



Minutes of the 477th Meeting
of the Northern Ireland Housing Council held on
Thursday 11th February 2021 at 10.30 am via Webex

Present by Video Conferencing:

Tommy Nicholl	Mid & East Antrim Borough (Chair)
Anne-Marie Fitzgerald	Fermanagh & Omagh District (Vice Chair)
Mark Cooper	Antrim & Newtownabbey Borough
Jim Speers	Armagh City, Banbridge & Craigavon Borough
Mickey Ruane	Newry, Mourne & Down District
Nick Mathison	Ards & North Down Borough
Michelle Kelly	Belfast City
Allan Bresland	Derry City & Strabane District
Catherine Elattar	Mid Ulster Borough

In Attendance:

Clark Bailie	Chief Executive (Housing Executive)
Grainia Long	Chief Executive Designate (Housing Executive)
Heloise Brown	Department for Communities
Ciara Lynch	Department for Communities
Kelly Cameron	Secretary (Housing Executive Secretariat)

Apologies:

John Finlay	Causeway Coast & Glens Borough
Amanda Grehan	Lisburn & Castlereagh City

1.0	<p><u>Declarations of Interest</u></p> <p>None.</p>	
2.0	<p><u>To adopt the Minutes of the 476th Housing Council Meeting held on Thursday 14th January 2021</u></p> <p>It was proposed by Alderman Bresland, seconded by Councillor Mathison and resolved, that the Minutes of the 476th Meeting of the Housing Council held on Thursday 14th January 2021 be approved and signed by the Chair.</p>	

<p>3.0</p> <p>3.1</p> <p>3.2</p>	<p><u>Matters Arising from the Minutes</u></p> <p>Invitation to the Minister for Communities to attend a future Housing meeting</p> <p>It was noted that a reply is still awaited.</p> <p>Queries by Members responded to since the last meeting, in relation to policy issues have been included in your papers for information:-</p> <ul style="list-style-type: none"> ▪ Councillor Mathison - Details on the Affordable Warmth Scheme budget figures for the last few years 	
<p>4.0</p>	<p>Housing Executive's Board Bulletin Board Meeting – December/January Board Meeting</p> <p>Mr Bailie reported on the Housing Executive Board's deliberations:-</p> <p>It was noted that the Board held a (Special Meeting) in December to discuss the Housing Executive's new Board Committee Structure and the long-term future of the Housing Executive.</p> <p>At the Board Meeting on 27th January, the Department of Communities' Permanent Secretary, Tracy Meharg, joined the Board to observe the meeting. While she could only join in for one hour due to another engagement, she welcomed the opportunity to hear presentations on the Tower Block Action Strategy, Homelessness and also shared a brief summary on the draft budget, which was out for consultation .</p> <p>Papers considered at the meeting were as follows:-</p> <ul style="list-style-type: none"> • Tower Block Action Plan Update • Demolition of Monkscoole House Tower Block • Homelessness Response to Covid-19 & Homelessness Funding • Homelessness Funding Update 2020/21 • Housing Executive Response to NIAO report on Homelessness • Welfare Reform Project Update • Approval to award a contract for Provision of an Occupational Therapist Service • ECM Ardgart Place, Avonlea Gardens, Inniscarn Drive etc • Housing Services Customer Service Excellence Re-accreditation 2020/21 • Response to NIRHC Out of Sight out of Mind – Travellers' Accommodation in Northern Ireland Report • Compliance Health & Safety Update January 2021 	

