate incidents and crimes (against persons and dwellings), and to increase outcome rates.

- 1.11 In 2013, the NI Human Rights Commission² noted that ‘under reporting of hate crimes by victims was commonplace.’ With regards to homophobic incidents, Police Service of Northern Ireland statistics show increases in both ‘violence against the person offences’ and ‘criminal damage to a dwelling’ offences year on year across the period 2007/08 to 2013/14. However, they caution that these statistics are likely to be subject to under-reporting. Hate crime can have a devastating effect upon victims and their families. In 2015, the Northern Ireland Policing Board noted that ‘the impact varies from victim to victim but it leaves many feeling permanently unsafe’³.

address the fear of crime among older people, so that they can feel safe within their homes and communities.

- 1.12 The likelihood of an older person being a victim of crime is low. However, when Age NI looked at the wider societal impact of crime on older people, it found that 66% of older people who took part in its survey believed fear of crime is the biggest problem facing older people. 22% stated that fear of crime was a barrier to engaging with their communities and 17% felt trapped in their own home.⁴

Ensure that everyone has access to a sustainable home and enjoys the right to independent living.

Ensure application of accessible housing standards to all new builds.

- 1.13 We consider that more needs to be done to ensure that all new builds in private tenures comply with accessible standards, so as to better facilitate individuals to secure a home and remain in it. We note recognition within draft PfG delivery plans of the need to increase the provision of accessible homes.⁵ Over time, the universal application of accessible standards would significantly

² NIHRC (2013) [Racist Hate Crime – Human rights and the criminal justice system](#), page 61

³ NIPB (2015) [Human Rights Annual Report](#)

⁴ Age NI Home Safety & Community - [Community Safety](#)

⁵ NI Executive (2017) [PfG Delivery Plan indicators 8 and 48](#)

reduce the need for formal care services and costly home adaptations in the future⁶.

provide information regarding the availability of accessible accommodation

- 1.14 Accessible housing is most likely to be found within social housing⁷. However, NIHE's 2012 Audit of Inequalities⁸ notes 'anecdotal evidence suggests that demand may be rising [within the private rented sector] as more people find themselves in inaccessible private rented property, either because of the shortage of social housing, or because they cannot afford / get a mortgage to purchase a property.'

ensure the provision of easy to access and affordable adaptation services across all tenures – including by streamlining existing processes; increasing awareness of grants; and reducing waiting times.

- 1.15 A person with disabilities may require adaptations to their existing or prospective home. We note recognition within the draft PfG delivery plans of the need to streamline the adaptations and disabled grants process to reduce waiting times.⁹ We consider that ensuring the availability of housing adaptations is essential, not least given the emphasis within government policy - particularly Transforming Your Care¹⁰ - on the delivery of social care within the home.

extend the Disability Discrimination Act to include reasonable adjustments to communal areas in residential properties.

- 1.16 Currently under the disability discrimination legislation, landlords and managers of rented residential premises must make reasonable adjustments to a disabled person's home. In addition, they cannot unreasonably refuse permission for disability-related alterations to be carried out. Landlords however are not required to make disability-related alterations to the physical features of the common parts of let residential premises, such as stairs and hallways, even if they are reasonable to make and paid for by a disabled tenant.

⁶ Wallace, A. (2015) [Housing and Communities Inequalities in Northern Ireland](#) at page 141

⁷ NISRA (2013) [Census 2011, Table DC4413NI](#)

⁸ NIHE (2012) [Audit of Inequalities](#)

⁹ NI Executive (2017) [PfG Delivery Plan indicators 8 and 48](#)

¹⁰ DHSSPS [Transforming Your Care: A review of health and social care in Northern Ireland](#)

ensure access to adequate, sustainable and long-term independent living provision, for all people with disabilities for whom it is a viable housing option.

- 1.17 Research¹¹ carried out on behalf of the Equality Commission in 2014 found that ‘many people with disabilities in Northern Ireland lack the choice, control and freedom to determine where and with whom they live.’ Article 19 (the right to live independently) of the UN Convention on the Rights of Persons with Disabilities¹² makes clear that disabled people have the right to determine how to live their own lives, particularly with respect to personal decisions regarding their living arrangements, including with respect to personal care and support.

ensure that older people of differing sexual orientations and transgender people have their residential or nursing care needs fully met.

- 1.18 Older LGB and trans people may have different family support networks and thus potentially differing needs for residential or nursing care support when compared to others. In addition, older LGB people’s experience of growing up in Northern Ireland may make them more reluctant¹³ than others to disclose their sexuality. The care needs and sensitivities of LGB and trans people may not automatically be taken into account by service providers in the provision of residential and nursing care¹⁴ and service provision may thus not meet the specific needs of all residents and those receiving respite care.

ensure sufficient Health and Social Care Trust capacity to care for permanent care home residents (where they wish it), and provide for all older residents requiring care and support.

- 1.19 Residential care homes provide a community setting, safety and care support for older people. Should the Department of Health’s (DoH) plans proceed to reduce residential accommodation for older people¹⁵ it will be vital that residents are assured that they will

¹¹ Byrne et al (2014) [UNCRPD: Shortfalls in public policy and programme delivery in Northern Ireland relative to the Articles of the UNCRPD](#) at page 108

¹² [UN Convention on the Rights of Persons with Disabilities](#)

¹³ For example - only 14% of older people had been open to healthcare providers about their sexuality. Heaphy et al (2003), referred to in Equality and Human Rights Commission (2010) [Don't look back? Improving health and social care service delivery for older LGB users](#)

¹⁴ ARK(NI) (2013) Policy Brief, [Moving towards a sexual orientation strategy for Northern Ireland](#)

¹⁵ DHSSPS [Transforming Your Care: A review of health and social care in Northern Ireland](#)

receive the same level of care and support in alternative accommodation.

understand the housing expectations and requirements of accommodation for older people.

- 1.20 At the end of March 2014, the age group that experienced the longest social housing waiting times to be re-housed was the 60 – 64 years age group¹⁶. The demographic trend of an ageing population is contributing to an increase in demand for support services and specialised housing in old age¹⁷. However, it has been suggested that sheltered housing has become less attractive to fit, active older people¹⁸.

implementation of a fuel brokering scheme to secure competitive rates across all tenures.

- 1.21 Fuel poverty impacts most on older people across both social and private housing tenures in Northern Ireland¹⁹. While we recognise that some progress has been made, including improvements in energy efficiency through the Affordable Warmth Scheme, we reiterate that, as recognised in the Active Ageing Strategy 2016 – 2021, addressing fuel poverty should remain a priority for action.

ensure the availability of suitable accommodation and services for homeless single males; younger and older people; and refugees and unsuccessful asylum seekers.

- 1.22 The Housing (NI) Order 1988, as amended²⁰, defines a person as homeless if they do not have access to accommodation in the United Kingdom. This includes if they have no accommodation in which it is reasonable for them or their family to live in, including as regards affordability. Homelessness therefore embraces many more people than those who are sleeping on the streets. Homelessness, and the threat of it, impacts across the population as a whole, with particular issues for homeless single males; younger and older people; and refugees and unsuccessful asylum seekers.

¹⁶ Wallace, A (2015) [Housing and Communities' Inequalities in Northern Ireland](#)

¹⁷ Northern Ireland Housing Executive (Aug 2008) [Older People Housing Policy Review Action Plan 2008 – 2010](#)

¹⁸ Professor Paris, C, Emeritus Professor of Housing, Ulster University (Mar 2013) [Future need and demand for appropriate models of accommodation and associated services for older people](#)

¹⁹ Public Health Agency, 2013

²⁰ At Article 4

Address the specific housing needs of particular equality groups.

address the longer waiting-list times for social housing experienced by households with a Catholic religion household reference person.

1.23 We reiterate the importance of ensuring that housing need is met on the basis of objectively assessed need. Where stock availability (supply-side factors) differs from individual housing needs and preferences (demand-side factors), longer waiting lists can ensue. In Northern Ireland, this has a particular impact on households with a Catholic religion household reference person²¹.

1.24 Although Northern Ireland saw a decrease in residential segregation, across all sectors, between 2001 and 2011, the existence of segregated residential housing patterns can have the effect of fragmenting and limiting the operation of wider housing markets, adding complexities whereby a lack of stock (relative to demand) of social housing in sometimes narrowly defined geographical areas may not easily be met by excess supply in other nearby areas. The Commission considers that immediate and longer-term solutions are likely to be found in taking a range of steps to address both supply and demand factors.

ensure that the accommodation needs of Travellers are met, including through strategic partnerships in consultation with the Traveller community.

1.25 While some progress has been made, access to appropriate accommodation to meet the needs of Irish Travellers remains limited. The Commission continues to advocate the need for an adequate programme of accommodation to meet the needs of the Irish Traveller community and remains concerned by the lack of progress in securing planning permission for sites in the areas identified as most in need in the NIHE (2015) Traveller Accommodation Needs Assessment.

²¹ Wallace, A. (2015) [Housing and Communities Inequalities in Northern Ireland](#).

review the appropriateness of a separate planning process for Traveller families applying to establish serviced family sites in the countryside.

- 1.26 The Commission remains concerned that Travellers, who are in a position to buy their own land and develop culturally sensitive provisions for themselves rather than relying on the availability of social provision, are subject to different and additional processes relative to those who wish to establish ‘bricks and mortar’ accommodation.

ensure greater awareness of the rights, responsibilities and housing options relevant to minority ethnic groups.

- 1.27 Research suggests there is potentially limited awareness of rights and/or limited accommodation choices available to migrants and minority ethnic groups. Furthermore, these groups may lack a wider network of family and friends with knowledge of the Northern Ireland housing market, which would enable them to make better informed choices. Our Statement on Key Inequalities in Housing noted that migrant workers were often at risk of being subject to ‘tied accommodation’ with poor conditions and overcrowding. Greater awareness of rights and the market could act to empower potential tenants to explore the full range of options open to them.

determine reasons for housing overcrowding among minority ethnic groups.

- 1.28 The Commission’s Statement on Key Inequalities in Housing highlighted that minority ethnic people, particularly Roma, Irish Travellers, Asian, Black and Other ethnic groups, experience housing overcrowding more often than the general population and white people. Despite this, it has not been possible to identify any Northern Ireland specific research on the reasons for overcrowding, including with reference to these specific categories. This apparent lack of evidence impacts on the ability to identify specific causes, and thus ensure effective interventions.

Mitigate the long-term negative impacts of Welfare Reform.

ensure that the mitigation of negative impacts of Welfare Reform continues on a long-term basis.

- 1.29 While noting the mitigations which were put in place in Northern Ireland to cushion the impact of Welfare Reform implementation, and concessions around payments, the Commission is concerned at the long-term implications of the measures on a number of equality groups. We are concerned that the Welfare Reform mitigation measures are of a temporary nature ranging from one year (e.g. mitigation for those who lose out as a result of the transfer from DLA to PIP) to four years (e.g. spare room subsidy / bedroom tax)²².

monitor the effect on unemployed 18-21 year olds when access to housing benefit is withdrawn, and that steps are taken to ensure benefit changes do not result in a rise in youth homelessness.

- 1.30 The summer budget 2015 announced the removal of the housing benefit element of Universal Credit for out-of-work young people aged 18-21 from April 2017²³ ²⁴. It has been indicated that 800 young people would be directly affected by the removal of housing benefit by the introduction of Universal Credit.²⁵ Crisis UK has stated that, for some young people, the provision of housing benefit is all that stands between them and homelessness.²⁶

address the needs of single tenants aged 35 years and under when renting in the private rented sector.

- 1.31 From 1 January 2012 changes to Housing Benefit in the Local Housing Allowance²⁷ resulted in single people aged 35 years old and under only entitled to a shared accommodation rate. Research to date has been of small scale but found that since the changes came into force around one in ten landlords no longer rent to under

²² See UN Inquiry into the Rights of Disabled People in the UK and Letter from [UKIM to DWP Minister Penny Mordaunt dated 1st December 2016](#) [16 UN Inquiry into the Rights of Disabled People](#)

²³ Parliament UK (Aug 2015) [Research Briefings: Housing Benefit: withdrawing entitlement from 18-21 year olds](#)

²⁴ This will take effect from April 2017

²⁵ Department for Social Development (Sept 2015) [The Impact of the Summer Budget 2015](#)

²⁶ Crisis UK (May 2015) [Access to housing benefit for 18-21 year olds](#)

²⁷ Northern Ireland Housing Executive's website: [Benefits and Grants/Local Housing Allowance](#)

35 year old single people²⁸. Furthermore, over one third of landlords in that research stated that they might cease letting to Local Housing Allowance single tenants under the age of 35. The Commission continues to recommend the introduction of comprehensive legislation to make unlawful any unjustified age discrimination in the provision of goods and services - including in the provision of accommodation.

tackle barriers which the ‘digital by default’ system of benefits may present to those within some Section 75 categories.

- 1.32 With the provision of government services moving increasingly to ‘digital by default’, safeguards are necessary to ensure that those within Section 75 groups receive their full entitlement to benefits. Particular issues may arise for those who do not have access to the internet, or who may require assistance to access the range of information required.

Ensure Equality data collection and disaggregation is sufficient to inform the development of a robust Programme for Government and the delivery of effective PfG outcomes

address key equality data gaps across a number of areas of public policy.

- 1.33 Comprehensive equality data is necessary to shape, refine and evaluate the impact of strategies, programmes and policies. There remained significant data gaps across a number of areas and themes²⁹, specifically: gender identity; religion; political opinion; and sexual orientation. We reiterate our recommendation³⁰ that government should ensure, including via Programme for Government outcomes and indicators, that it tracks outcomes both in aggregate, and across the full range of Section 75 equality categories.

²⁸ Centre for Regional Economic and Social Research, Sheffield Hallam University funded by the Department for Social Development (Mar 2014) [Monitoring the impact of recent measures affecting Housing Benefit and Local Housing Allowances in the private rented sector in Northern Ireland: Final Report](#)

²⁹ Data gaps were identified regarding gender identity; religion; political opinion; and sexual orientation. Wallace, A. (2015) [Housing and Communities Inequalities in Northern Ireland](#).

³⁰ ECNI (2016) [Response to consultation on the draft Programme for Government](#)

ensure data is sufficiently disaggregated to allow for meaningful equality analysis, to better inform public policy intervention.

- 1.34 In housing, there is a lack of data disaggregation³¹ in relation to: ethnicity; disability status; marital status; and dependency status. For example, key housing datasets offer limited detail with regard to data on minority ethnic groups and migrants.

³¹ Wallace, A. (2015) [Housing and Communities Inequalities in Northern Ireland](#). as quoted in ECNI (2016) [Draft Statement on Key Inequalities in Northern Ireland](#)

2 Introduction

- 2.1 Housing is a basic human need and provides a foundation for family and community life. Good quality, affordable housing in safe, sustainable communities is essential to ensuring health, well-being and a prosperous society.
- 2.2 Housing requirements are unlikely to be the same for all people across all equality groups and so the steps needed to ensure an accessible, adequate and sustainable home may differ for one person or family to another, depending upon a number of factors, including their equality characteristics or identities³².
- 2.3 In Northern Ireland some households experience severe housing need, deprivation, homelessness and inadequate housing. Further, the full impact of the Welfare Reform programme has not yet been felt in Northern Ireland, as a result in part of mitigations and concessions that are being put in place.
- 2.4 Action is required both to address key inequalities and to mitigate any adverse effects of Welfare Reform that in the longer term could serve to create or increase inequality across protected grounds. Further, whilst socio-economic disadvantage is not a specified ground under the equality legislation, it is clear that the barriers and inequalities experienced by equality groups can be exacerbated by poverty and social exclusion. The Commission continues to proactively highlight the link between poverty and social exclusion, and the inequalities faced by individuals protected under the equality legislation and stresses the need for urgent action to address poverty and social exclusion experienced by individuals across the range of equality categories.

