



**Minutes of the 498th Meeting
of the Northern Ireland Housing Council held on
Thursday 9th February 2023 at 10 am via Zoom**

Present

Cllr Anne-Marie Fitzgerald	Fermanagh & Omagh District (Chair)
Cllr Mark Cooper	Antrim & Newtownabbey Borough (Vice Chair)
Cllr Victoria Moore	Ards & North Down Borough
Ald Jim Speers	Armagh City, Banbridge & Craigavon Borough
Cllr Micky Murray	Belfast City Council
Ald Adrian McQuillan	Causeway Coast & Glens Borough
Ald Allan Bresland	Derry & Strabane Borough
Ald Amanda Grehan	Lisburn & Castlereagh City
Ald Tommy Nicholl	Mid & East Antrim Borough
Cllr Michael Ruane	Newry, Mourne & Down District

In Attendance:

David Polley	Director, Housing Supply Policy, Department for Communities
Heloise Browne	Department for Communities
Jenny Williamson	Business Manager, NIHE
Fiona Neilan	Project Manager, NIHE
Kelly Cameron	Secretary (NIHE Secretariat)

Apologies:

Cllr Catherine Elattar	Mid Ulster Borough
Grainia Long	Chief Executive, NIHE
Paul Price	Director of Social Housing Policy & Oversight, Department for Communities

1.	<p><u>Welcome</u></p> <p>The Chair welcomed David Polley and Heloise Browne from the Department for Communities and from the Housing Executive, Catherine McFarland</p> <p>She also welcomed the Presenter, Fiona Neilan from the Housing Executive.</p> <p>The Chair also welcomed the new representatives for Belfast City Council Councillor Micky Murray to his first meeting of the Housing Council.</p>	
2.	<p><u>Declarations of Interest</u></p> <p>No declarations were received.</p>	

3.	<p><u>To adopt the Minutes of the 497th Housing Council Meeting held on Thursday, 12th January 2023</u></p> <p>It was proposed by Alderman Jim Speers seconded by Alderman Allan Bresland and resolved, that the Minutes of the 497th Meeting of the Housing Council held on Thursday 12th January 2023 be approved and signed by the Chair.</p>	
4. 4.1 4.2 ss	<p><u>Matters Arising from the Minutes</u></p> <p>Page 3 Item 6.15 - Homelessness and Temporary Accommodation</p> <p>It was noted that Councillor Cooper had been contacted directly by Housing Executive staff in relation to specific statistical information and he was content with the information provided.</p> <p><u>Page 5 Item 11.3 - Central Housing Forum Annual Community Conference titled 'the Cost of Living'</u></p> <p>It was reported that at the last Housing Council meeting, it was proposed and seconded for the Housing Council to sponsor the Annual Community Conference, Unfortunately the Housing Executive are funding this event and are jointly running the event, unfortunately due to a conflict of interest it was not possible to sponsor such an event.</p> <p>Agreed: that an invitation to be issued to the Central Housing Forum inviting representatives to attend a future meeting.</p> <p>All other matters will be dealt with through the Meeting.</p>	Secretary
5.	<p><u>Forward Workplan</u></p> <p>The forward workplan was noted.</p>	
6. 6.1 6.2 6.3 6.4 6.5 6.6 6.7 6.8	<p><u>Update by Heloise Brown and David Polley from the Department for Communities on Housing Top Issues:-</u></p> <p>Social Newbuild starts</p> <p>Co-ownership</p> <p>Programme for Social Reform</p> <p>Fundamental Review of Social Housing Allocations Policy</p> <p>Housing Executive's House Sales Scheme</p> <p>Supporting People Delivery Strategy</p> <p>Homelessness Strategy</p> <p>Regulation of the Private Rented Sector</p>	