<p>4.1</p> <p>4.2</p>	<ul style="list-style-type: none">• Settlement of Terminal Schedule of Dilapidations on Former NIHE Office• Housing Services Customer Service Excellence Re-accreditation 2020/21• Corporate Quarterly Report as at 31st December 2021• Land Acquisitions and Disposals Quarterly Update• Supporting People Programme Update <p>Matters Arising from the Board Bulletin</p> <p>Housing Council Members on the Board</p> <p>Agreed - Housing Council Members who sit on the Housing Executive Board should be given the opportunity to update Members on the Board deliberations at a private session prior to the Housing Council to give Members the opportunity to discuss any issues and perhaps prepare questions for the Officers during the Meeting.</p> <p>Homelessness</p> <p>Councillor Mark Cooper expressed his concern that it should not have taken a pandemic to achieve the successful results of getting the homeless off the streets and into a safe environment, and hoped the lessons learnt and arrangements for multi-agency collaboration and consultation would now continue to tackle the homeless situation within Northern Ireland.</p> <p>In response to Councillor Cooper's question in relation to Housing Executive funding for 2021/22, Mr Bailie confirmed that to date there is no confirmation from the Department of Communities on the allocated budget figures for the next financial year, he added that there is huge pressure on the Northern Ireland budget with minimum increase, with all the new pressures. Members noted that the Department are aware of the pressures on the Housing Executive's Regional Services budget, over the last year there was a welcomed increase amount of money received due to COVID-19. Mr Bailie added that a contingency plan is in place if money is not made available and the Housing Executive may need to reprioritise areas within the budget. It was recognised that this is a very challenging year for the entire public sector.</p> <p>Councillor Cooper expressed concern that money not spent during the financial year is to be handed back to the Treasury and enquired if the funding could be used to tackle homelessness.</p>	
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	<p>Mr Bailie explained the accounting rules are unable to carry money from one financial year to the next on the regional side. There may be representations to Treasury to see if there is an opportunity to carry money into the next financial year. He added that money for in this years' budget allocation has been fully utilised.</p> <p>Mr Speers supported the Town Centre Living (TCL) Heritage Lottery scheme, he felt this scheme was very beneficial, good value for money and regenerated town centre living and asked the Housing Executive to continue to avail of such schemes.</p>	
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<p>5.0</p>	<p><u>Fundamental Review of Social Housing Allocations – Consultation Outcome Report</u></p> <p>Ms Ciara Lynch, Department for Communities gave Members a presentation on the Consultation Outcome Report of the Fundamental Review of Social Housing Allocations. (Copies of the Slides are appended to these minutes – Appendix A).</p> <p>Ms Lynch gave a brief overview of the consultation findings and an indication of the likely timescales for implementation. It was noted that the Department for Communities plans to implement 18 of the 20 consultation proposals. Two proposals will not proceed as per the consultation (Proposal 7 Removal of Intimidation Points and Proposal 9 Interim Accommodation Points) and require further analysis to consider alternatives.</p> <p>A list of questions had been submitted by Members as follows:-</p> <p>What additional budget is required to deliver the agreed recommendations and has this been made available in the draft 2021/2022 budget?</p> <p>Ms Lynch explained that the Housing Executive provided a provisional budget. This was estimated as £4.1 million over 3 years, with around £1 million in Year 1. It was noted that the Housing Executive need to update the costings and the Departmental budgets have not yet been set for 2021/2022.</p> <p>Recommendations 2 & 3 (removal of Full Duty Applicant Status based on conduct): Concerns have been identified in relation to passing a problem on to the private rented sector which may be less well equipped to deal with challenging or vulnerable tenants?</p>	
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Ms Lynch explained that ineligible is a last resort and other interventions and support will be tried first.

The Housing Executive work with organisations on the ground to support applicants with underlying issues which may lead to Anti Social Behaviour (ASB). She added that support is available including mediation, referrals to specialist support organisations, also Increased awareness of the potential to be found 'ineligible' may act as a deterrent

Do you anticipate these recommendations would give rise to legal challenges on human rights grounds and if so, are they workable and deliverable?

Members learned that the proposals were subject to equality screening and identified potential adverse impacts on young males (potentially perpetrators). As and when these changes are put into place, further screening and investigation of such issues will take place. She added that the Department would have to carefully assess that before bringing forward legislation to ensure it is within competence and doesn't breach the Human Rights Act. There is no reason to think that they would breach human rights at this time. The test when refusing eligibility has to be based on what a court would decide, and the bar for that would not change - only the point at which Housing Executive would make that decision.

What support and advice would be given to those who declined Full Duty Applicants (FDA) status due to misconduct to ensure they are not placed at risk and receive support with mental health, addictions etc?

It was explained that the Housing Executive works with organisations on the ground to support applicants with underlying issues which may lead to ASB and this support will continue.

Recommendation 4 (discharging homeless duties on tender neutral basis) - How will it be ensured tenants being housed in private sector are assured good quality and affordable homes with appropriate security of tenure?