Background context

- 2.5 The New Policy Institute (2014) found that, on almost all indicators, the economic recession had a greater impact upon Northern Ireland residents than those in Great Britain. For example, the Institute's (2014) Poverty and Social Exclusion (PSE) research found that the median income after housing costs for people in Northern Ireland fell 10% between 2006/07 and 2011/12, compared to 7% for the United Kingdom as a whole; this fall was greatest amongst the lowest paid^{33, 34}.

³³ New Policy Institute (2014) [Monitoring Poverty and Social Exclusion in Northern Ireland 2014](#).

³⁴ Wallace, A. (2015) [Housing and Communities Inequalities in Northern Ireland](#).

- 2.6 The economic recession however saw a return of house prices to more affordable levels. Whilst mortgage applications now require more stringent checks related to affordability, opportunities to become a homeowner have improved. In addition, those who do not have sufficient deposits may make use of the co-ownership scheme³⁵.
- 2.7 The private rented sector in Northern Ireland more than doubled between 2001/2002 and 2013/14, both in terms of its share of Northern Ireland's housing stock³⁶ and the proportion of people living in this sector^{37, 38}. The Department for Communities consulted³⁹ on a discussion document on the role and regulation of the private rented sector in 2015/16, and consulted⁴⁰ on proposals for change earlier in 2017.
- 2.8 Reductions in funding and allowances as a result of Government budgetary measures have however impacted the social housing sector. For example, compared to 2011/12, 2014/15 saw a reduction of 31 percentage points in social housing financial investment⁴¹.
- 2.9 Within social housing, while new building schemes exist, the rate of building itself is insufficient to meet waiting lists. For example, the new build target for 2015/16 was 1500 homes started. While this target was exceeded, the waiting list for a social home was 37,586⁴².
- 2.10 The extent of pressure which Welfare Reform will place on the ability to access and sustain accommodation remains unknown, but it is likely that individuals from some Section 75 categories will be impacted significantly.
- 2.11 As our society continues to age, demands on adaptation and social care services in the home will undoubtedly increase. This has financial implications for Government, in how it responds to these demands and prioritises services within its budget constraints.

³⁵ Wallace, A. (2015) [Housing and Communities Inequalities in Northern Ireland](#).

³⁶ In 2001/2002 the private rented sector accounted for 6.6% of the total housing stock, compared to 16.4% in 2013/14.

³⁷ In 2001/2002 the private rented sector accounted for 6.6% of occupied housing stock, compared to 16.4% in 2013/14.

³⁸ DSD (2014) [Northern Ireland Housing Statistics 2013-14](#).

³⁹ DSD (2015) [Review of the Role and Regulation of the Private Rented Sector in Northern Ireland - discussion document](#)

⁴⁰ DfC (2016) [Private Rented Sector in Northern Ireland – Proposals for Change](#)

⁴¹ Wallace, A. (2015) [Housing and Communities Inequalities in Northern Ireland](#).

⁴² NIHE (2016) [Annual Report](#), p4

- 2.12 The relevant authorities – the Northern Ireland Housing Executive, NIHE; the Department for Social Development, DSD (in May 2016, relevant functions moved to a newly formed Department for Communities); and health and social care providers - have instituted plans to improve housing situations, with the potential to narrow identified differentials⁴³. Programmes such as DSD's Social Housing Reform Programme⁴⁴ provided an opportunity to shape all areas of provision; the review of the private rented sector sought to improve how this growing sector operates to the benefit of tenants⁴⁵; while Northern Ireland Housing Associations exceeded their target of 1500 new social housing starts in 2015/16⁴⁶.
- 2.13 Initiatives are also operating which seek to improve community cohesion and sharing⁴⁷; tackle homelessness⁴⁸; prevent and deal with hate incidents and crimes⁴⁹; and cater to the changing accommodation needs of society as regards ageing and disability⁵⁰.
- 2.14 Many inequalities however remain persistent and hard to tackle, and there are a number of new and emerging inequalities that are impacting on some of the equality groups across the equality grounds.
- 2.15 Further, while both Shuttleworth and Lloyd (2013)⁵¹ and Nolan (2014)⁵² note that residential segregation has declined since 2001, it remains the case that highly segregated residential housing patterns persist in Northern Ireland.

Research on persistent and emerging inequalities

- 2.16 In 2015 the Commission published extensive independent research from the University of York⁵³. The research set out evidence of a range of inequalities and raises concerns about the accessibility,

⁴³ Wallace, A. (2015) [Housing and Communities Inequalities in Northern Ireland](#). Executive Summary

⁴⁴ DSD '[Social Housing Reform Programme](#)'.

⁴⁵ DSD '[Review of the Role and Regulation of the Private Rented Sector](#)'

⁴⁶ NIHE (2016) [Annual Report](#)

⁴⁷ For example, the NIHE and Housing Associations work to progress shared housing.

⁴⁸ For example, the NIHE Homelessness Strategy (2012-2017) and DfC funded Supporting People Programme

⁴⁹ For example, the NIHE Community Safety Strategy (2015) and Supporting Tenancies for People from Ethnic Minorities

⁵⁰ For example, the final report and action plan of the Interdepartmental Review of Housing Adaptation Services, and the NIHE Accessible Housing Register

⁵¹ Shuttleworth, I. and Lloyd, C. (2013) Moving apart or moving together? A snapshot of residential segregation from the 2011 Census.

⁵² Nolan, P. (2014) [Northern Ireland Peace Monitoring Report. Number Three](#).

⁵³ Wallace, A. (2015) [Housing and Communities Inequalities in Northern Ireland](#).

adequacy and sustainability of accommodation for a number of groups protected by equality laws.

- 2.17 In addition, a key finding of the research was that there remained significant data gaps⁵⁴ and a lack of data disaggregation across a number of areas. This was considered to impact significantly on both the degree to which overall inequalities in housing could be assessed and addressed; and also on the ability to monitor and evaluate the effectiveness of the actions taken by Government Departments and others to advance outcomes and address these inequalities.
- 2.18 Going forward, actions to address data gaps must be an essential component of the work of government if it is properly to address key inequalities and to meet its Section 75 statutory duties to pay due regard and regard to equality of opportunity and good relations. Furthermore, it is necessary if government is to implement an *outcomes based accountability* model across the work of government.

Statement on Key Inequalities in Housing and Communities in Northern Ireland

- 2.19 In 2017, the Commission published⁵⁵ an updated '*Statement on Key Inequalities in Housing and Communities in Northern Ireland*'⁵⁶, drawing on the above research and wider sources, as well as further input from stakeholders as part of ongoing engagement across 2016 on an earlier draft *Statement*.
- 2.20 The Commission's *Statement* seeks to highlight the nature and extent of inequalities across the nine equality categories covered by Section 75 of the Northern Ireland Act 1998 (gender; racial group; disability status; sexual orientation; religious belief; political opinion; age; marital status; and dependency status) in respect to housing, accommodation and related matters. Inequalities experienced across multiple equality category identities are also highlighted.
- 2.21 It is the Commission's intention that the *Statement*, and underlying research, should continue to inform the work of government, relevant Departments and stakeholders over the coming period – further assisting them to identify and adopt actions to address identified key inequalities; and to mainstream equality

⁵⁴ Data gaps identified as regards gender identity, political opinion and sexual orientation.

⁵⁵ ECNI (2017) – Statement on Key Inequalities in Housing & Communities.

⁵⁶ [ECNI website - Key Inequalities in Housing](#)

considerations into the development and review of legislation, public policy and service delivery; and to comply with their Section 75 obligations.

Policy Priorities and Recommendations

- 2.22 Developed from the above, and the Commission's wider work over a number of years, the purpose of this policy position paper is to collate the Commission's high level views on specific policy priorities and recommendations for implementation into law, public policy and/or service delivery.
- 2.23 While the Commission would urge prompt action to address and give effect to these recommendations, we will for the next period, as with our work on the above *Statement*, also continue to engage with a range of key stakeholders to further refine our proposals and recommendations.
- 2.24 It is anticipated that these policy recommendations, in tandem with the *Statement on Key Inequalities*, will both challenge and support government and key partners to address key inequalities in housing and communities through the development and delivery of legislation, policy and public services over the coming period.
- 2.25 The Commission is mindful of the complex relationships that exist between housing, communities and other domains. The interplay with labour markets, social security, health, immigration and public attitudes will demand a co-ordinated approach to develop long-term multi-faceted policy interventions.
- 2.26 The draft proposals and recommendations set out below will require action not only by government and across a range of Departments, agencies and functions of government, but also by organisations who have responsibilities for, or an interest in, housing and communities in Northern Ireland.

3 Housing and Communities: Proposed Priorities Areas for Action

3.1 With regards to housing and communities, the Commission has identified a number of priority areas for action:

- **Develop shared, safe communities based on equality, dignity and respect.**
- **Ensure that everyone has access to a sustainable home and enjoys the right to independent living.**
- **Address the specific housing needs of particular equality groups.**

3.2 We also set out two cross-cutting priority areas for action which have relevance to our work on housing and communities:

- **Mitigate the long-term negative impacts of Welfare Reform.**
- **Ensure equality data collection and disaggregation is sufficient to inform the development of a robust Programme for Government and the delivery of effective PfG outcomes.**

3.3 This paper sets out the Commission's more detailed views on these priority areas and our proposed recommendations that, if addressed, could serve to give effect to the above, and in doing so contribute to addressing key inequalities and advancing equality outcomes.

4 Develop shared, safe communities based on equality, dignity and respect.

Recommendations: Action is required to:

- advance sharing in housing, while ensuring that objectively assessed housing need is met.
- implement specific long-term measures to eliminate discrimination and intimidation, tackle prejudicial attitudes and promote values of acceptance and respect for difference.
- further tackle the under-reporting of hate incidents and crimes (against persons and dwellings), and to increase outcome rates.
- address the fear of crime among older people, so that they can feel safe within their homes and communities.

Action is required to advance sharing in housing, while ensuring that objectively assessed housing need is met.

- 4.1 The Commission restates its view on the value of shared housing and that segregated housing in Northern Ireland is not the way forward for our society. We view socially, ethnically, politically and religiously integrated housing as a preferred option and long-term goal. The Commission recognises that people need to feel safe where they live, and considers that actions are needed to encourage and incentivise integration.
- 4.2 While reiterating the importance of ensuring that housing need is met on the basis of objectively assessed need (see discussion further below), actions which advance sharing in housing could also serve to expand housing markets; increase opportunities to meet objectively assessed housing need; and advance sharing more generally.
- 4.3 We recommend actions designed to incentivise and advance safe, shared housing and communities based on equality, dignity and respect.
- 4.4 The Commission considers that actions to advance sharing should also extend beyond a narrow focus on community background. We reiterate our recommendations that the focus of actions to advance

sharing should be across all Section 75 grounds; and across a range of public policy domains. Shared communities should include shared housing, as well as shared education, employment, shopping and places of leisure.

- 4.5 Our submission⁵⁷ to the Panel of Parties in October 2013 (Haass process) recognised the complexity and sensitivity of issues. The Commission noted that it was mindful that we live in a society where, for some, the expression of one's culture is in many ways interpreted as a statement not of inclusion, but of exclusion from the other; a threat and something to fear. We endorsed the commitments in the *Together: Building a United Community* Strategy around building a culture where everyone feels safe and creating a community where all areas are open and accessible to everyone.
- 4.6 As set out in our Haass submission⁵⁸ we highlight the importance of political leadership and recommend the regulation of the display of flags, based on the principles contained in the Flags (NI) Order. We recommend a range of steps to facilitate expressions of identity in a sensitive and non-divisive manner, while also recommending consideration of the extent to which flags and emblems on private property increase community tensions and discourage the two communities from sharing public spaces.
- 4.7 We note work such as that which the Northern Ireland Housing Executive (NIHE), with support from housing associations, has undertaken to further shared housing, and reiterate the importance of considering how sharing in housing can be encouraged and incentivised, mindful of the range of factors impacting on residential preferences and decisions.
- 4.8 We therefore welcome commitments to develop shared housing schemes⁵⁹ and to consider the use of incentives. We note that a draft Programme for Government (PfG) delivery plan sets out *'to support more shared housing and reduce the extent and impact of residential segregation, we will develop a programme of financial incentives using money available through the Fresh Start agreement to incentivise the development of more mixed tenure, mixed use sites underpinned by a shared ethos.'*⁶⁰

⁵⁷ ECNI (2013) [Submission to the Panel of Parties](#)

⁵⁸ ECNI (2013) [Submission to the Panel of Parties](#)

⁵⁹ NI Executive (2017) [Delivery plan - number of households in housing stress](#)

⁶⁰ downloaded on: 13 February 2017

- 4.9 We recommend that the government makes clear how progress in this area will be tracked (including for all Section 75 categories). We also continue to recommend that the Programme for Government include an additional indicator to track progress in securing increased sharing in housing.

Supporting rationale

- 4.10 It is generally accepted in Northern Ireland that the ‘segregation of communities is common... even where there aren’t any Peace Lines’^{61, 62}.
- 4.11 Although both Shuttleworth and Lloyd (2013)⁶³ and Nolan (2014)⁶⁴ note that residential segregation has declined since 2001, it remains the case that highly segregated residential housing patterns persist in Northern Ireland. In broad terms, Census 2011 data shows that, similar to 2001, Catholic communities dominate in the west of Northern Ireland and Protestants in the east. Overall, Belfast has experienced an increase in Catholic representation⁶⁵ and a decrease in Protestant representation⁶⁶ since the 2001 Census⁶⁷.
- 4.12 Research suggests that the Northern Ireland population favours sharing over segregation. The 2014 Northern Ireland Life and Times survey results⁶⁸ found that 70% of respondents had a preference for living in a mixed religion neighbourhood (this figure was around 80% from 2004 to 2009, but has since declined to 70%). While recognising the complexity and sensitivity of issues, we also note survey findings that the majority of people do not support the flying of flags on lampposts and report unwillingness to access services in areas with flags⁶⁹.
- 4.13 Further, whilst research indicates that minority ethnic and migrant groups are generally not interested in becoming involved in

⁶¹ This was the view of 78% of the general public in Northern Ireland in 2012.

⁶² Byrne, J., Gormley Heenan, C. and Robinson, G. (2012) [Attitudes to Peace Walls](#).

⁶³ Shuttleworth, I. and Lloyd, C. (2013) Moving apart or moving together? A snapshot of residential segregation from the 2011 Census.

⁶⁴ Nolan, P. (2014) [Northern Ireland Peace Monitoring Report. Number Three](#).

⁶⁵ 44.2% in 2001 and 46.0%, respectively.