<p>6.9</p>	<p>Increasing Housing Supply</p> <p>D Polley undertook to provide a link to the Department for Communities summary document on Intermediate rent, for information.</p>	<p>D Polley</p>
<p>6.10</p>	<p>Affordable Warmth Scheme</p>	
<p>6.11</p>	<p>Review the Caravans Act (NI) 2011</p>	
<p>6.12</p>	<p>ERDF Investment for Growth and Jobs Programme 2014 -2020</p>	
<p>6.13</p>	<p>Referring to a contractor engaged in the programme and went into administration in December 2022, putting at risk a number of planned schemes. Councillor Mark Cooper requested further details on which schemes will be affect by this Contractor.</p>	<p>Secretary</p>
<p>6.14</p>	<p>Housing Executive historical debt and exclusion from having to pay Corporation Tax</p>	
<p>6.15</p>	<p>Programme for Government (PfG) Outcomes Framework Long term rent trajectory</p>	
<p>6.16</p>	<p>Affordability of social rents</p>	
<p>6.17</p>	<p>Housing Executive Rent</p>	
<p>6.18</p>	<p>Non ACM Cladding Remediation Scheme</p>	
<p>6.18</p>	<p>Climate Act DfC will lead on the ‘Residential and Buildings Sector Plan’</p>	
<p>8.+</p>	<p><u>Presentation on the Housing Executive’s Fundamental Review of Allocations</u></p> <p>Fiona Neilan gave a presentation on the Fundamental Review of Allocations (Copies of the slide are appended to these Minutes – Appendix A).</p> <p>Members noted that the current Housing Selection Scheme has been in place for more than 20 years, but changes were needed to reflect people’s situations and the demand for housing in Northern Ireland.</p> <p>These changes which are being introduced on a phased basis over the next 3 years will help to build on the strengths of the current allocations scheme to enable it to work better for people in need. The changes are in response to the views shared during the Fundamental Review of Allocations consultation, carried out by the Department for Communities in 2017.</p> <p>The changes will help those waiting for a Housing Executive or Housing Association property to secure the right home in the right area.</p> <p>Ms Neilan highlighted the first changes to be introduced, as follows:-</p>	

	<p>1. Give applicants the ability to choose as many or as few areas of choice as they wish.</p> <p>2. Reduce the reasonable number of offers for applicants from three to two.</p> <p>Applicants can currently pick up to two areas of choice with the opportunity to widen these by adding a General Housing Area (GHA) to their application. Following these changes, they will be able to choose as many or as few areas of choice as they wish. It also means that if the Applicant is owed the full statutory homelessness duty (i.e. is a Full Duty Applicant) the wider GHA will no longer be imposed on their choice.</p> <p>Under the revised Scheme all new applicants, and those already on the waiting list, will be entitled to two reasonable offers of accommodation. If they have already refused two reasonable offers at the time the changes come in, they will be entitled to one final reasonable offer. All Applicants will continue to have the right to appeal a decision by the Housing Executive or Housing Association that their offer has been unreasonably refused.</p> <p>The new changes will help reduce re-let times and significantly increase choice for applicants. They will also mean that the General Housing Area (GHA) will no longer be imposed on those applicants who find themselves homeless.</p> <p>Ms Neilan undertook to update Members on the delivery of each stage of the proposals throughout the next three years of the process.</p> <p>Councillor Nicholl felt that Rural areas were still at a disadvantage of social housing not being built and those villagers still wishing to remain in the rural areas have no option but to move to towns or built up areas.</p> <p>Ms Neilan referred to the Housing Executive Latent Demand Testing and rural villages should be identified to address housing need in those rural areas.</p> <p>Ms Neilan assured Members that there will be evaluations/monitoring and measurements of the outcomes of these proposals throughout the process.</p> <p>Ms Neilan undertook to attend future meetings to give regular updates on the implementation of the each of the proposals.</p> <p>The Chair thanked Ms Neilan for a very informative and useful presentation.</p>	F Neilan
9.	<p><u>Quarterly Update Social Housing Development Programme (SHDP)</u></p> <p>The Report was noted.</p>	
10.	<p><u>Housing Starts – January 2023</u></p> <p>The Report was noted.</p>	

11.	<p><u>Chartered Institute of Housing Conference in Manchester 27th-29th June 2023</u></p> <p>Agreed: One place to be reserved at this Conference and the name of the representative will be decided in due course.</p>	Secretary
12.	<p><u>Any Other Business</u></p>	
12.1	<p><u>Local Council Elections 2023 – 18th May 2023</u></p> <p>Agreed: as Purdah the pre-election period is 6 weeks prior to the election, Members agreed that the April and May Meetings would be postponed.</p>	Secretary
12.2	<p><u>Latharna House, Larne</u></p> <p>Alderman Nicholl requested an update on Latharna House, Larne.</p>	Secretary
12.	<p><u>Date of next Meeting</u></p> <p>The next Housing Council Meeting is scheduled to take place on Thursday, 9th March 2023 at 10 am in the Housing Centre or via Zoom,</p>	