Prior to implementation, the Housing Executive will undertake an initial scoping exercise to consider the practicalities associated (including significant IT/system changes) with implementing discharge into the private rented sector. It is envisaged that this exercise will provide greater clarity on the impacts and the safeguards which may be required.

Ms Lynch added that the Department for Community officials are starting work on a comprehensive review of fitness for all tenures.

This will take some time to complete. An amendment will be made to the Landlord Registration regulations to incorporate a fitness declaration at the point of registration. In time this will then be underpinned by a change to the fitness standard to improve the standard of these properties.

The outcome of the fitness review, including any changes to the fitness standard, will be taken into account when this proposal is being considered for implementation, to ensure that the appropriate safeguards are in place.

Is it anticipated that refusals of privately rented accommodation would be deemed refusals of 'reasonable offers'?

This issue will be taken into account as part of the Housing Executive's initial scoping exercise.

Current system of Local Housing Allowance makes private rental unaffordable for many. Is it reasonable to discharge homeless duties by placing tenants in unaffordable homes?

Cost and security of tenure are issues that need to be considered as part of the Housing Executive's initial scoping exercise prior to implementation to make any Private Rented Sector (PRS) solution workable.

Recommendation 7 (decision not to remove intimidation points) - How will needs of victims of domestic abuse be properly reflected in the scheme while ongoing review of intimidation points continues?

Ms Lynch explained that current arrangements will continue at the moment, whereby victims of domestic abuse will receive primary social needs points for violence/threat of violence and homelessness points.

It was noted that under the current Selection Scheme, someone who leaves their home as a result of domestic abuse can be allocated points for homelessness (**70 points**) and Primary Social Needs points (**max. 40 points**) for violence or the threat of violence – a **maximum of 110 points** are available. These Primary Social Needs points recognise the serious impact that domestic violence has on a household and aim to prioritise their needs accordingly.

It was noted that care must be taken regarding this group, at present verification of domestic abuse is not as potentially intrusive as the process currently in place to consider allocation of intimidation points for other groups.

Given the sensitivities applying same verification as others faced with intimidation may not always be appropriate. It will be prudent to carefully consider protocols to continue to deal with these households

While ongoing review and consultation is undertake, how will the department make the current system more open and transparent?

Communication around progression of all proposals will be important. As part of its planning phase the Housing Executive will develop a communications plan ensuring clarity and transparency.

Recommendation 10 (new banding system) - Can more detail be provided as to how the proposed new system would operate and what its benefits would be?

Ms Lynch stated that the aim is to continue to use the points system, then group those with similar levels of points within bands, which will then be used to allocate homes based on time waiting. The benefits would be as follows:

- clear and transparent approach;
- applicants know exactly where they are on the list and won't be overtaken by someone with just a couple more points (which would happen currently);
- a reduction in number of applicants in high need who have been waiting a very long time.

Recommendation 15 (2 rather than 3 offers of accommodation) - How will 'reasonable offer' be defined to ensure the process is fair and transparent?

It was noted that this point was strongly made by consultation respondents. There was concern that what is "reasonable" for the Housing Executive to discharge its duty is not always "suitable" for applicants. There was some feedback received on how to make the process more fair and transparent. This has been fed through to the Housing Executive for consideration during implementation. She added that clear guidance for applicants and landlords should be made available to ensure transparency and fairness of approach.

Councillor Cooper expressed concern over the Ministers commitment for implementing these recommendations without a confirmed budget to fulfill the commitments.

Ms Lynch was in agreement with Councillor Cooper that some of the proposals could be aligned with each other.

Councillor Cooper referred to the Proposal 7 Removal of Intimidation Points which will not proceed as per the consultation and highlighted that the proposal response rate was 85% from all sectors, he expressed his concern that the Minister has decided not to implement and bring back for further consultation. He also felt that domestic violence should have been addressed separately.

Mr Bailie stated that there are genuine cases of intimidation but also the system can also be subject to misuse and the Housing Executive uses different sources to substantiate claims submitted but are primarily guided by the information provided by the PSNI.

Mr Bailie added that the Housing Executive are keen to implement the recommendations, subject to funding being made available.

Ms Lynch said that the Minister in her statement made a number of housing commitments moving forward and these are priorities for her, however there are other priorities also and there may have to be difficult choices to be made but the budget will determine the priorities.