⁶⁶ 51.7% in 2001 and 45.1%, respectively.

⁶⁷ Wallace, A. (2015) [Housing and Communities Inequalities in Northern Ireland](#).

⁶⁸ ARK (2014) [Northern Ireland Life and Times Survey](#)

⁶⁹ Northern Ireland Life and Times Survey in 2012. 74% of people said that they did not support the flying of flags on lampposts in their neighbourhood and over 50% of people believe that flags are usually put up by paramilitary groups (56% for union flags and 59% for Irish Tricolour flags). In terms of accessing local services and public areas it is also noted that 33% of people would be less willing to shop in neighbourhoods with displays of loyalist flags or murals, a figure that rises to 36% for republican displays.

sectarian conflict in Northern Ireland⁷⁰, Shimada (2010) found that they are nonetheless impacted by the challenges of navigating contested space^{71, 72}. Wallace (2015) argues that this has implications with regard to their housing choices and experiences⁷³.

- 4.14 It is also the case that a 2015 Community Relations Council (CRC) study⁷⁴ into new residents' experiences of contact in mixed areas of Belfast found that *'mixing was a secondary concern for new residents - it was not the main or even an important reason for the move. They were financial, practical and family reasons.'* As such, any plans to incentivise shared housing and communities should take into account that the attractiveness of any particular *shared* schemes to potential tenants will likely be impacted by factors such as location, amenities and accommodation type, ahead of the desire for living in a mixed neighbourhood.

Action is required to implement specific long-term measures to eliminate discrimination and intimidation; tackle prejudicial attitudes; and promote values of acceptance and respect for difference.

- 4.15 Access to adequate and sustainable housing will be maximised where families and individuals from across the Section 75 grounds are able to feel safe in their homes and communities.
- 4.16 We recommend⁷⁵ that the programme of work for government includes priority actions to challenge prejudicial attitudes, behaviour and hate crime, to ensure that public spaces, communities, workplaces and services are free from intimidation, harassment and or discrimination across the equality grounds.
- 4.17 *We reiterate our recommendations* to ensure prompt implementation of existing and awaited equality and good relations strategies through comprehensive, measurable, monitored and evaluated

⁷⁰ Wallace, A. (2015) [Housing and Communities Inequalities in Northern Ireland](#).

⁷¹ Shimada, L.D. (2010) [Transforming Earth and Fire: New Narratives of Identity and Place in Northern Ireland Peace Process](#).

⁷² Bell et al. (2010) define contested space as a 'situation where there is tension over access to public space in a largely segregated community'. Bell, J., Jarman, N. and Harvey, B. (2010) [Beyond Belfast: Contested Spaces in Urban, Rural and Cross Border Settings](#).

⁷³ Wallace, A. (2015) [Housing and Communities Inequalities in Northern Ireland](#).

⁷⁴ CRC Stevenson (2015) Exploring new residents' experiences of contact in mixed areas of Belfast

⁷⁵ ECNI (2016) [Programme for Government](#)

action plans. These include the strategies on Race, Sexual Orientation, Community Background, Disability, Gender and Age.

4.18 We welcome the commitment in the Racial Equality Strategy⁷⁶ for the Executive Office to ‘work with the Department of Education to identify ways to tackle racist bullying in schools; and to work with the Department of Justice to develop its approach to tackling race hate crime.’ We call for similar cross-departmental commitments in relation to housing and communities.

4.19 We are also of the view that sharing in education provision has a key role to play in advancing cohesion, sharing and integration across all equality grounds⁷⁷. We consider that *‘Education has a role in shaping an individual’s views, their conduct, their relationships with others, and it has the potential to counter negative images and views that they can be exposed to outside of a school’*⁷⁸.

Supporting Rationale – Social Attitudes and Hate Crime

4.20 Recent statistics show that the homes of minority ethnic people and migrant groups may be vulnerable to racial attacks⁷⁹. For example, PSNI statistics⁸⁰ showed that in the 12 months to December 2016, while a decrease on the most recent figures, there were 289 racist motivated crimes of theft and or criminal damage.

4.21 Available evidence also suggests that Lesbian, Gay and Bisexual (LGB) people can feel harassed and unsafe in their own homes and neighbourhoods⁸¹. For example, O’Doherty (2009) found that around a fifth of homophobic incidents occurred in the LGB person’s home with nearly a quarter of these incidents involving a perpetrator who was a neighbour or lived locally. Police Service of Northern Ireland statistics show increases in ‘theft and criminal damage’ offences during the period 2007/08 to December 2016⁸².

⁷⁶ OFMDFM (2015) [Racial Equality Strategy 2015-2025](#)

⁷⁷ ECNI (2015) [Sharing in Education – summary policy position](#)

⁷⁸ ECNI (2008) [Every Child an Equal Child](#) at page 5

⁷⁹ PSNI (2014) [Trends in Hate Motivated Incidents and Crimes Recorded by the Police in Northern Ireland 2004/05 to 2013/14](#).

⁸⁰ PSNI (2017) [Incidents and Crimes with a Hate Motivation Recorded by the Police in NI: quarterly update to 31.12.16](#)

⁸¹ O’Doherty, J. (2009) [Through Our Eyes](#).

⁸² PSNI (2017) [Incidents and Crimes with a Hate Motivation Recorded by the Police in NI: quarterly update to 31.12.16](#)

- 4.22 It was also found that trans people are at high risk of being the victim of hate crimes, including crimes against the person and property related crimes^{83, 84}.

Action must be taken to further tackle the under-reporting of hate incidents and crimes (against persons and dwellings), and to increase outcome rates.

- 4.23 In 2013, the NI Human Rights Commission⁸⁵ noted that ‘under reporting of hate crimes by victims was commonplace.’ With regards to homophobic incidents, Police Service of Northern Ireland statistics show increases in both ‘violence against the person’ offences and ‘criminal damage to a dwelling’ offences year on year across the period 2007/08 to 2013/14. However, the PSNI caution that these statistics are likely to be subject to under-reporting. Hate crime can have a devastating effect upon victims and their families. In 2015, the Northern Ireland Policing Board noted that ‘the impact varies from victim to victim but it leaves many feeling permanently unsafe’⁸⁶.
- 4.24 We support the recommendation from the 2015 Policing Board review relating to trans individuals⁸⁷ that the PSNI ‘*should keep under review whether and to what extent those changes have impacted upon victims’ experience of the police response to hate crime and identify areas in which service could be improved*’.
- 4.25 We welcome the Northern Ireland Policing Board’s thematic reviews in relation to transphobic⁸⁸ and homophobic⁸⁹ hate crime and recommend that actions are taken by the PSNI to ensure the full implementation of outstanding recommendations. We also look forward to the forthcoming race hate crime thematic review’s⁹⁰ findings and recommendations.

⁸³ McBride (2013) [Grasping the Nettle: The Experiences of Gender Variant Children and Transgender Youth Living in Northern Ireland](#).

⁸⁴ PSNI (2014) [Trends in Hate Motivated Incidents and Crimes Recorded by the Police in Northern Ireland 2004/05 to 2013/14](#).

⁸⁵ NIHRC (2013) [Racist Hate Crime – Human rights and the criminal justice system](#), page 61

⁸⁶ NIPB (2015) [Human Rights Annual Report](#)

⁸⁷ NIPB (2015) [Human Rights Thematic Review – Policing with and for Trans Individuals. Update on PSNI implementation of recommendations](#)

⁸⁸ NIPB (2012) [Thematic Review Policing with and for LGB and Trans people](#)

⁸⁹ NIPB (2012) [Thematic Review Policing with and for LGB and Trans people](#)

⁹⁰ NIPB (2015) [Thematic Review Terms of Reference - Policing Race Hate Crime](#)

- 4.26 We note and welcome work undertaken by the Northern Ireland Housing Executive to prevent hate crime and support those who have been subjected to it. This includes the Community Safety Strategy⁹¹; publication of a Hate Harassment Toolkit⁹² which provides guidance and signposting; Supporting Tenancies for People from Ethnic Minorities (STEM) which supports those from ethnic minorities at risk of hate crime and aims to strengthen positive community actions; and the Hate Incident Practical Action scheme which provides support to victims of hate crime across all tenures.
- 4.27 We recommend detailed follow-up work to track the effectiveness of these actions, including to report on positive progress and/or identify key lessons.
- 4.28 In relation to detection, we repeat our recommendation, as per the 2010 Criminal Justice Inspectorate report, that there should be joined up data to track the progress of hate crimes through the criminal justice system. This would allow for better analysis of how such cases are dealt with and identify areas where remedial action is required.

Supporting Rationale – Under-Reporting

- 4.29 Both the Northern Ireland Policing Board and the Police Service of Northern Ireland have recognised the issue of the under-reporting of homophobic hate crimes⁹³. In 2010, the Criminal Justice Inspectorate recommended that the *‘PSNI undertake a formal review to identify further methods to address how the reporting system can be further enhanced to minimise under-reporting of hate crime’*⁹⁴.
- 4.30 In 2012, the Northern Ireland Policing Board stated, in relation to policing with and for trans individuals⁹⁵ that ‘The PSNI must equip itself with the information required in order to assess the reason(s) for the increase and consider what further action is required both to increase reporting further and to combat transphobic hate crime.’
- 4.31 In 2012, research contracted by the Equality Commission⁹⁶ noted that findings from surveys of people with disabilities in relation to

⁹¹ NIHE (2015) [Safer Together, Community Safety Strategy 2015-2017](#)

⁹² NIHE (2015) [Hate Harassment Toolkit](#)

⁹³ O’Doherty, J. (2009) [Through Our Eyes](#).

⁹⁴ Criminal Justice Inspectorate Northern Ireland (2010) [Hate Crime – A follow up inspection of the management of hate crime by the criminal justice system in Northern Ireland](#)

⁹⁵ NIPB (2012) [Human Rights Thematic Review: Policing with and for LGB and T individuals](#)

⁹⁶ Disability Action (2012) [UNCRCPD Disability policies and programmes – how does Northern Ireland measure up?](#)

their experience of hate crime were not reflected in crime statistics *'highlighting a potential under-reporting of incidences of hate crime.'*

- 4.32 In relation to homophobic hate crime, *Through our Eyes*⁹⁷ cited that 'under-reporting and the responses of some police remained an issue.' The 2013 *Grasping the Nettle* report⁹⁸ also identified under-reporting of transphobic hate crime as an issue.
- 4.33 A 2015 Policing Board review relating to trans individuals⁹⁹ noted that a number of steps have been taken by the Policing Board to encourage the reporting of hate crime, including training of police officers and the ability to report incidents online¹⁰⁰. The review¹⁰¹ further noted that the *'...PSNI must ensure that in practice all personnel are aware of their roles and that they are discharging their responsibilities effectively.'*
- 4.34 Further, whilst a study by McVeigh (2013) found that good relationships between the Police Service of Northern Ireland and people from minority ethnic groups do exist, poor responses from frontline police, who failed to show understanding of the impact of harassment, were also found^{102, 103}. It is possible that this could have an impact on willingness to report hate crimes.

Supporting Rationale – Outcome rates

- 4.35 Hate crime has repercussions on all areas of the victim's life. It is essential that such incidents are identified and dealt with effectively. This includes providing support to the victim and ensuring action against the perpetrator(s).
- 4.36 Outcome rates for crimes with a hate motivation are consistently lower than those for other recorded crimes¹⁰⁴. The causes attributed to the lower outcome rate for hate motivated crimes include: difficulties in proving the hate element due to its subjective nature; and the hate element of crimes being dropped by the Public

⁹⁷ Rainbow Project (2009) [Through our Eyes](#), p151

⁹⁸ ICR (2013) [Grasping the Nettle: The Experiences of Gender Variant Children and Transgender Youth Living in Northern Ireland](#)

⁹⁹ NIPB (2015) [Human Rights Thematic Review – Policing with and for Trans Individuals. Update on PSNI implementation of recommendations](#)

¹⁰⁰ [PSNI Hate Crime Reporting web page, accessed 20.06.16](#)

¹⁰¹ NIPB (2015) [Human Rights Thematic Review – Policing with and for Trans Individuals. Update on PSNI implementation of recommendations](#)

¹⁰² McVeigh, R. (2013) [Race and Criminal Justice in Northern Ireland](#).

¹⁰³ Wallace, A. (2015) [Housing and Communities Inequalities in Northern Ireland](#).

¹⁰⁴ 2015/16 recorded crime outcome rate was 27.5%(PSNI [Police recorded crime statistics](#) (15.12.16)); However for those crimes with a hate motivation during 2015/16, the detection rates were: racist 18.4%, homophobic 22.7%, sectarian 15.2%, disability 7%, religious 8.7%, transphobic 30%. (statistics from [Incidents and crimes with a hate motivation recorded by the police in NI: quarterly update to September 2016](#) (24.11.16))

Prosecution Service prior to prosecution, and proceeding on the basis of, for example, a criminal damage or assault case.

We call for action to address the fear of crime among older people, so that they can feel safe within their homes and communities.

- 4.37 The likelihood of an older person being a victim of crime is low. However, when Age NI looked at the wider societal impact of crime on older people it found that 66% of older people who took part in its survey believed fear of crime is the biggest problem facing older people. 22% stated that fear of crime was a barrier to engaging with their communities and 17% felt trapped in their own home.¹⁰⁵
- 4.38 We recommend and welcome actions to not only focus on tackling crime but also to reduce the fear of crime and/or combat stereotypes. For example, the evaluation of the ‘Linking Generations’ programme¹⁰⁶ found that 81% of younger people felt that the project helped them to understand how older people could be fearful of them; and 92% of older people said they felt safer around younger people. We also welcome the introduction in 2015 of a ‘nominated neighbour’ scheme¹⁰⁷ by the Police Service of Northern Ireland (PSNI) in partnership with the Commissioner for Older People in Northern Ireland (COPNI)¹⁰⁸, which provides a nominated contact to check the identity of unexpected callers.
- 4.39 We recommend the adoption of specific outcomes and associated measures towards tackling the fear of crime amongst older people. For example, the Safer Ageing¹⁰⁹ strategy recommends the adoption of Northern Ireland Crime Survey figures to monitor progress, or otherwise, on older people’s perception and fear of crime.

Supporting Rationale

- 4.40 Crimes which may be targeted at older people because they are perceived as vulnerable or potentially easy to steal from include

¹⁰⁵ Age NI Home Safety & Community - [Community Safety](#)

¹⁰⁶ The Atlantic Philanthropies & Linking Generations Northern Ireland (Dec 2015) [Evaluation of the Linking Generations Northern Ireland Programme 2011 - 2014](#) (pg 10)

¹⁰⁷ The purpose of the scheme, introduced in 2015, is for an older person to hand a card instructing an unknown caller to speak to a ‘nominated neighbour’ who will check the caller’s identity

¹⁰⁸ COPNI (Nov 2015) [Statement on crime against older people](#)

¹⁰⁹ Northern Ireland Office (2009) [Safer Ageing: A Strategy and Action Plan for Ensuring the Safety of Older People](#)

financial abuse, theft, muggings, doorstep theft, distraction burglary or rogue traders.¹¹⁰ In 2016, Age Sector Platform's survey of older people reported that almost half (48%) identified fear of crime as a major concern¹¹¹.