The Meeting concluded at 12.10 pm



FRA Project Implementation

Update to Housing Council

9th February 2023 Fiona

Neilan, Project Manager

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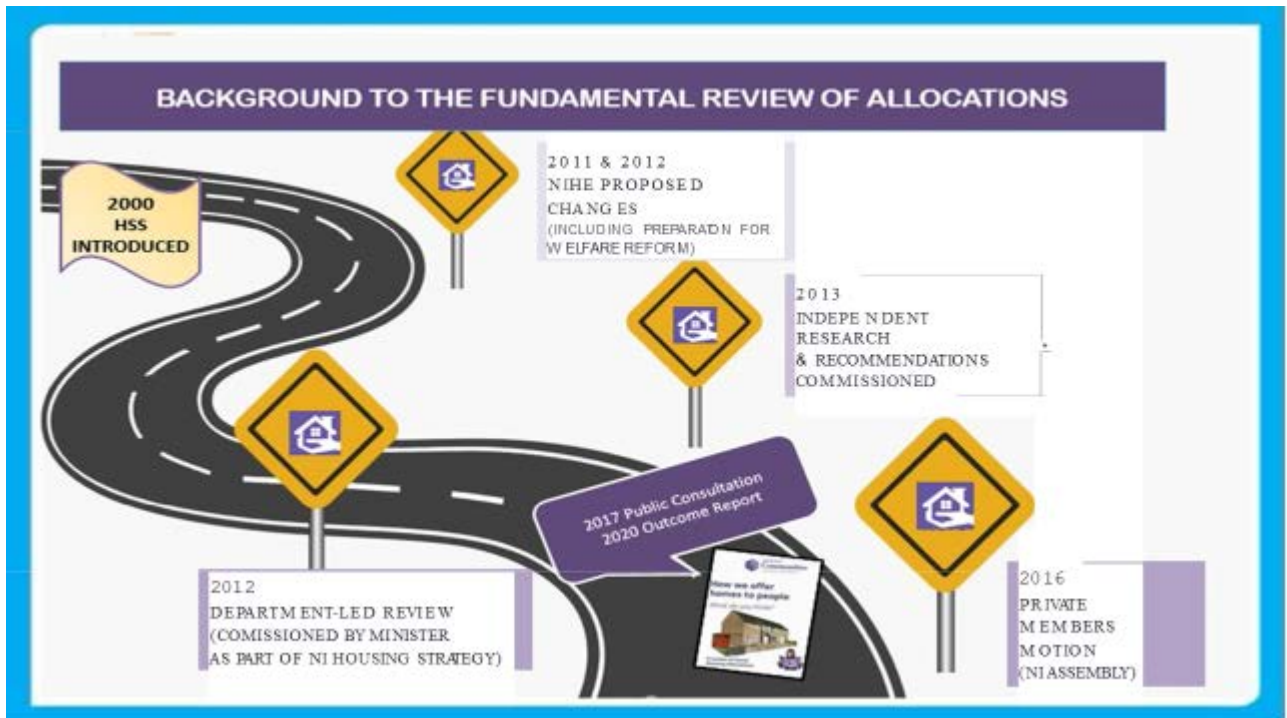


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Social Housing Allocations in NI

- Housing Selection Scheme (Housing (NI) Order, 1981)
- Single gateway used by all social landlords in NI
- Overriding principle – priority based on greatest housing need
- Highly valued and fair in its operation
- Largely unchanged since Nov 2000