Mr Speers expressed concern at the reduction of refusals from 3 offers of accommodation to 2 offers. In response Mr Bailie explained that the Housing Solutions Team consult with the applicants and their needs to a great degree and present them with informative choices prior to a reasonable offer being made.

The Chair would support the inclusion of local preference points for people being offered in their local area, in response Mr Bailie stated that the Housing Executive do their best to meet their applicants needs but unfortunately sometimes that is not always practical within their area.

The Chair thanked Ms Ciara Lynch and Ms Heloise Brown for a very worthwhile and informative presentation.

7.0	<p><u>Social Housing Development Programme Housing Starts and Completions</u></p> <p>Members noted the report as circulated.</p>	
8.0	<p><u>Housing Executive's Scheme Starts January 2021</u></p> <p>Members noted the report as circulated.</p>	
9.0	<p><u>Retirement of Clark Bailie</u></p> <p>As this was Clark Bailie's last Housing Council meeting, the Chair paid tribute to him and, of behalf of Members, thanked him for his courteous and professional manner in which he had always addressed the Housing Council during his time as Chief Executive of the Housing Executive. He added that it had often been stated that the Housing Executive is in a safe pair of hands while under his leadership and he wished him a long, happy and healthy retirement.</p> <p>The Chair also confirmed that the Housing Council, as a token of their appreciation, had a small gift for Mr Bailie and the Secretary would progress arrangements to ensure he received it.</p> <p>As this was Clark Bailie's last Housing Council meeting, the Chair paid tribute to him and, of behalf of Members, thanked him for his courteous and professional manner in which he had always addressed the Housing Council during his time as Chief Executive of the Housing Executive. He added that it had often been stated that the Housing Executive is in a safe pair of hands while under his leadership and he wished him a long, happy and healthy retirement.</p> <p>The Chair also confirmed that the Housing Council, as a token of their appreciation, had a small gift for Mr Bailie and the Secretary would progress arrangements to ensure he received it.</p>	
10.0	<p><u>Date and Venue of Next Meeting – Thursday 11th March 2021 at 10.30 am via Webex</u></p> <p>It was noted that the above monthly meeting would encompass attendance from the Department for Communities, with the Housing Executive returning to the April Monthly Meeting.</p>	

The Meeting concluded at 12.15 pm.



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**A FUNDAMENTAL
REVIEW OF SOCIAL
HOUSING
ALLOCATIONS**

Ciara Lynch
Social Housing Policy Team, DfC





Consultation Outcome Report



Department for
Communities
www.communities-ni.gov.uk

An Roinn
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Ministère de
Communities

Published December 2020

Sets out:

- Issues raised by consultees – grouped by theme
- Departmental response
- Next steps, including:
 - High-level implementation plan
 - **Short term:** 9-12 months from project commencement
 - **Medium term:** 18+ months from project commencement
 - **Long term:** 24+ months from project commencement



Public Consultation



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5 Public events.....attended by over
160 people