- 4.41 However, in 2015/16, there were 17 crime victims aged 65 or over per 1000 of that population. This contrasts with 54 crime victims aged 18-64 per 1000 of that population.¹¹² Recorded crime rates are therefore substantially lower within the older age group.

¹¹⁰ Crown Prosecution Service (undated) [Crimes against older people: CPS Prosecution Policy](#)

¹¹¹ Age Sector Platform (2016) [NI Pensioners Parliament Report](#)

¹¹² PSNI (2016) [Trends in Police Recorded Crime in Northern Ireland 1998/99 to 2015/16](#)

5 **Ensure that everyone has access to a sustainable home and enjoys the right to independent living.**

Recommendations: Action is required to:

- ensure application of accessible housing standards to all new builds.
- provide information regarding the availability of accessible accommodation.
- ensure the provision of easy to access and affordable adaptation services across all tenures – including by streamlining existing processes; increasing awareness of grants; and reducing waiting times.
- extend the Disability Discrimination Act to include reasonable adjustments to communal areas in residential properties.
- ensure access to adequate, sustainable and long-term independent living provision, for all people with disabilities for whom it is a viable housing option.
- ensure sufficient Health and Social Care Trust capacity to care for permanent care home residents (where they wish it), and provide for all older residents requiring care and support.
- ensure that older people of differing sexual orientations and transgender people have their residential or nursing care needs fully met.
- understand the housing expectations and requirements of accommodation for older people.
- implementation of a fuel brokering scheme to secure competitive rates across all tenures.
- ensure the availability of suitable accommodation and services for homeless single males; younger and older people; and refugees and unsuccessful asylum seekers.

Ensure application of accessible housing standards to all new builds.

- 5.1 We consider that more needs to be done to ensure that all new builds in private tenures comply with accessible standards, so as to better facilitate individuals to secure a home and remain in it. We note recognition within draft PfG delivery plans of the need to

increase the provision of accessible homes.¹¹³ Over time, the universal application of accessible standards would significantly reduce the need for formal care services and costly home adaptations in the future¹¹⁴.

- 5.2 The Lifetime Homes Standard uses a set of 16 design criteria to build homes that are inclusive, accessible and adaptable. It is complemented by wheelchair standard housing ‘the designs of which have been evolving to meet the needs of assisted wheelchair users and carers’¹¹⁵. The 2013 Interdepartmental Review of Housing Adaptations Services¹¹⁶ states that ‘Lifetime homes standards have limitations when needs become more complex and therefore some people may require the use of purpose designed wheelchair dwellings.’

Supporting Rationale – Accessible Homes

- 5.3 While Part R of the Building Regulations - ‘Access and Facilities for Disabled People’¹¹⁷ has applied to all new private sector builds since 2001, providing basic access standards in dwellings, the Building Regulations do not include the ‘Lifetime Homes Standard’ that were adopted for all social housing in 1998.
- 5.4 We note that the benefits of amending Part R to include the lifetime homes standards for privately owned housing could include¹¹⁸:
- savings on future adaptations, heating and costs associated with household accidents;
 - delaying moves into residential care;
 - reduced need for temporary residential care; and
 - savings in healthcare and re-housing costs.

We recommend action to provide information regarding the availability of accessible accommodation.

- 5.5 Accessible housing is most likely to be found within social housing¹¹⁹. However, NIHE’s 2012 Audit of Inequalities¹²⁰ notes

¹¹³ NI Executive (2017) [PfG Delivery Plan indicators 8 and 48](#)

¹¹⁴ Wallace, A. (2015) [Housing and Communities Inequalities in Northern Ireland](#) at page 141

¹¹⁵ NIHE (2013) [Interdepartmental Review of Housing Adaptation Services](#)

¹¹⁶ NIHE (2013) [Interdepartmental Review of Housing Adaptation Services](#)

¹¹⁷ [The Building Regulations \(Northern Ireland\) 2000, Part R](#)

¹¹⁸ Northern Ireland Housing Council (2010), [Why the private sector should build to Lifetime Homes standards: A business case by the NIHC](#) as quoted in ECNI (2012) [Response to DSD consultation on the Housing Strategy: Facing the Future](#)

¹¹⁹ NISRA (2013) [Census 2011, Table DC4413NI](#)

¹²⁰ NIHE (2012) [Audit of Inequalities](#)

‘anecdotal evidence suggests that demand may be rising [within the private rented sector] as more people find themselves in inaccessible private rented property, either because of the shortage of social housing, or because they cannot afford / get a mortgage to purchase a property.’

- 5.6 We note and welcome that an interim accessible housing register for social housing is live and that a rolling programme is planned to increase its coverage including to housing association stock¹²¹. We recommend development of an expanded register to include private sector accommodation. Although a United Kingdom wide website exists¹²², details of Northern Ireland properties are limited.

Supporting Rationale

- 5.7 In 2012, United Kingdom wide research¹²³ of young people with disabilities (mostly wheelchair users and people with reduced mobility) found that ‘for many young disabled people, finding rental accommodation that suits their daily living needs can be a major challenge as letting agents are unaware of accessible properties and landlords can be reluctant to adapt their properties to the requirements of a disabled tenant.’
- 5.8 It further reported that 94% of survey participants said that more web-based information on available accessible properties would improve their experience of looking for accommodation.

We recommend action to ensure the provision of easy to access and affordable adaptation services across all tenures - including by streamlining existing processes; increasing awareness of grants; and reducing waiting times.

- 5.9 A person with disabilities may require adaptations to their existing or prospective home. We note recognition within the draft PfG delivery plans of the need to streamline the adaptations and disabled grants process to reduce waiting times¹²⁴. We consider that ensuring the availability of housing adaptations is essential, not least given the emphasis within government policy - particularly Transforming Your Care - on the delivery of social care within the home.

¹²¹ Email Correspondence (27 February 2017), NIHE to ECNI

¹²² www.accessible-property.org.uk

¹²³ Trailblazers (2012) [Locked Out](#)

¹²⁴ NI Executive (2017) [PfG Delivery Plan indicators 8 and 48](#)

- 5.10 We recommend that support for adaptations should be available across tenures, and easy to access - in terms of using the service, speed of delivery, and cost.
- 5.11 We also recommend that action is taken to raise awareness of the disabled facilities grant; and to reduce waiting times for occupational therapy assessments in support of requests for housing adaptations.

Supporting Rationale – Improvements to adaptations process

- 5.12 While welcoming the final report and action plan of the Interdepartmental Review of Housing Adaptation Services¹²⁵, we note that a number of our recommendations¹²⁶ to the 2013 consultation remain outstanding. We therefore recommend renewed attention is given to advancing:

- the development of a standard procedure to evaluate and record individual service user journeys in order to inform and shape the development of the new adaptations framework;
- the inclusion in options appraisals of key information on each option; and
- the need to review the ceiling on the Disabled Person's Facilities Grant for private sector housing adaptations.

Supporting Rationale – Increase awareness of the Disabled Facilities Grant

- 5.13 This is currently the only grant available for adaptations, and is usually means tested¹²⁷.
- 5.14 Funding for this grant was around £10 million in 2014/15¹²⁸. However, the NIHE Annual Report for 2014/15 states that it processed fewer than the target number of applicants for the grant. The budget for 2015/16¹²⁹ was £8.9m, and over 200 fewer grants were processed year on year.
- 5.15 We therefore recommend action to encourage uptake of the Disabled Facilities Grant.

¹²⁵ NIHE (2016) [Final Report and Action Plan, Interdepartmental Review of Housing Adaptation Services](#)

¹²⁶ ECNI (2016) [Response to the NIHE Final Report and Action Plan, Interdepartmental Review of Housing Adaptation Services](#)

¹²⁷ Unless applying for a child with disabilities under the age of 17.

¹²⁸ NIHE (2015) [Annual Report 2014/15](#)

¹²⁹ NIHE (2016) [Annual Report 2016](#)

Supporting Rationale - Reduce waiting times for occupational therapy assessments

- 5.16 An occupational therapist assessment is required to recommend housing adaptations.
- 5.17 In 2015, Wallace¹³⁰ reported that there were long waits for assessments and notes that the Interdepartmental Review of Housing Adaptation Services¹³¹ does not stipulate a time-period for assessment.
- 5.18 Wallace further noted that demand for occupational therapy is anticipated to grow as the population ages, and that *'interviewees reported that long waiting times for occupational therapy assessments were particularly problematic.'*
- 5.19 The Interdepartmental Review of Housing Adaptation Services action plan¹³² notes that each Health and Social Care Trust would have a dedicated specialist occupational therapist post to provide 'a point of reference and expertise on housing adaptations for disabled people' by March 2016.
- 5.20 We welcome this development and look forward to its full implementation, and to progress reports setting out how it has impacted on waiting times.

Action is required to extend the Disability Discrimination Act to include reasonable adjustments to communal areas in residential properties.

- 5.21 Currently under the disability discrimination legislation, landlords and managers of rented residential premises must make reasonable adjustments to the disabled person's home. In addition, they cannot unreasonably refuse permission for disability-related alterations to be carried out. Landlords however are not required to make disability-related alterations to the physical features of the common parts of let residential premises, such as stairs and hallways; even if they are reasonable to make and paid for by a disabled tenant.
- 5.22 We recommend¹³³ that the disability discrimination legislation is extended to require landlords to make disability-related alterations to

¹³⁰ Wallace, A. (2015) [Housing and Communities Inequalities in Northern Ireland](#) at page 140

¹³¹ NIHE (2016) [Final Report and Action Plan, Interdepartmental Review of Housing Adaptation Services](#)

¹³² NIHE (2016) [Final Report and Action Plan, Interdepartmental Review of Housing Adaptation Services](#)

¹³³ ECNI (2012) [Strengthening Protection for Disabled People](#)

the physical features of the common parts of residential properties, such as stairs and hallways.

Supporting Rationale

- 5.23 Our proposals would require landlords to follow a specific process should a tenant with disabilities request an adjustment to a physical feature in a common part of residential premises, where the physical feature puts the tenant at a substantial disadvantage.
- 5.24 The process would include consultation with others affected and, should the landlord agree to the change, that a written agreement be made setting out the landlord and tenant's rights and responsibilities. The landlord may require the tenant to pay for the cost of making the alteration, though grant assistance may be available¹³⁴. Where a landlord refuses to make changes the tenant would have legal recourse under an amended Disability Discrimination Act.

Ensure access to adequate, sustainable and long-term independent living provision for all people with disabilities for whom it is a viable housing option.

- 5.25 Research¹³⁵ carried out on behalf of the Equality Commission in 2014 found that 'many people with disabilities in Northern Ireland lack the choice, control and freedom to determine where and with whom they live.' Article 19 (the right to live independently) of the UN Convention on the Rights of Persons with Disabilities¹³⁶ makes clear that disabled people have the right to determining how to live their own lives, particularly with respect to personal decisions regarding their living arrangements, including with respect to personal care and support.
- 5.26 We welcome the draft PfG delivery plan¹³⁷ acknowledgement of the need for cross cutting actions, including improving independent living and the provision of suitable homes for people with disabilities.
- 5.27 We note that proposals for changes to the adult social care system are awaited¹³⁸. We reiterate our recommendation¹³⁹ to the 2013 consultation on the future of adult social care, that 'any new social

¹³⁴ Disabled Facilities Grant

¹³⁵ Byrne et al (2014) [UNCRPD: Shortfalls in public policy and programme delivery in Northern Ireland relative to the Articles of the UNCRPD](#) at page 108

¹³⁶ [UN Convention on the Rights of Persons with Disabilities](#)

¹³⁷ NI Executive (2017) [PfG Delivery Plan indicator 42](#)

¹³⁸ [Department of Health website, accessed 15.06.16](#)

¹³⁹ ECNI (2013) [Response to Who Cares? The future of adult social care and support in Northern Ireland](#)

care model must ensure that disabled people are free to choose the type of assistance they require to support a good quality of life and prevent isolation and social hardship.’ We also reiterate the importance of ensuring that any transition to the mixed economy model of private and community / voluntary care providers will not result in a diminution of health and social care services in particular for marginalised and excluded groups such as disabled people, older people and carers.

Supporting Rationale

- 5.28 Article 19 of the UN Convention on the Rights of Persons with Disabilities¹⁴⁰ identifies that disabled people should have access to a range of in-home, residential and other community support services, including the personal assistance necessary to support living and inclusion in the community, to prevent isolation, or segregation from the community.’
- 5.29 The Department for Social Development’s ‘Commissioning within *Supporting People* in Northern Ireland’ report¹⁴¹ noted that, as a result of the resettlement programme of people with learning disabilities and mental health issues from long stay hospitals ‘other areas of service for people with disabilities are much less well developed and relatively few new schemes for people with physical disabilities have been commissioned since 2012’. A 2016 action plan¹⁴² identified 13 recommendations following a review of the Supporting People Programme¹⁴³. We encourage their urgent implementation, particularly as regards how they address the barriers to independent living as set out above.
- 5.30 In a 2013 briefing to the All Party Group on Learning Disabilities, Mencap highlighted a limited supply of supported housing for people with learning disabilities and other complex needs. We note however that the January 2016 Unmet Social Housing Need Prospectus¹⁴⁴ reports that all supported housing need is met by programmed schemes.

¹⁴⁰ [UN Convention on the Rights of Persons with Disabilities](#)

¹⁴¹ DSD (2015) [Commissioning within Supporting People in Northern Ireland](#) at paragraph 4.18

¹⁴² DSD (2016) [Action plan for the implementation of the Supporting People review](#)

¹⁴³ The Supporting People Programme aims ‘to establish a strategic, integrated policy and funding framework to... enable vulnerable people to live independently in the community, in all types of accommodation and tenure’ [Department for Communities website, accessed 15.06.16](#)

¹⁴⁴ NIHE (2016) [Unmet Social Housing Need Prospectus](#)

- 5.31 Wallace highlighted¹⁴⁵ concerns about reliance upon family carers to achieve resettlement, specifically in relation to how care needs will be met as these carers age. A similar issue was acknowledged in 2015 by the Department for Social Development¹⁴⁶ in relation to deficiencies with the current system of needs assessment. It noted that a number of strategic issues had been identified for the first time during the Supporting People Review including¹⁴⁷ ‘evidence emerging of latent demand for housing support from people with learning disabilities living with older carers (usually parents).’
- 5.32 Wallace also highlighted¹⁴⁸ a barrier to independent living which younger people with disabilities living in the family home may face. Specifically, where the family home has been adapted to meet the person with disabilities’ needs, they attract few social housing points.

There is a need to ensure that older people of differing sexual orientations and transgender people have their residential or nursing care needs fully met.

- 5.33 Older lesbian, gay and bisexual (LGB) and trans people may have different family support networks and thus potentially differing needs for residential or nursing care support when compared to others. In addition, older LGB people’s experience of growing up in Northern Ireland may make them more reluctant¹⁴⁹ than others to disclose their sexuality or medical history. The care needs and sensitivities of LGB and trans people may not automatically be taken into account by service providers in the provision of residential and nursing care¹⁵⁰ and service provision may thus not meet the specific needs of all residents and those receiving respite care.
- 5.34 We recommend that specific steps continue to be taken to meet the requirements of older LGB and trans people in residential and nursing home care. Decisions on care plans and in the sharing of information between medical facilities and/or care homes should be made with the full involvement of the care recipient.