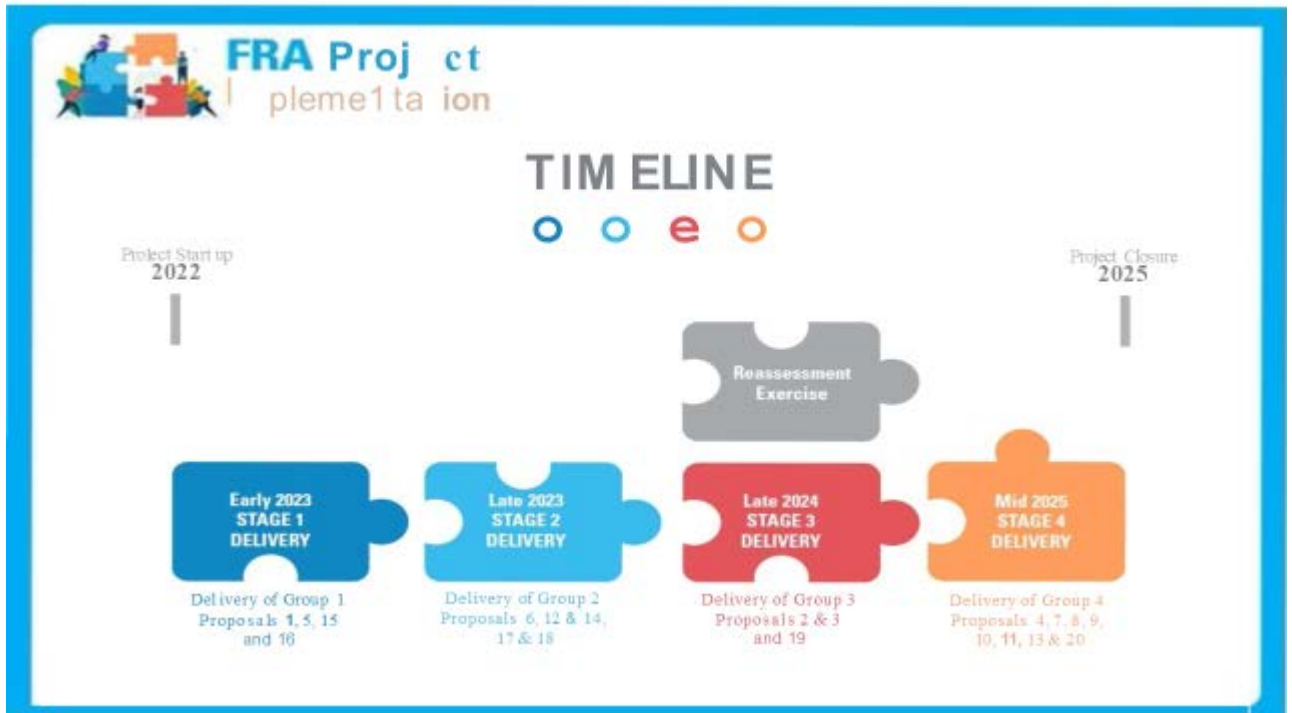
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Aim of the FRA Project

The Fundamental Review of Allocations (FRA) Project will implement 20 Proposals for Change, which together will make better use of existing resources by building on the strengths of the current Housing Selection Scheme and Allocations process to enable it to work better for people in need.

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FRA Project Implementation The proposals for change

STAGE 1 DELIVERY

- Proposal 1 - Independent, tenure neutral housing advice service for NI
- Proposal 5 - Greater choice of areas (removal of the GHA, in position)
- Proposal 15 - Reduction from Three to Two reasonable offers
- Proposal 16 - Social landlords may withdraw an offer in specified circumstances

STAGE 2 DELIVERY

- Proposal 6 - Greater use of mutual exchange service
- Proposal 12 & 14 - Social landlords should be able to make multiple offers directly and to as many applicants as they think necessary
- Proposal 17 & 18 - With no consent for policy assignments/accessions to general needs and adapted accommodation

STAGE 3 DELIVERY

- Proposal 2 & 3 - Measures to clarify ineligibility around ASD for social housing and homelessness
- Proposal 19 - Update HSG to bring it in line with developments in PPAN
- Reassessment Exercise - To facilitate Proposals 8 & 11

STAGE 4 DELIVERY

- Proposal 4 - NIHC can meet their homelessness duty on a tenure neutral basis
- Proposal 7 - Investigate how to strengthen the verification process and address inconsistencies in the award of intimidation points
 - Points should reflect current circumstances
 - Investigate alternative approaches for the award of points to applicants in any form of temporary accommodation
- Proposal 8 - Bands based on similar level of need
- Proposal 9 - NIHC to align HSG bedroom requirements to match HBIUC
- Proposal 11 - For different cultural properties social landlords should be able to use choice-based letting
- Proposal 20 - Review of allocations process in place for applicants needing specialised property

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Stage 1 – Group 1 Delivery (30 January 2023)