13 presentations to smaller
groups...attended by over
230 people



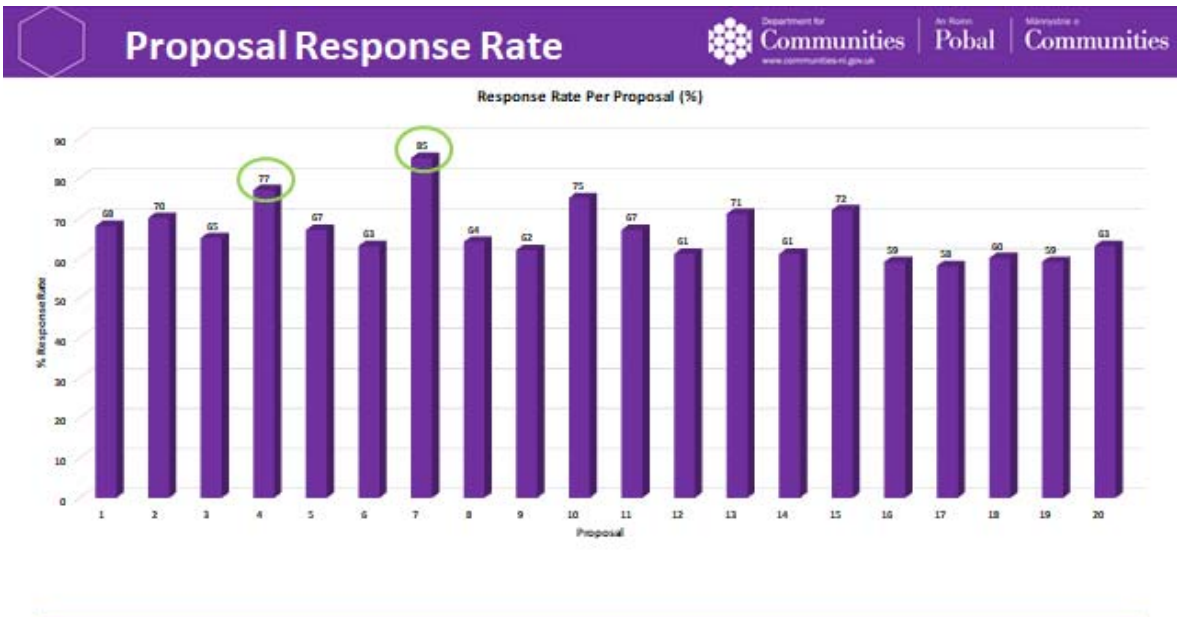
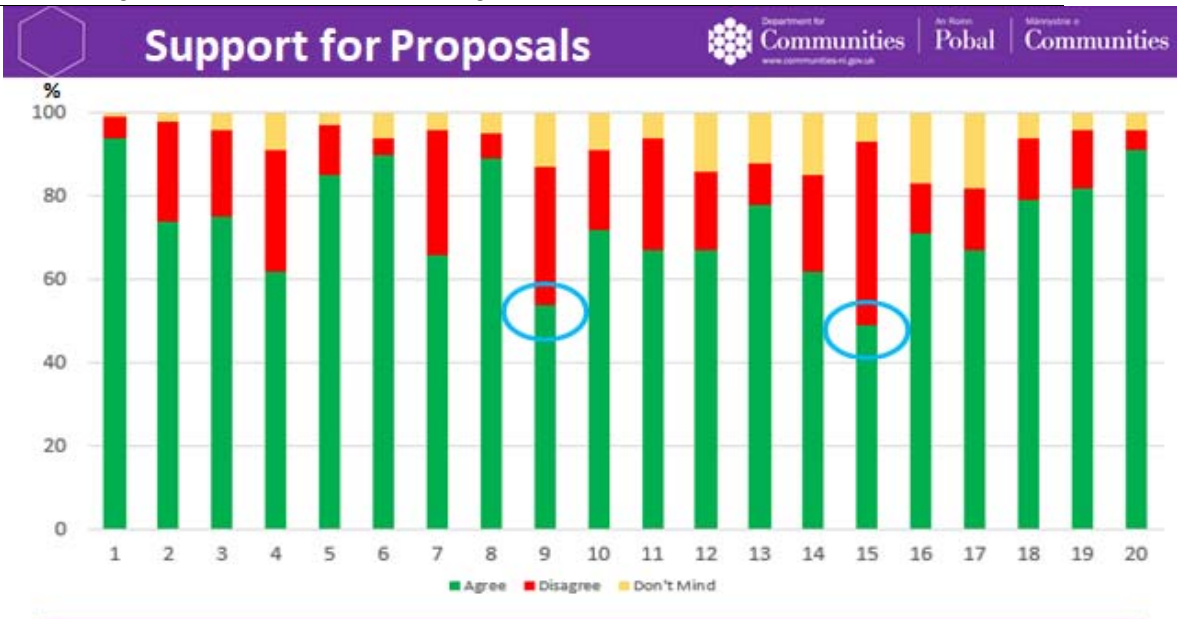
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Over 5500 hits on our consultation
webpage

Over 60 tweets about the
consultation

Resulting in **185** responses

- Social landlords
- Housing Professionals
- Housing Fora
- Political representatives
- Local Councils
- Voluntary/community organisations
- Members of the Public