¹⁴⁵ Wallace, A. (2015) [Housing and Communities Inequalities in Northern Ireland](#)

¹⁴⁶ DSD (2015) [Supporting People Review Final Report](#)

¹⁴⁷ at paragraph 4.10

¹⁴⁸ at page 142

¹⁴⁹ For example - only 14% of older people had been open to healthcare providers about their sexuality. Heaphy et al (2003), referred to in Equality and Human Rights Commission (2010) [Don't look back? Improving health and social care service delivery for older LGB users](#)

¹⁵⁰ ARK(NI) (2013) Policy Brief, [Moving towards a sexual orientation strategy for Northern Ireland](#)

Supporting Rationale

5.35 Studies have reported that LGB and trans people are:

- two and a half times as likely to live alone¹⁵¹;
- twice as likely to be single¹⁵²; and
- four and a half times as likely to have no children to call upon on times of need¹⁵³.

5.36 This may result in a lack of informal care being available, potentially leaving an increased proportion of LGB and trans individuals with the only option of moving into a nursing home or residential care.

5.37 Further, a study¹⁵⁴ by the Rainbow Project and Age NI (2011) on making care homes more inclusive for LGB and trans people identified a lack of training provided to those working in care homes.

5.38 In 2014 the Public Health Agency¹⁵⁵ developed guidelines to address the health inequalities experienced by older LGB and trans people in a range of care services. *'See me, hear me, know me'*¹⁵⁶ provides guidance such as training for staff, use of language, not making assumptions. The guidelines were disseminated to all registered nursing, day care, residential and domiciliary care providers and are available on the Public Health Agency's website.

5.39 In the absence to date of a review of the implementation of the use of the guidelines, we reiterate the importance of ensuring that specific steps are taken to meet the requirements of older LGB and trans people in residential and nursing home care. This should be done via a proactive approach within policies and procedures to deliver person centred provision of resources and support for older LGB and trans people.

¹⁵¹ The Rainbow Project and Age NI (2011) [Making this home my home: Making nursing and residential more inclusive for older lesbian, gay, bisexual and/or transgender people](#)

¹⁵² The Rainbow Project and Age NI (2011) [Making this home my home: Making nursing and residential more inclusive for older lesbian, gay, bisexual and/or transgender people](#)

¹⁵³ Dr H Fish (2007) [Reducing health inequalities for lesbian, gay, bisexual and trans people - briefings for health and social care staff](#)

¹⁵⁴ The Rainbow Project and Age NI (2011) [Making this home my home: Making nursing and residential more inclusive for older lesbian, gay, bisexual and/or transgender people](#)

¹⁵⁵ Developed in partnership with Age NI, The Rainbow Project, Here NI, Unison, RQIA and the Independent Health and Care Providers

¹⁵⁶ Public Health Agency (Mar 2014) [See Me, Hear me, Know me: Guidelines to support the needs of Older Lesbian, Gay, Bisexual and Transgender people in nursing, residential, and day care settings and those who live at home and receive domiciliary care](#)

Ensure sufficient Health and Social Care Trust capacity to care for permanent care home residents (where they wish it), and provide for all older residents requiring care and support.

- 5.40 Residential care homes provide a community setting, safety and care support for older people. Should the Department of Health's (DoH) plans proceed to reduce residential accommodation for older people¹⁵⁷ it will be vital that residents are assured that they will receive the same level of care and support in alternative accommodation.
- 5.41 Further, removal of the option of statutory residential care in areas without availability of the necessary adaptations to the home, or alternative residential accommodation, may result in older people remaining longer in hospital. Should the DoH's plans proceed, we recommend the mandatory inclusion of an assessment of the quality and services available in alternative care options.

Supporting Rationale

- 5.42 Transforming Your Care¹⁵⁸ proposed to reduce residential accommodation for older people. In 2013, the Minister for Health, Social Services and Public Safety announced proposals to reduce the number of statutory residential homes.
- 5.43 The Health and Social Care Board postponed the closures and in 2015 carried out consultations on the proposed closure of ten of the nineteen statutory residential care homes in Northern Ireland. Most recently, the process has stalled as a result of a major private sector provider announcing plans to rationalise its portfolio¹⁵⁹.
- 5.44 Further, while the 'Reconfiguration of Statutory Residential Homes' guidance¹⁶⁰ states that 'Trusts should provide detailed information about the characteristics of care homes, if possible including an indication of quality and facilities to support choice,'¹⁶¹ it is not mandatory that they must include details on quality and facilities.

¹⁵⁷ DHSSPS [Transforming Your Care: A review of health and social care in Northern Ireland](#)

¹⁵⁸ DHSSPS [Transforming Your Care: A review of health and social care in Northern Ireland](#)

¹⁵⁹ BBC News (24 November 2015) [Hamilton steps in as Four Seasons Health Care closes seven homes](#)

¹⁶⁰ Health and Social Care Board (Nov 2013) [Good Practice Guide – Reconfiguration of Statutory Residential Homes](#), (Version 2.3, 23 September 2013)

¹⁶¹ Health and Social Care Board (Nov 2013) [Good Practice Guide – Reconfiguration of Statutory Residential Homes](#), (Version 2.3, 23 September 2013) page 6

- 5.45 Aligned to this, the inclusion of a mandatory assessment would provide some assurance to both residents and relatives / carers, including clarity on whether the quality of alternative provision was / was not less than that provided in the statutory care home, thus offering the potential to mitigate potential adverse impact.

We call for further research to understand the housing expectations and requirements of accommodation for older people.

- 5.46 At the end of March 2014, the age group that experienced the longest social housing waiting times to be re-housed was the 60 – 64 years age group¹⁶². The demographic trend of an ageing population is contributing to an increase in demand for support services and specialised housing in old age¹⁶³. However, it has been suggested that sheltered housing has become less attractive to fit, active older people¹⁶⁴.
- 5.47 Research into housing needs and preferences, and geographical patterns of need (relative to supply), may help contribute to achieving a balance in provision.

Supporting Rationale

- 5.48 Despite the longest waiting times for the 60 – 64 years age group, the supply of Northern Ireland Housing Executive (NIHE) dwellings for ‘older people’ fell from around 31,200 in 1991 to 27,500 in 2009/10.¹⁶⁵
- 5.49 In addition, the location of specialised and age specific accommodation is proportionately high in Belfast which has the lowest proportion of the older population.¹⁶⁶ Absolute and relative (geographical) availability may therefore be contributory reasons that the 60-64 years age group has the longest wait for social housing.

¹⁶² Wallace, A (2015) [Housing and Communities’ Inequalities in Northern Ireland](#)

¹⁶³ Northern Ireland Housing Executive (Aug 2008) [Older People Housing Policy Review Action Plan 2008 – 2010](#)

¹⁶⁴ Professor Paris, C, Emeritus Professor of Housing, Ulster University (Mar 2013) [Future need and demand for appropriate models of accommodation and associated services for older people](#)

¹⁶⁵ Professor Paris, C, Emeritus Professor of Housing, Ulster University (Mar 2013) [Future need and demand for appropriate models of accommodation and associated services for older people](#)

¹⁶⁶ Professor Paris, C, Emeritus Professor of Housing, Ulster University (Mar 2013) [Future need and demand for appropriate models of accommodation and associated services for older people](#)

- 5.50 Research would likely assist the Northern Ireland Housing Executive; Housing Associations; and the nine councils in assessing the need for demand and supply of future social housing.

Given the impact of fuel poverty on older people, we recommend implementation of a fuel brokering scheme to secure competitive rates across all tenures.

- 5.51 Fuel poverty impacts most on older people across both social and private housing tenures in Northern Ireland¹⁶⁷. While we recognise that some progress has been made, including improvements in energy efficiency through the Affordable Warmth Scheme, we reiterate that, as recognised in the Active Ageing Strategy 2016 – 2021, addressing fuel poverty should remain a priority for action.
- 5.52 Alongside actions to advance energy efficiency, an energy brokerage scheme would allow the group purchase of fuel at more competitive rates than by individual households.

Supporting Rationale

- 5.53 Research shows that fuel poverty particularly impacts on older people. In Northern Ireland in 2011¹⁶⁸ 52% of people aged 60-74 years were in fuel poverty, rising to 66% of those aged 75 years and over; compared to 34% of the under 60 age group.
- 5.54 2015 research¹⁶⁹ shows that of older people living in households that are owned outright, 15% were in relative poverty after housing costs. When comparing this to pensioners living in NIHE/Housing Association dwellings, a similar figure (17%) were likely to be in poverty after housing costs.
- 5.55 The Energy Act 2010 in Great Britain enabled the introduction of ‘social tariffs’, which have since been replaced by ‘warm home discounts’. This scheme, which will run until 2021, offers discounted gas and electricity prices from energy suppliers to vulnerable customers, in particular, those over 60, living in fuel poverty or on a low income.¹⁷⁰

¹⁶⁷ Public Health Agency, 2013

¹⁶⁸ Public Health Agency, 2013

¹⁶⁹ Department for Social Development (Sept 15) [Households Below Average Income, Northern Ireland, 2013-14](#)

¹⁷⁰ OFGEM (Nov 2011) [Monitoring Suppliers' social programmes 2010-2011](#)

- 5.56 A 2010 feasibility study carried out by the Northern Ireland Housing Executive found scope for energy brokerage should switching mechanisms be put in place in Northern Ireland. Action 12 of the Fuel Poverty Strategy for Northern Ireland¹⁷¹ provides for an energy brokerage scheme to enable social housing providers to broker energy costs for their tenants at a competitive rate. The Fuel Poverty Strategy for Northern Ireland however made no reference to older people who live in private tenure households.
- 5.57 This brokerage scheme was to be introduced through the Housing (Amendment) Bill, however the Bill as drafted¹⁷² does not include an energy brokerage scheme for Northern Ireland.
- 5.58 The introduction of legislation in Northern Ireland similar to the Energy Act 2010 in Great Britain would likely help alleviate some of the difficulties associated with fuel poverty.

We recommend targeted action to ensure the availability of suitable accommodation and services for homeless single males; younger and older people; and refugees and unsuccessful asylum seekers.

- 5.59 The Housing (NI) Order 1988, as amended¹⁷³, defines a person as homeless if they do not have access to accommodation in the United Kingdom. This includes if they have no accommodation in which it is reasonable for them or their family to live in, including as regards affordability. Homelessness therefore embraces many more people than those who are sleeping on the streets. Homelessness, and the threat of it, impacts across the population as a whole, with particular issues for homeless single males; younger and older people; and refugees and unsuccessful asylum seekers.
- 5.60 Hostel accommodation provides temporary shelter and support, but due to pressures on social housing waiting lists, and difficulties accessing and remaining in the private rented sector, obtaining secure, sustainable and appropriate accommodation can be problematic.

¹⁷¹ Department for Social Development (Mar 2011) [Warmer Healthier Homes: Fuel Poverty Strategy for Northern Ireland](#)

¹⁷² Introduced to the NI Assembly in 2015 and awaiting Royal Assent

¹⁷³ At Article 4

- 5.61 Single male reference person households continue to be more likely than single female reference person households to present as homeless to the Northern Ireland Housing Executive (NIHE)¹⁷⁴.
- 5.62 Due to the pressures on social housing, and a relative lack of one-bedroom properties in Northern Ireland, young males, if accepted as homeless, are likely to be housed in temporary hostel accommodation on a longer term basis, which may not be appropriate. We recommend action to ensure the provision of accommodation appropriate to the needs of this group, providing appropriate support as required.
- 5.63 Young people (aged under 35) entitled to Housing Benefit have been negatively affected by Welfare Reform measures, as regards their ability to secure and sustain private rented sector accommodation, in the absence of available social housing. We continue¹⁷⁵ to call for a review of the impact of Welfare Reform measures on this age group. This impact is manifested in pressures on meeting shortfalls between Housing Benefit and rent. Crisis¹⁷⁶ has called for *'a renewed focus on youth homelessness ... given the likely disproportionate impact of Welfare Reform on young people, particularly the intensifying sanctions regime and various restrictions in Housing Benefit.'*
- 5.64 Although older people aged 60 and over account for only 11% of homeless presentations¹⁷⁷, 39% of acceptances¹⁷⁸ are due to current accommodation being unreasonable, with rates increasing over time¹⁷⁹. This is attributed by NIHE *'principally to the ageing population and difficulties older people have in continuing to maintain properties which may have been the family home for a considerable number of years'*¹⁸⁰. Our consideration of housing grants and adaptation services elsewhere in this paper sets out recommendations in this regard. It recommends the provision of easy to access and affordable adaptation services across all tenures.
- 5.65 Particular issues arise for individuals from minority ethnic groups (MEG) who are resident in Northern Ireland as refugees and asylum seekers. While those who have been unsuccessful in their asylum

¹⁷⁴ DfC (2016) [Northern Ireland Housing Statistics 2015-2016](#). Single males made up 34%, and single females 18% of homeless presentations

¹⁷⁵ ECNI (2016) [Draft Age Policy Positions](#)

¹⁷⁶ Crisis (2016) [The Homelessness Monitor: Northern Ireland 2016](#), at page 30

¹⁷⁷ ECNI (2016) [Draft Age Policy Positions](#), at section 8.9

¹⁷⁸ Data provided by DfC June 2016

¹⁷⁹ NIHE (2012) [Homelessness Strategy 2012-2017](#)

¹⁸⁰ NIHE (2012) [Homelessness Strategy 2012-2017](#)

application have no right to any accommodation support, refugees do have entitlement. On being recognised as refugees, individuals are required to vacate their Home Office provided accommodation and access other appropriate accommodation within 28 days ('the transition period'). Organisations working closely with refugees, such as Extern have verbally advised that the 28-day period is very short for anyone to find accommodation. Those who wish to rent privately often have difficulties in finding a guarantor and having just recently been granted refugee status, have no savings to rely on. Furthermore, concerns have been raised about the suitability of provision. We recommend the provision of appropriate culturally sensitive accommodation for those groups eligible for services. For those currently ineligible, we recommend the provision of suitable emergency accommodation.

- 5.66 The NIHE Homelessness Strategy 2012-2017¹⁸¹ set among its strategic objectives 'to improve services to vulnerable homeless households and individuals.' In July 2014, the Strategy was reviewed and reprioritised¹⁸². The NIHE now anticipates that: *'the development of a Housing Solutions and a support model for our frontline services will, by offering housing choices to customers, reduce the number of people presenting as homeless.'*¹⁸³ These systems are still in development and we look forward to early implementation and review of their impact and effectiveness.
- 5.67 We note the multi-faceted nature of homelessness, including for those who are vulnerable and/or with complex needs¹⁸⁴. In light of the prevalence of complex needs, the provision of support services is a crucial factor. We welcome the ongoing work by the NIHE and others in this regard, but recommend it focuses on the specific needs of individuals from across the equality categories. This should include with regard to those placed in private sector accommodation, for whom the support services (which social housing and hostel accommodation can provide) may not be available.

Supporting Rationale

- 5.68 Homelessness may be transitional (as a person awaits an accommodation allocation); episodic (repeated periods of homelessness); or chronic (a permanent state of homelessness).

¹⁸¹ NIHE (2012) [Homelessness Strategy 2012-2017](#)

¹⁸² NIHE (2015) [Annual Report 2014/15](#), p22

¹⁸³ NIHE (2015) [2014/15](#)

¹⁸⁴ Agenda NI (2014) [Homelessness in Northern Ireland](#), April edition

The most common reasons given by those presenting as homeless are relationship and family breakdown¹⁸⁵.

- 5.69 The availability of appropriate accommodation appears to be a key factor. The Homeless Action project's March 2015 research¹⁸⁶ notes that the 'shortage of available social housing makes it difficult to ensure homeless people are re-housed out of 'temporary' hostel accommodation into an adequate home where they have security of tenure'. In light of the prevalence of complex needs among those accessing services, the availability of support services is also a crucial factor in not only assessing individuals, but in identifying appropriate accommodation and ongoing support.
- 5.70 For six consecutive years between 2009/10 and 2014/15, single male reference person households¹⁸⁷ accounted for over a third of homeless presentations to the NIHE, whilst single female reference person households accounted for less than a fifth¹⁸⁸. The main reasons that single male reference person households gave for presenting as homeless to the NIHE were: as a result of breakdown in sharing or family dispute; relationship breakdown; no accommodation in Northern Ireland; and the loss of rented accommodation. Due to the lack of one-bedroom properties, single homeless people (largely males) are often placed in hostel or other temporary accommodation.
- 5.71 The shared accommodation rate applying to housing benefit for those aged under 35, came into force in Northern Ireland in January 2012. Northern Ireland research to date has been of small scale, but one¹⁸⁹ study found that since the changes came into force around one in ten landlords no longer rent to under 35 year old single people¹⁹⁰. Furthermore, over one third of landlords

¹⁸⁵ DSD (2015) [Housing Statistics 2014/15](#)

¹⁸⁶ PPR and Simon Community (2015) [Ending homelessness - Addressing the Barriers](#), page 5

¹⁸⁷ Single male households include those aged 16-59 years old.

¹⁸⁸ The statistics for single males are: 35.1% in 2009/10; 35.6% in 2010/11; 34.5% in 2011/12; 36.0% in 2012/13; 35.9% in 2013/14 and, 35.0% in 2014/15, respectively. The statistics for single females are: 16.9% in 2009/10; 17.5% in 2010/11; 19.1% in 2011/12; 18.9% in 2012/13; 17.9% in 2013/14 and, 18.1% in 2014/15, respectively. Pensioner households for around a tenth, and couples for under five per cent for each year in the time period. The statistics for pensioners are: 11.0% in 2009/10; 10.4% in 2010/11; 10.0% in 2011/12; 9.7% in 2012/13; 10.4% in 2013/14 and, 10.9% in 2014/15, respectively. The statistics for couples are: 4.2% in 2009/10; 4.4% in 2010/11; 4.7% in 2011/12; 4.3% in 2012/13; 4.6% in 2013/14 and, 1.3% in 2014/15, respectively.

¹⁸⁹ Centre for Economic and Social Research (2014) [Monitoring the Impact of Recent Measures Affecting Local Housing Allowance in the Private Rented Sector in Northern Ireland](#)

¹⁹⁰ Centre for Regional Economic and Social Research, Sheffield Hallam University funded by the Department for Social Development (Mar 2014) [Monitoring the impact of recent measures affecting Housing Benefit and Local Housing Allowances in the private rented sector in Northern Ireland: Final Report](#)

participating in the research stated that they might cease letting to Local Housing Allowance single tenants under the age of 35.

- 5.72 The Homelessness Monitor 2016 England¹⁹¹ cited 2014 research noting that the bulk of the reduced entitlement in Great Britain was having to be met by claimants. For almost half, this involved cutting back on other expenditures on household 'essentials' and nearly a third borrowing from family or friends¹⁹². The Northern Ireland Homelessness Monitor¹⁹³ released in November 2016, provides useful analysis in relation to young people, but is limited with regard to broader Section 75 groups' experiences of homelessness in Northern Ireland. It cites 'an urgent need for better statistical monitoring data on homelessness trends in Northern Ireland. It is expected that the roll-out of Housing Solutions and associated IT improvements will facilitate this'¹⁹⁴. We continue to call for a review of the impact of Welfare Reform (shared accommodation rate) on those aged under 35.
- 5.73 HAPANI, a charity working with nationals of Somalia and Eritrea living in Northern Ireland, has raised concerns¹⁹⁵ that female refugees have to share with others who have drug and alcohol dependencies. HAPANI also note that those who have been unsuccessful in their asylum applications are deemed 'ineligible service users' and lose the right to such accommodation. Such individuals must depend on charity or friends, and cannot access government-funded schemes.
- 5.74 The private rented sector is a potential source of accommodation to tackle homelessness, but accessing or sustaining a tenancy on state benefits can be difficult. In addition, support services, which social housing and hostel accommodation can provide, may not be available.
- 5.75 We note approaches such as the NIHE's Private Rented Access Scheme, in partnership with Smartmove NI, assists individuals into the private rented sector without requiring a large deposit upfront. In the six months to July 2015, it had facilitated 600 people and families to secure accommodation¹⁹⁶.

¹⁹¹ Crisis (2016) [The Homelessness Monitor 2016 England](#)

¹⁹² Beatty, Cole (2014) [Monitoring the Impact of Changes to the Local Housing Allowance System of Housing Benefit: Final reports](#)

¹⁹³ Crisis (2016) [The Homelessness Monitor: Northern Ireland 2016](#)

¹⁹⁴ at page 65

¹⁹⁵ Email Correspondence (August 2015) from Horn of Africa People's Aid NI to ECNI

¹⁹⁶ NIHE (2015) [News - We are committed to eliminating homelessness](#)

- 5.76 For older homeless people, particularly those with complex needs, support is an issue. Housing Rights Service 2012 research¹⁹⁷ found that *'older homeless people for whom hostel living represented familiarity, safety and support ... were highly resistant to the idea of living other than in hostel environment and reluctant to move away from familiar staff and support on whom they were often highly dependent.'*
- 5.77 With regards to ensuring appropriate support, we note that a 'Housing First' model is being used by Depaul in Belfast and Londonderry, supported by NIHE. This provides housing, with support, to vulnerable homeless people, rather than the traditional approach of moving from hostel to supported accommodation and on to independent living. Some caution has however been highlighted by the Simon Community¹⁹⁸ which stated *'If appropriate and affordable housing stock was available, a Housing First approach may be a sustainable solution for homeless individuals and families with low or medium support needs. However, a Housing First only approach could serve to disenfranchise and disadvantage the complex needs client group.'* It cites that in a snapshot survey in October 2013, 60% of its clients had complex needs, including for example, mental ill health, learning disabilities and substance abuse.
- 5.78 In 2015, the Department for Communities reported that the NIHE Supporting People service spends around 21% of its £72 million ring-fenced budget on homelessness¹⁹⁹. This includes funding housing related support services that a landlord (such as a housing association for example) or other provider (such as a voluntary organisation) can provide. This may include advice to help sustain a tenancy and floating services such as a warden, or scheme manager. The Supporting People programme was revised in 2015²⁰⁰, and its action plan includes steps to improve needs assessment. We recommend and look forward to an evaluation of the impact and effectiveness of this action plan.

¹⁹⁷ Housing Rights Service (2012) [Meeting the Needs of Vulnerable People](#)

¹⁹⁸ Agenda NI (2014) [Homelessness in Northern Ireland](#), April edition

¹⁹⁹ DfC (2015) [Review of Supporting People Report](#)

²⁰⁰ DfC (2015) [Review of Supporting People Report](#)

6 Address the specific housing needs of particular equality groups.

Recommendations: Action is required to:

- address the longer waiting-list times for social housing experienced by households with a Catholic religion household reference person
- ensure that the accommodation needs of Travellers are met, including through strategic partnerships in consultation with the Traveller community.
- review the appropriateness of a separate planning process for Traveller families applying to establish serviced family sites in the countryside.
- ensure greater awareness of the rights, responsibilities and housing options relevant to minority ethnic groups.
- determine the reasons for housing overcrowding among minority ethnic groups.

Action is required to address the longer waiting-list times for social housing experienced by households with a Catholic religion household reference person.

- 6.1 We reiterate the importance of ensuring that housing need is met on the basis of objectively assessed need. Where stock availability (supply-side factors) differs from individual housing needs and preferences (demand-side factors), longer waiting lists can ensue. In Northern Ireland, this has a particular impact on households with a Catholic religion household reference person²⁰¹.
- 6.2 Although Northern Ireland saw a decrease in residential segregation, across all sectors, between 2001 and 2011^{202 203}, the existence of segregated residential housing patterns can have the effect of fragmenting and limiting the operation of wider housing markets, adding complexities whereby a lack of stock (relative to demand) of social housing in sometimes narrowly defined geographical areas may not easily be met by excess supply in other

²⁰¹ Wallace, A. (2015) [Housing and Communities Inequalities in Northern Ireland](#).

²⁰² Shuttleworth, I. and Lloyd, C. (2013) [Moving apart or moving together? A snapshot of residential segregation from the 2011 Census](#).

²⁰³ Nolan, P. (2014) [Northern Ireland Peace Monitoring Report. Number Three](#).

nearby areas. The Commission considers that immediate and longer-term solutions are likely to be found in taking a range of steps to address both supply and demand factors.

- 6.3 As such, an analysis of access to social housing in Northern Ireland should take into account a range of factors which shape supply and demand. For example, generally applicable issues of residential preferences, personal safety, particular housing needs, and the availability of appropriate housing stock and/or development land in specific areas must also be considered in the context of segregated residential patterns in Northern Ireland.
- 6.4 On the supply-side, we recommend action to consider for example, how appropriate stock can be made available to ensure that objectively assessed housing need is more effectively met in areas of high demand. On the demand-side, steps which might both widen areas of preference for those in housing need and sharing more generally could serve to expand housing markets and increase opportunities to both meet objectively assessed housing need and advance increased sharing. We also recommend joint working, including with those working and living within communities, so as to further build trust and confidence between divided communities.

Supporting Rationale – social housing waiting lists

- 6.5 While the Housing Selection Scheme²⁰⁴ is focussed on assessing and addressing objective housing need, ranking applications so as to prioritise housing offers to those with the highest assessed objective housing need, it is also the case that across Northern Ireland as a whole, Catholic household reference persons continue to experience the longest waiting times for social housing.
- 6.6 An examination of Northern Ireland Housing Executive (NIHE) waiting list time data for social housing for the period 2004 to 2009 and for 2013/14 shows that Catholic household reference person applicants experienced the longest median waiting times for social housing at the point of allocation in Northern Ireland as a whole²⁰⁵.
- 6.7 With regards to housing supply, Gibb et al. (2013) note that the supply of new social housing faces budgetary constraints across all areas of the United Kingdom which may reduce new supply and compound increased demand²⁰⁶. With regards to housing demand,

²⁰⁴ NIHE, [How the Housing Selection Scheme works](#), website.

²⁰⁵ ECNI (2016) [Draft Statement on Key Inequalities in Housing](#)

²⁰⁶ Gibb, K., Leishman, C., Young, G. and O'Sullivan, T. (2013) [The Impact of the Housing Benefit Reforms on the Social Rented Sector](#).

residential preferences can also be driven by a sense of belonging to the local area²⁰⁷ or by feeling safe in a neighbourhood²⁰⁸.

- 6.8 The existence of segregated residential housing patterns can have the effect of fragmenting and limiting the operation of wider housing markets. The 2012 NIHE Audit of Inequalities²⁰⁹ notes that *'while there is freedom of choice for all applicants seeking social housing, people's choices generally take account of the religious or political make-up of the area they seek to live in, although there are some signs this may be changing to a degree through increasing demand for shared housing.'*
- 6.9 Nolan (2013) argues, with specific reference to north Belfast, that although there is a huge demand for additional housing for Catholics in north Belfast, the properties left vacant by Protestants moving out of the general area are not filled by Catholic applicants as the *"'peace line' is not transgressed"*²¹⁰. Wallace²¹¹ notes that *'dual markets operate in close proximity and yet properties may not be substitutable for each other.'*
- 6.10 This echoes the 2004 finding of the Select Committee on Northern Ireland which noted, that when viewing north Belfast as having a Catholic side and a Protestant side, there is *'a recognition that ... there is intense pressure for more housing on the Catholic side'*²¹² and the 2012 Participation and the Practice of Rights (PPR) report which calculated that the Protestant side of north Belfast has a surplus of housing, whilst on the Catholic side large deficits in stock are evident²¹³.
- 6.11 We note the concerns voiced by the Committee on Economic, Social and Cultural Rights (para 29) in its 2009 concluding remarks²¹⁴ *'The Committee is concerned about the chronic shortage of housing, in particular social housing, for the most disadvantaged and marginalized individuals and groups, such as ... Catholic families in North Belfast, in spite of the financial resources provided, and other measures taken, by the State party in this regard.'*

²⁰⁷ Young, G., O'Sullivan, T., Redmond, D., Blair, N., Cave, S. and Gibb, K. (2012) [Crossing Borders](#).

²⁰⁸ Wallace, A. (2015) [Housing and Communities Inequalities in Northern Ireland](#).

²⁰⁹ NIHE (2012) Audit of Inequalities, p7

²¹⁰ Nolan (2013) [Northern Ireland Peace Monitoring Report, Number Two](#) page 115

²¹¹ Wallace, A. (2015) [Housing and Communities Inequalities in Northern Ireland](#).

²¹² House of Commons Northern Ireland Affairs Committee (2004) [Social Housing Provision in Northern Ireland](#) Sixth Report of 2003-04 Session, Volume 1, HC 493-1, para 21

²¹³ PPR (2012) [Equality Can't Wait the Right to Housing Campaign](#)

²¹⁴ Committee on Economic, Social and Cultural Rights (2009) [Concluding Observations - United Kingdom](#)

- 6.12 In 2013, the Special Rapporteur on adequate housing has also recognised²¹⁵ the efforts of the Government to address these challenges. However, during her visit, she observed that long-standing issues related to inequality continue to require ‘*concerted efforts.*’

The Commission recommends action to ensure that the accommodation needs of Travellers are met, including through strategic partnerships in consultation with the Traveller community.

- 6.13 While some progress has been made, access to appropriate accommodation to meet the needs of Irish Travellers remains limited. The Commission continues to advocate the need for an adequate programme of accommodation to meet the needs of the Irish Traveller community and remains concerned by the lack of progress in securing planning permission for sites in the areas identified as most in need in the NIHE (2015) Traveller Accommodation Needs Assessment.
- 6.14 The Traveller Accommodation Needs Assessment also indicates that around one-fifth to one-third²¹⁶ of all Irish Traveller households still travel. It therefore remains important that the provision of accommodation is such that it continues to cater for those who wish to have a nomadic lifestyle. Indeed, as noted in Wallace (2015), for some Irish Travellers, ‘bricks and mortar’ accommodation may be inappropriate where it does not accord with their nomadic lifestyle²¹⁷.
- 6.15 The 2015 NIHE Traveller Needs Assessment considers preferred and current accommodation and notes the knock-on effect of reconfiguring Traveller accommodation. For example if additional grouped accommodation was to be provided, it would make serviced site pitches available which would in turn make transit pitches available. It concludes that ‘*net housing need is therefore a much more complex calculation ... and will be undertaken by Strategic Partnerships in consultation with the Traveller community.*’ We

²¹⁵ United Nations General Assembly (2013) [Report of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context, Raquel Rolnik](#)

²¹⁶ In 2014, 18% (n=69, N=384) of Traveller households travelled. In 2002 - 20% (n=62, N=316) and in 2008 - 29% (n=130, N=449) of respondents said that they travelled. See: NIHE Travellers Accommodation Needs Assessments (2002; 2008; 2015).