Approach to analysis



Feedback from consultation events



185 Consultation Responses
survey responses & in-depth
commentary from stakeholders



Handling information
Our thematic approach



Summary of implementation plan/phased approach

Phase 1	Phase 2	Phase 3
1: Housing advice service	2 & 3: Changes to eligibility for applicants involved in unacceptable behaviour	4: Meet duty to homeless applicants on tenure-neutral basis
5: Greater choice of areas for applicants	8: Points should reflect current circumstances	7: Further consideration of intimidation points
6: Greater use of a mutual exchange service	11: Align number of bedrooms a household is assessed to need with Universal Credit criteria	9: Further consideration of interim accommodation points
12 & 14: For difficult-to-let properties – multiple offers	19: Align with Public Protection Arrangements NI	10: Banding of applicants
15: Two reasonable offers		13: For difficult-to-let properties: choice-based lettings
16: Withdraw offer of accommodation in specified circumstances		20: Specialised properties allocated by a separate process
17 & 18: Withhold consent for a policy succession or assignment		
Short term	Medium term	Long term



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



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94% support

Will proceed as per consultation

What the proposal will achieve:

- Holistic, person-centred support throughout the housing journey
- Offer alternative solutions to prevent someone reaching the point of homelessness

Next steps

- Build on Housing Executive's existing Housing Solutions Service
- Service will work with other advice providers to build on existing tailored advice and support
- Estimated implementation – **short term** – 9-12 months from project commencement



Proposals 2 & 3: Changes to eligibility for applicants involved in unacceptable behaviour



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74% & 75% support

Will proceed as per consultation

What the proposals will achieve:

- Tools to aid decision-making around eligibility
- A more effective allocations process
- Greater tenancy sustainment

Next steps

- Estimated implementation – **medium term** – 18+ months from project commencement
- Subject to legislative processes



**Proposal 4: Meet duty to homeless applicants
on tenure-neutral basis**



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62% support

Will proceed as per consultation

What the proposal will achieve:

- Consider **PRS** as possible housing alternative in the context of:
 - Limited supply
 - Appropriate safeguards
 - Security of tenure
 - Standards

Next steps

- Housing Executive will undertake initial scoping exercise to consider practicalities involved
- Estimated implementation – **long term** – 24+ months from project commencement



Proposal 5: Greater choice of areas



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85% support

Will proceed as per consultation

What the proposal will achieve:

- More choice
- Greater tenancy sustainment, supported by advice service
- Reduction in refusals

Next steps

- Removal of automatic expansion of areas for FDAs
- Estimated implementation – **short term** – 9-12 months from project commencement



Proposal 6: Greater use of mutual exchange service



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90% support

Will proceed as per consultation

What the proposal will achieve:

- Good housing management tool – reduce voids and waiting times
- Empower tenants to make informed choices
- Greater tenancy sustainment

Next steps

- Housing Executive will consider IT options for tenants to ensure accessibility and security
- Estimated implementation – **short term** – 9-12 months from project commencement



Proposal 7: Removal of intimidation points



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66% support

Will not proceed

- Alternative proposal will be explored
- Current arrangements will remain in the interim
- Immediate personal safety of applicants is paramount

Next steps

- NIHE will consider how to:
 - Strengthen verification process
 - Explore how other victims of trauma can receive points
- Estimated implementation – **long term** – 24+ months from project commencement

 **Proposal 8: Points should reflect current circumstances**  Department for Communities | An Roinn Pobal | Máinistire na h-Éireann  Department for Communities | An Roinn Pobal | Máinistire na h-Éireann

89% support

Will proceed as per consultation

What the proposal will achieve:

- Greater equality and fairness – level playing field for all
- Increased accuracy reflecting current housing need

Next steps

- NIHE will undertake a major reassessment exercise
- Significant system and IT changes will be required
- Estimated implementation – **medium term** – 18+ months from project commencement

 **Proposal 9: Interim accommodation points**  Department for Communities | An Roinn Pobal | Máinistire na h-Éireann  Department for Communities | An Roinn Pobal | Máinistire na h-Éireann

54% support

Will not proceed

Next steps

- Alternative proposal will be explored
- Current arrangements will remain in the interim
- NIHE will consider how to award points to applicants in other forms of temporary accommodation
- Estimated implementation – **long term** – 24+ months from project commencement



Proposal 10: Banding



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72% support

Will proceed as per consultation

What the proposal will achieve:

- Greater fairness, equality and clarity of approach
- Creating a 'true' waiting list, based on time spent on the list

Next steps

- NIHE commissioned modelling to assess impacts and determine number/size of bands
- Significant system and IT changes required
- Estimated implementation – **long term** – 24+ months from project commencement



Proposal 11: Align number of bedrooms a household is assessed to need with Universal Credit criteria



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67% support

Will proceed as per consultation

What the proposal will achieve:

- General alignment between the benefits and housing systems
- Less confusion for applicants
- Ensure flexibilities are retained to meet the specific needs of households

Next steps

- NIHE to consider operational impacts
- NIHE to provide clear guidance and support from Housing Solutions team
- A major reassessment exercise and significant system and IT changes required
- Estimated implementation – **medium term** – 18+ months from project commencement



Proposals 12 & 14: Multiple offers



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67% & 62% support

Will proceed as per consultation

What the proposals will achieve:

- More choice
- Greater range of solutions to meet housing need
- Improved and more efficient process
- Better use of stock and resources

Next steps

- NIHE will support applicants to use multi-offers via the Housing Solutions Service
- NIHE will change existing process – this does not represent significant system changes
- Estimated implementation – **short term** – 9-12 months from project commencement



Proposal 13: Choice-based lettings



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78% support

Will proceed as per consultation

What the proposal will achieve:

- Increase options for applicants
- Empower applicants to make informed housing choices
- Efficient process
- Better use of stock and resources

Next steps

- NIHE will support applicants to use choice-based lettings via the Housing Solutions service, ensuring equality of access and opportunity
- New IT systems may be required to roll out choice-based lettings across all offices
- Estimated implementation – **long term** – 24+ months from project commencement



Proposal 15: Two reasonable offers



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49% support

Will proceed as per consultation

What the proposal will achieve:

- Increase efficiency of allocations process
- Better use of public resources by ensuring the list moves smoothly
- Minimise time stock is empty

Next steps

- NIHE will implement system changes and testing
 - Estimated implementation – **short term** – 9-12 months from project commencement
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Proposal 16: Withdraw offer of accommodation in specified circumstances



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71% support

Will proceed as per consultation

What the proposal will achieve:

- Enable NIHE to withdraw offers in specific circumstances
- A clear, effective selection process which enables good housing management and promotes fairness for all

Next steps

- NIHE will develop a new rule clarifying the circumstances when an offer may be withdrawn
 - Estimated implementation – **short term** – 9-12 months from project commencement
-



Proposal 16: Withdraw offer of accommodation in specified circumstances



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71% support

Will proceed as per consultation

What the proposal will achieve:

- Enable NIHE to withdraw offers in specific circumstances
- A clear, effective selection process which enables good housing management and promotes fairness for all

Next steps

- NIHE will develop a new rule clarifying the circumstances when an offer may be withdrawn
- Estimated implementation – **short term** – 9-12 months from project commencement



Proposal 17 & 18: Withhold consent for a policy succession or assignment



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67% & 79% support

Will proceed as per consultation

What the proposals will achieve:

- Effective use of stock
- Meeting needs of those in current greatest need, particularly the most vulnerable

Next steps

- NIHE will develop appropriate guidance
- Estimated implementation – **short term** – 9-12 months from project commencement



Proposal 19: Align with Public Protection Arrangements NI



82% support

Will proceed as per consultation

What the proposal will achieve:

- Bring NIHE processes around public protection into line with current legislation
- Protection of the most vulnerable
- Consideration of the needs of the individual and wider public protection issues

Next steps

- NIHE will discuss arrangements to take forward this proposal with various agencies involved
- Estimated implementation – **medium term** – 18+ months from project commencement



Proposal 20: Specialised properties allocated by a separate process



91% support

Will proceed as per consultation

What this proposal will achieve:

- Best use of this stock and public resources
- Prioritisation for those who need these properties most
- Improved allocation process for specialised properties

Next steps

- NIHE will initiate a sector-led review to:
 - identify an improved system
 - ensure greater access to/availability of good quality homes
- Estimated implementation – **long term** – 24+ months from project commencement



Next steps



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- NIHE will:
 - Develop and submit a detailed project plan
 - Set out costs and timescales
 - Proceed with implementation once budgets confirmed
-