²¹⁷ Wallace, A. (2015) [Housing and Communities Inequalities in Northern Ireland](#).

welcome the commitment to ensure the involvement of the Traveller community, and to take specific steps to assess Traveller need.

- 6.16 We note that as part of the Traveller Accommodation Programme 2015-2018 maintenance work has been carried out recently to sites in West Belfast, Londonderry and Craigavon. However, we remain concerned by the length of time it takes to realise plans for sites and the impact this may be having on the Traveller way of life.

Supporting Rationale

- 6.17 Data from the NIHE with regard to the number of planning applications the NIHE made for Traveller sites during 2007 to 2015 showed that, of eight planning applications lodged within the time period: three were granted permission^{218, 219}; two were refused permission, one of which had previously been granted²²⁰; the land was withdrawn by the owner for two applications; and, the Department for Social Development asked the NIHE to withdraw one application²²¹.
- 6.18 Further, whilst the NIHE Traveller Needs Assessment (2015) identified three council areas in 2014 that presented the most need for Traveller accommodation (Belfast²²²; Dungannon²²³; and, Craigavon²²⁴) the planning data supplied by the NIHE shows that, of the eight applications, none were in the Belfast or Dungannon council areas. A total of six of the eight applications (75%) were however in one of the areas of most need - the Craigavon area^{225, 226}.
- 6.19 Earlier 2009 research by the Chartered Institute of Housing and the University of Ulster set out that 'decisions at Council level regarding planning permission remained a key stumbling block to site development'²²⁷. There was also considered to be 'a fragmented approach to the provision of accommodation for Travellers across a range of departments and agencies, which had strongly influenced

²¹⁸ Of the three: one was a site extension made in 2008; one was for 12 new pitched service sites made in 2011; and, a further application to extend a site was also made in 2011.

²¹⁹ All three applications were in the Armagh City, Banbridge and Craigavon Borough Council area.

²²⁰ The NIHE advises that it has appealed the application that was at first accepted, then later withdrawn; this appeal is pending at the time of publication.

²²¹ Email Correspondence (24 August 2016) from NIHE to ECNI.

²²² Now the Belfast District Council areas.

²²³ Now the Mid Ulster District Council areas.

²²⁴ The Craigavon area is now part of the Armagh City, Banbridge and Craigavon Borough Council.

²²⁵ The other two applications were in: Antrim and Newtownabbey Borough Council; and, Newry, Mourne and Down District Council.

²²⁶ NIHE (2015) [Traveller Accommodation Needs Assessment 2014](#).

²²⁷ CIH / UU (2009) [Outlining minimum standards in Traveller accommodation](#). Published by ECNI. Page 10.

the effectiveness of measures to meet housing need'²²⁸. Consideration should be given to whether such factors persist and/or any alternate barriers to the full and effective provision of appropriate accommodation to meet the needs of Irish Travellers.

- 6.20 With regards to the *adequacy* of provision, the 2014 Traveller Accommodation Needs Assessment 2014 conveyed that around one quarter of respondents reported that they were either dissatisfied or very dissatisfied with their current accommodation (down however from almost two-fifths in 2008)²²⁹.
- 6.21 The 2010 All Ireland Traveller Health Study²³⁰ reported poor housing conditions for Irish Travellers on sites. It found that nearly a quarter of Irish Travellers in Northern Ireland lived in a trailer, mobile home, caravan or chalet. Of these, nearly a third did not have running water and nearly a fifth never had their rubbish collected²³¹. In 2017, the NIHE confirmed²³² that all sites under its management have individual electricity supplies, running water and waste removal provision.
- 6.22 Beyond the 2010 research noted above, the Commission has not been able to identify up-to-date information with regards to the general levels of adequacy of specific types of sites - including for those beyond the management of the NIHE.
- 6.23 Consideration should therefore be given to the extent to which such factors persist, and if so, any prevalence within certain types of accommodation and/or tenures etc.

²²⁸ CIH / UU (2009) [Outlining minimum standards in Traveller accommodation](#). Published by ECNI. Page 45.

²²⁹ In the 2008 Assessment 37% (166 out of 449 respondents) of respondents were either 'dissatisfied' or 'very dissatisfied' with their current accommodation, this was compared to 23% (87 out of 384 respondents) in 2014.

²³⁰ Abdella, S. (with 24 others) (2010) [Our Geels: All Ireland Traveller Health Study. Technical Report 1: Health Survey Findings](#).

²³¹ Abdella, S. (with 24 others) (2010) [Our Geels: All Ireland Traveller Health Study. Technical Report 1: Health Survey Findings](#).

²³² NIHE (February 2017) Written Correspondence – NIHE to ECNI, as quoted in ECNI (2017) Statement on Key Inequalities in Housing and Communities.

The Commission reiterates its recommendation of a review of the appropriateness of a separate planning process for Traveller families applying to establish serviced family sites in the countryside.

6.24 The Commission remains concerned that Travellers, who are in a position to buy their own land and develop culturally sensitive provisions for themselves rather than relying on the availability of social provision, are subject to different and additional processes relative to those who wish to establish ‘bricks and mortar’ accommodation.

Supporting Rationale

6.25 When attempting to develop a site for their own and extended families in the countryside, applications from Travellers are dealt with under PPS 12 and specifically HS3²³³ of the Planning Regulations. This a different process from that used by members of the settled community.

6.26 We welcome the extension of HS3 in 2013 to allow for planning approval to be granted for the development of serviced sites in the countryside²³⁴. However, the Commission remains concerned that planning applications for a permanent serviced site are considered under a different set of policies to an application for a permanent dwelling of traditional construction.

6.27 It is also the case that the requirement for a site license for a Travellers’ serviced site remains, while there is no similar requirement for traditional ‘bricks and mortar’ developments.

The Commission recommends action to ensure greater awareness of the rights, responsibilities and housing options relevant to minority ethnic groups.

6.28 Research suggests there is potentially limited awareness of rights and/or limited accommodation choices available to migrants and minority ethnic groups. Furthermore, these groups may lack a wider network of family and friends with knowledge of the Northern Ireland housing market, which would enable them to make better informed choices. Our Statement on Key Inequalities in Housing noted that migrant workers were often at risk of being subject to ‘tied accommodation’ with poor conditions and overcrowding. Greater

²³³ DoE (2013) [PPS 12: Policy HS3 \(Amended\) 'Travellers Accommodation'](#)

²³⁴ Prior to this, there was only provision for grouped housing and transit sites in rural areas

awareness of rights and the market could act to empower potential tenants to explore the full range of options open to them.

- 6.29 Such information should be provided in methods and formats accessible to the identified audience both in terms of language and dissemination channels. We further recommend that frontline staff (including those from the NIHE, Housing Associations and advice centres) are trained on the entitlements of EU migrants to Housing Benefit²³⁵ and more broadly on the rights and responsibilities of refugees and asylum seekers²³⁶. We also reiterate our recommendation that government should take account of the need to provide support and advice to asylum seekers as regards emergency and subsequent accommodation²³⁷.

Supporting Rationale – Rights and Responsibilities

- 6.30 Migrant workers may not be in a financial position to buy their own property or obtain a mortgage, and social housing may not be an immediate option due to waiting lists and other restrictions. The private rented sector is therefore where many²³⁸ minority ethnic groups, particularly migrant workers, seek accommodation.
- 6.31 Local studies²³⁹ have shown that ‘...the private rented sector in Northern Ireland has largely grown to meet the increased demand from inward migration over the last decade, suggesting that minority ethnic groups have relatively easy access to this sector of the housing market.’
- 6.32 While suiting some, the private rented sector lacks security of tenure relative to other tenures. Wallace²⁴⁰ reported that *‘poor quality and management is a concern for families or other households with vulnerable members’*. 2013 research²⁴¹ also reported that *‘There are also some indications that some private landlords in Northern Ireland impose different conditions on minority ethnic groups, which can constrain access if they have no deposit or guarantor.’*

²³⁵ ECNI (2014) ECNI (2014) [Race Equality: Priorities and Recommendations](#)

²³⁶ ECNI (2016) [Response to Framework Convention on National Minorities](#)

²³⁷ ECNI (2016) [Response to the European Commission Against Racism and Intolerance \(ECRI\)](#)

²³⁸ NISRA (2013) [Census 2011: Detailed Characteristics for Northern Ireland on Ethnicity, Country of Birth and Language](#), 76% of EU Accession migrant populations live in the private rented sector

²³⁹ Campbell and Frey, 2010, quoted in Wallace, A. (2015) [Housing and Communities Inequalities in Northern Ireland](#) at page 111

²⁴⁰ Wallace, A. (2015) [Housing and Communities Inequalities in Northern Ireland](#)

²⁴¹ Wallace, A., McAreavey, R. and Atkin, K. (2013) [Poverty and Ethnicity in Northern Ireland: An Evidence Review](#)

6.33 In 2013 a further issue was highlighted by a Housing Rights Service mystery shopper exercise on upfront fees in the private rented sector²⁴². It reported evidence of a lack of consistency and transparency among those letting agents sampled and raised, for example, the possibility of both landlords and tenants being charged for the same single service. The Commission is concerned that those from minority ethnic groups, who may lack knowledge of the private rented sector or their rights, may face additional risk from such practices. Regulation of letting agents is currently being considered by the Department of Communities. In our response²⁴³ to the consultation on the issue, the Commission agreed that regulation of letting agents was an issue that should be addressed.

Supporting Rationale – Tied accommodation

6.34 Given the potential for exploitation within tied accommodation, rights and market information is likely to be beneficial to individuals living in such accommodation.

6.35 2011 research noted that, where a worker's accommodation is tied to their job, the individual 'cannot leave their job as this would render them homeless, creating a vicious circle of working long hours and living in poor conditions'²⁴⁴.

6.36 The same report found that accommodation can be expensive, overcrowded, excessively controlled by the landlord and unsuitable for children. In relation to the mushroom industry, it cited the example²⁴⁵ of a worker who was dismissed by the employer after someone else in the household had a confrontation with the landlord.

6.37 Living conditions and excessive rent have also been reported, such as a person being charged £25 per week to share a caravan. The main accommodation-related issue that arose with interviewees was of living conditions, such as a lack of facilities, poor quality repairs and a reluctance on the part of the landlord to carry out repairs.

²⁴² Housing Rights Service (2013) [The Hidden Costs of Private Renting in Northern Ireland](#)

²⁴³ ECNI (2016) [Response to consultation on the DSD Review of the Role and Regulation of the Private Rented Sector](#)

²⁴⁴ Allamby (2011) [Forced labour in Northern: Exploiting Vulnerability](#)

²⁴⁵ at page 27

The Commission recommends that research is carried out to determine reasons for housing overcrowding among minority ethnic groups.

6.38 The Commission's Statement on Key Inequalities in Housing highlighted that minority ethnic people, particularly Roma, Irish Travellers, Asian, Black and Other ethnic groups, experience housing overcrowding more often than the general population and white people. Despite this, it has not been possible to identify any Northern Ireland research on the reasons for overcrowding, including with reference to these specific equality categories.

6.39 This apparent lack of evidence impacts on the ability to identify specific causes, and thus ensure effective interventions.

Supporting Rationale

6.40 The Northern Ireland Census 2011 found that around 9.5% of the general and white populations experienced overcrowding, compared to 29.7% of Irish Travellers, 24.3% of Asian ethnic groups; and 29.7% of Black ethnic groups²⁴⁶.

6.41 Although limited United Kingdom wide research on overcrowding exists, none specific to Northern Ireland has been identified.

6.42 While a number of hypotheses can be made - such as sharing to save on rent or expenses, or groups of friends wishing to live together - robust research does not appear to have been undertaken.

²⁴⁶ NISRA (2013) [Census 2011: Detailed Characteristics for Northern Ireland on Housing, Labour Market and Voluntary Work](#)

7 Mitigate the long-term negative impacts of Welfare Reform.

Recommendations: Action is required to:

- ensure that the mitigation of negative impacts of Welfare Reform continues on a long-term basis.
- monitor the effect on unemployed 18-21 year olds when access to housing benefit is withdrawn, and that steps are taken to ensure benefit changes do not result in a rise in youth homelessness.
- address the needs of single tenants aged 35 years and under when renting in the private rented sector.
- tackle the barriers which the 'digital by default' system of benefits may present to those within some Section 75 categories.

We call on government to ensure that the mitigation of negative impacts of Welfare Reform continues on a long-term basis.

- 7.1 While noting the mitigations package put in place in Northern Ireland to cushion the impact of Welfare Reform implementation, and concessions around payments, the Commission is concerned at the long-term implications of the measures on a number of equality groups. We are concerned that the Welfare Reform mitigation measures are of a temporary nature ranging from one year (e.g. mitigation for those who lose out as a result of the transfer from DLA to PIP) to four years (e.g. spare room subsidy/bedroom tax)²⁴⁷.
- 7.2 In 2015 the United Nations published findings of its recent Inquiry²⁴⁸ which highlighted the disproportionate and adverse impact of Welfare Reforms on disabled people across the UK, including with regards to financial hardship: arrears, debts, evictions and cuts to essentials such as housing and food.
- 7.3 The Commission has written to the Minister for Communities in Northern Ireland drawing attention to our concerns about the findings, and continuing to urge implementation of long-term

²⁴⁷ See [UN Inquiry into the Rights of Disabled People in the UK](#) and Letter from [UKIM to DWP Minister Penny Mordaunt dated 1st December 2016](#) [16 UN Inquiry into the Rights of Disabled People](#)

²⁴⁸ UN (2016) [UN Inquiry into the Rights of Disabled People in the UK](#)

mitigation measures to ensure that vulnerable groups are protected from the adverse impact of Welfare Reform.

Supporting Rationale

- 7.4 In 2015, The ‘Fresh Start Agreement’²⁴⁹ set out how welfare reform legislation, equivalent to that which was enacted in the rest of the UK, would be advanced in Northern Ireland. This entailed the local administration passing responsibility for making the relevant legislation to the UK government. In June 2016 the Northern Ireland Minister for Communities stated that officials were²⁵⁰ looking at options to mitigate key changes.
- 7.5 In relation to housing, there are not only particular issues for young people and people with disabilities, but across all those who receive benefits. For example, Wallace²⁵¹ noted that *‘Interviewees raised concerns about the impact of Welfare Reform, benefits administration and the interaction with immigration legislation on the ability to sustain housing costs for some low-income minority ethnic and minority communities.’*
- 7.6 Particular pressure exists for those accessing Housing Benefit. It will be reduced where the benefit cap²⁵² is exceeded (although a supplementary payment will be made to make up the shortfall until March 2020). From April 2018 the rate will be the same as the lower Local Housing Allowance rate for new tenancies²⁵³, which has itself been frozen for four years from 2016/17.
- 7.7 The ‘spare room subsidy’ / ‘bedroom tax’ element of housing benefit reforms results in recipients with one or more rooms above the local housing allowance allocation having a 14-25% reduction to their payment. This policy has particular implications for those people with disabilities and parents with part-time caring responsibility, who may require an additional room, for example for carers or children to stay over.
- 7.8 Of particular note is the scarcity of one and two bedroom properties within the social housing sector in Northern Ireland. In its 2012 evidence²⁵⁴ to the Committee for Social Development, the Northern Ireland Housing Executive stated that *‘When you look at the make-*

²⁴⁹ Available at: <https://www.gov.uk/government/news/a-fresh-start-for-northern-ireland>

²⁵⁰ as per AQO 45/16-21, 15.06.2016

²⁵¹ Wallace, A. (2015) [Housing and Communities Inequalities in Northern Ireland](#), page 129

²⁵² of £20,000 per annum

²⁵³ that is, new tenancies from April 2016

²⁵⁴ NI Assembly Official Report, Committee for Social Development (25 October 2012) [Welfare Reform Bill: Northern Ireland Housing Executive Briefing](#)

up of Housing Executive stock, you see that although we have 90,000 properties, somewhere between 10,000 and 12,000 of those are targeted at one-bed accommodation. So, we have around 26,000 under occupying tenancies. If everybody presented at our door tomorrow morning looking for accommodation that is appropriate to their needs, we would have a major issue to try to deal with that. We would not have the supply to match their needs.'

We recommend that an assessment is undertaken to monitor the effect on unemployed 18-21 year olds when access to housing benefit is withdrawn, and that steps are taken to ensure benefit changes do not result in a rise in youth homelessness.

7.9 The summer budget 2015 announced the removal of the housing benefit element of Universal Credit for out-of-work young people aged 18-21 from April 2017.²⁵⁵

7.10 In June 2015, 3,800 claimants in Northern Ireland under the age of 22 claimed housing benefit, receiving an average of £54 per week.²⁵⁶ Of these claimants, it has been indicated that 800 would be directly affected by the removal of housing benefit by the introduction of Universal Credit.²⁵⁷

7.11 Crisis UK has stated that, for some young people, the provision of housing benefit is all that stands between them and homelessness.²⁵⁸

Supporting Rationale

7.12 Young people do not always seek to live independently through personal choice, but rather for example as a result of family or relationship breakdown.

7.13 The impact of these benefits changes in Northern Ireland may be greater than in other United Kingdom regions as a result of high youth unemployment and the higher long term unemployment rate of 43.7% compared to the UK average rate of 26%²⁵⁹.

²⁵⁵ Parliament UK (Aug 2015) [Research Briefings: Housing Benefit: withdrawing entitlement from 18-21 year olds](#)

²⁵⁶ Housing benefit is currently available to people if they pay rent, rates, have a low income, savings or if not in work.

²⁵⁷ Department for Social Development (Sept 2015) [The Impact of the Summer Budget 2015](#)

²⁵⁸ Crisis UK (May 2015) [Access to housing benefit for 18-21 year olds](#)

²⁵⁹ Northern Ireland Statistics & Research Agency (February 2017) [Northern Ireland Labour Market Report: February 2017](#)

We recommend that the Department for Communities, in its review of the role and regulation of the private rented sector, includes targeted action to address the needs of single tenants aged 35 years and under when renting in the private rented sector.

- 7.14 From 1 January 2012 changes to Housing Benefit in the Local Housing Allowance²⁶⁰ resulted in single people aged 35 years old and under only entitled to a shared accommodation rate. This is lower than the full housing benefit rate. Research to date has been of small scale but found that since the changes came into force around one in ten landlords no longer rent to under 35 year old single people²⁶¹.
- 7.15 Furthermore, over one third of landlords participating in that research stated that they might cease letting to Local Housing Allowance single tenants under the age of 35. The Commission continues to recommend the introduction of comprehensive legislation to make unlawful any unjustified age discrimination in the provision of goods and services - including in the provision of accommodation.
- 7.16 In 2015/16 the Department consulted on a discussion document on a review of the role and regulation of the private rented sector²⁶². It subsequently consulted²⁶³ (until April 2017) on proposals for change. It included proposals around rent increases permissible, giving housing associations a role in the private rented sector and improving information provision requirements. We welcome the commitment within the draft PfG delivery plan²⁶⁴ to develop affordable housing solutions to meet the needs of single people aged under 35 on benefits, and look forward to the prompt implementation of related actions.

Supporting Rationale

- 7.17 The cost of private renting is 50% more expensive than social housing²⁶⁵ and accounts for 17-20% of total housing in comparison

²⁶⁰ Northern Ireland Housing Executive's website: [Benefits and Grants/Local Housing Allowance](#)

²⁶¹ Centre for Regional Economic and Social Research, Sheffield Hallam University funded by the Department for Social Development (Mar 2014) [Monitoring the impact of recent measures affecting Housing Benefit and Local Housing Allowances in the private rented sector in Northern Ireland: Final Report](#)

²⁶² DSD (2015) [Review of the Role and Regulation of the Private Rented Sector in Northern Ireland - discussion document](#)

²⁶³ DfC (2016) [Private Rented Sector in Northern Ireland – Proposals for Change](#)

²⁶⁴ NI Executive (2017) [PfG Delivery Plan indicators 8 and 48](#)

²⁶⁵ Joseph Rowntree Foundation (Nov 2014) [What will the housing market look like in 2040?](#)

to social rented sector which makes up 15% of total housing.²⁶⁶ Between 2001 and 2011 the private rented sector more than doubled in size²⁶⁷.

- 7.18 The potential implications arising from an inability to sustain tenancies, with a potential rise in homelessness, are as set out earlier in this paper (see para 5.59 onwards).

We call on government to tackle barriers which the ‘digital by default’ system of benefits may present to those within some Section 75 categories.

- 7.19 With the provision of government services moving increasingly to ‘digital by default’ (whereby information provided and accessed by individuals is online), safeguards are necessary to ensure that those within Section 75 groups receive their full entitlement to benefits.
- 7.20 Particular issues may arise for those who do not have access to the internet, or who may require assistance to provide the range of information required.

Supporting Rationale

- 7.21 In Northern Ireland, in 2012/13 61% of those in the 60-69 age brackets had access to the internet, but this dropped dramatically to 28% for those aged 70 and over. This contrasts with over 90% of the under 40s having access. These differences may be driven by, and contribute to, lesser familiarity with related technologies²⁶⁸.
- 7.22 2016 UK wide data from the Office for National Statistics²⁶⁹ found that there was lower usage of the internet by older people and people with disabilities than the general population. 71% of adults with disabilities had used the internet during the previous three months, compared to 87.9% of the general population.
- 7.23 Internet usage decreased with age, with 38.7% of over 75s having recently used it, compared to 99.2% of 16-24 year olds. The age and disability status of respondents is not disaggregated at a

²⁶⁶ Northern Ireland Housing Executive, [Northern Ireland Housing Market: Review & Perspectives 2014-2017](#)

²⁶⁷ Chartered Institute of Housing, Department for Social Development, SmartMoveNI [Thinkpiece: Making the Most of Northern Ireland’s Private Rented Sector to meet Housing Need](#)

²⁶⁸ Age UK, [Introducing another World: older people and digital inclusion](#), page 5

²⁶⁹ ONS (2016) [Internet Users in the UK: 2016](#)

regional level, but Northern Ireland has the lowest recent internet usage of all regions.

- 7.24 Citizens Advice Scotland has called on the government to ‘ensure citizens are fully supported to access the benefits to which they are entitled in a way that suits their needs, resources and capabilities’²⁷⁰.
- 7.25 Reinforcing these findings, Yates et al²⁷¹ cited in 2015 analyses of Ofcom and Oxford Internet Surveys which indicated that the majority of those without internet access were, in addition to the most socially deprived, older (over 55), and more likely to have disabilities or long term health issues. They also argued that the cost savings of online services for government led to additional costs to welfare clients and organisations; that assisted digital support was needed in the long term and to a greater extent than planned; and that support was also needed for the third sector to provide skills development and internet access.

²⁷⁰ Citizens Advice Scotland (2013) [Voices from the Frontline: Digital by Default](#)

²⁷¹ Yates et al (2015) [In Defence of Welfare 2 Digital by default: reinforcing exclusion through technology](#)

8 Ensure Equality data collection and disaggregation is sufficient to inform the development of a robust Programme for Government and the delivery of effective PfG outcomes

Recommendations: Action is required to:

- action to address key equality data gaps across a number of areas of public policy.
- ensure data is sufficiently disaggregated to allow for meaningful equality analysis, to better inform public policy intervention.

The Commission recommends action to address key equality data gaps across a number of areas of public policy.

- 8.1 Comprehensive equality data is necessary to shape, refine and evaluate the impact of strategies, programmes and policies. There remained significant data gaps across a number of areas and themes²⁷², specifically: gender identity; religion; political opinion; and sexual orientation. We reiterate our recommendation that government should ensure, including via Programme for Government outcomes and indicators, that it tracks outcomes both in aggregate, and across the full range of Section 75 equality categories.
- 8.2 With regards to draft PfG delivery plans (December 2016) we restate our view that the indicator ‘number of households in housing stress’ should collect data and also report progress by Section 75 category. It is our general view that data should be collected across all Section 75 grounds, across all relevant actions. We note that while data is collected by gender, age, marital status and religion, it is not available by disability, sexual orientation, race, and having dependants. The Commission recommends action to fill significant and specific data gaps in relation to a number of equality grounds.

²⁷² Data gaps were identified regarding gender identity; religion; political opinion; and sexual orientation. Wallace, A. (2015) [Housing and Communities Inequalities in Northern Ireland](#).

Supporting Rationale

- 8.3 Despite the Commission's (2007)²⁷³ monitoring guidance for public authorities, there remains significant and specific data gaps across a number of public policy areas. For example, key housing datasets offer limited detail with regard to data on minority ethnic groups and migrants. Instead, any analysis must rely on small scale surveys and qualitative data.
- 8.4 Household level data does not provide a complete picture of the composition of households. For example, in social housing administrative data, the applicant is listed as the person who completed the form, regardless of whether it was a joint application.²⁷⁴ There is no requirement upon the applicant to disclose information regarding some of their personal characteristics, such as their religious background.
- 8.5 Further, in the Northern Ireland House Condition Survey, the household reference person (HRP) is defined as the person who owns the house or pays the rent or mortgage. If this is more than one person then the HRP is taken as the person with the highest annual income^{275 276}. The household may well be more diverse than the HRP, but such data is not captured through this measure.

The Commission recommends action to ensure data is sufficiently disaggregated to allow for meaningful equality analysis, to better inform public policy intervention.

- 8.6 In housing, there is a lack of data disaggregation²⁷⁷ in relation to: ethnicity; disability status; marital status; and, dependency status. For example, key housing datasets offer limited detail with regard to data on minority ethnic groups and migrants.

²⁷³ ECNI (2007) [Section 75 of the Northern Ireland Act 1998: Monitoring Guidance for Use by Public Authorities](#).

²⁷⁴ Wallace, A. (2015) [Housing and Communities Inequalities in Northern Ireland](#).

²⁷⁵ NIHE (2013) [Northern Ireland House Condition Survey, 2011: Main Report](#).

²⁷⁶ It is also worth considering that the recorded characteristics of those designated as a household reference person may be different depending upon the age of the household reference person. For example, while males are more likely to be recorded as a householder reference person regardless of age, females are more likely to be recorded where households have either a younger (aged 18 to 39 years old - 44.2%) or an older (60 years old or over - 40.0%), rather than a middle aged (40 to 59 years old - 29.3%) household reference person.. Data quoted is from the [Northern Ireland House Condition Survey, 2009](#)

²⁷⁷ Wallace, A. (2015) [Housing and Communities Inequalities in Northern Ireland](#), as quoted in ECNI (2016) [Draft Statement on Key Inequalities in Northern Ireland](#)

- 8.7 Instead, any analysis must often rely on small scale surveys and qualitative data.
- 8.8 These shortfalls limit the ability to draw robust conclusions about inequalities, and/or progress in addressing the same, across the full range of equality categories and groups.

9 Conclusion

- 9.1 It is anticipated that these policy recommendations, in tandem with our *Statement on Key Inequalities*, will both support and challenge government and key partners to further address key inequalities in housing and communities through the development and delivery of legislation, policy and services over the incoming mandate.

Develop shared, safe communities based on equality, dignity and respect.

- 9.2 Action is required to:

- advance sharing in housing, while ensuring that objectively assessed housing need is met;
- implement specific long-term measures to eliminate discrimination and intimidation, tackle prejudicial attitudes and promote values of acceptance and respect for difference.
- further tackle the under-reporting of hate incidents and crimes (against persons and dwellings), and to increase outcome rates.
- address the fear of crime among older people, so that they can feel safe within their homes and communities.

Ensure that everyone has access to a sustainable home and enjoys the right to independent living.

- 9.3 Action is required to:

- ensure application of accessible housing standards to all new builds.
- provide information regarding the availability of accessible accommodation.

- ensure the provision of easy to access and affordable adaptation services across all tenures – including by streamlining existing processes; increasing awareness of grants; and reducing waiting times.
- extend the Disability Discrimination Act to include reasonable adjustments to communal areas in residential properties (existing)
- ensure access to adequate, sustainable and long-term independent living provision, for all people with disabilities for whom it is a viable housing option.
- ensure that older people of differing sexual orientations and transgender people have their residential or nursing care needs fully met.
- ensure sufficient Health and Social Care Trust capacity to care for permanent care home residents (where they wish it), and provide for all older residents requiring care and support.
- understand the housing expectations and requirements of accommodation for older people.
- implementation of a fuel brokering scheme to secure competitive rates across all tenures.
- ensure the availability of suitable accommodation and services for homeless single males; younger and older people; and refugees and unsuccessful asylum seekers.

Address the specific housing needs of particular equality groups.

9.4 Action is required to:

- address the longer waiting-list times for social housing experienced by households with a Catholic religion household reference person.
- ensure that the accommodation needs of Travellers are met, including through strategic partnerships in consultation with the Traveller community.
- review the appropriateness of a separate planning process for Traveller families applying to establish serviced family sites in the countryside.
- ensure greater awareness of the rights, responsibilities and housing options relevant to minority ethnic groups.

- determine the reasons for housing overcrowding among minority ethnic groups.

Mitigate the long-term negative impacts of Welfare Reform.

9.5

Action is required to:

- ensure that the mitigation of negative impacts of Welfare Reform continues on a long-term basis.
- monitor the effect on unemployed 18-21 year olds when access to housing benefit is withdrawn, and that steps are taken to ensure benefit changes do not result in a rise in youth homelessness.
- address the needs of single tenants aged 35 and under when renting in the private rented sector.
- tackle the barriers which the 'digital by default' system of benefits may present to those within some Section 75 categories.

Ensure Equality data collection and disaggregation is sufficient to inform the development of a robust Programme for Government and the delivery of effective PfG outcomes.

9.6

Action is required to:

- address key equality data gaps across a number of areas of public policy.
- ensure data is sufficiently disaggregated to allow for meaningful equality analysis, to better inform public policy intervention.

June 2017.