Proposal 1	An independent, tenure-neutral housing advice service for NI
Proposal 5	A greater choice of areas for all applicants for a social home
Proposal 15	An applicant may receive two reasonable offers of accommodation
Proposal 16	Social landlords may withdraw an offer of accommodation in specified circumstances

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Proposal 1

An independent, tenure-neutral housing advice service for NI

94% support for this proposal

Themes Raised

- Alternative providers have an important role to play – advocacy role in particular
- The importance of independence
- Tenure-neutral advice
- The service should increase options & solutions for applicants

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Proposal 1 - Implementation

- NIHE have been providing a Housing Solutions and Support service since 2017
- A new page will be added to the NIHE website which will be accessed via the “Advice” tab within “Housing Help”
- Continuous improvement of our Service for our customers

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Proposal 5

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

85% support for this proposal

Themes Raised

- Importance of person-centred, open & accurate advice
- Increased options allows greater flexibility
- Potential to reduce refusals
- Applicants should not be ‘pushed’ to choose areas

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Proposal 5: Key Points

- Will allow customers to choose a greater number of Areas of Choice.
- Removal of the General Housing Area (GHA)
- New applicants have to choose at least 1 CLA but may choose as many (or few) as they wish (1st preference choice for Place Shapers)
- Applicants awarded FDA will no longer have the GHA imposed 6 months after a positive homeless decision.
- Area Based Points can apply to each Common Landlord Area (CLA) where evidence is provided and meets the criteria for award.

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Proposal 5: Transitional Arrangements

- Significant number of customers with the GHA applied
- To mitigate any detrimental impact customers now remain on the waiting list for all associated CLAs within those GHAs
- Transitional period in which designated officers will review applications with customers allowing them to
 - ✓ Reassess their Areas of Choice and remove any CLAs they are not interested in.
 - ✓ Ensure that any changes in CLAs are reflected in the award of Area Based OSN points

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Proposal 15

An applicant may receive two reasonable offers of accommodation

49% support for this proposal

Themes Raised

- Perception that offers are not always reasonable and suitability criteria should be adopted
- The need for clear understanding/definition of what is a 'reasonable' offer
- Concern that applicants may feel 'forced' to take a property they do not think is suitable
- Perception that refusals are made because applicants are holding out for a better property

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Impact for all new, existing and deferred applications/transfers

- New applicants are entitled to two reasonable offers and will be advised as such when apply for social housing
- Existing applicants who have not yet received an offer will be entitled to two offers
- Existing applicants who have received one offer will receive one further offer
- Existing applicants who have received two offers will receive one further offer

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Impact ctd

- Deferred applicants who successfully appeal one of their three reasonable offers will receive one additional offer.
- Manually deferred applicants and cancelled applications will be treated in the same way as existing applicants once the deferral is lifted.
- Cancelled applications which are subsequently reinstated will be treated in the same way as existing applicants.

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The Offer Process

- Changes to our Suite of 8 Offer letters have been updated to reflect reduction from 3 to 2 offers and that the new rule 58A (withdrawal of offers)
- Includes more robust guidance on the right of redress if the customer feels the offer is not suitable:
 - Owed the full housing duty – 40 days to lodge a request for a review with the NIHE Regional Review Officer
 - Not owed the full housing duty – 40 days to lodge a complaint with the Area Manager (HA equivalent)
- Deferral letters have been updated to include right of redress
- Information for customers on what constitutes a Reasonable Offer and the impact of refusing an offer
- Revised policies and procedures for staff on offer management process

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Proposal 16

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

71% support for this proposal

Themes Raised

- The need for more clarity around what circumstances would allow for the withdrawal of an offer
- Need for transparent, clear guidance & a consistent approach
- Fairness is key & applicants should have a right of appeal

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Proposal 16 – New Rule 58: Withdrawal of Offers

- Rule 58A (1) Discretionary Grounds:
 - A condition set out in the Offer letter is not met or has been breached
 - Where the offer was made on the basis of a material error of fact or law by the Landlord
 - Offer no longer considered reasonable under the rules of the Scheme on the basis of information subsequently becoming available
 - Applicant no longer able to take up occupancy within a reasonable period of time
 - Where, unless the offer is withdrawn, there is likely to be a significant risk to the personal safety of the Applicant, a member of their household or a member of another household within the locality of the property

Rule 58A (2) Mandatory Grounds :

- No longer Eligible on the grounds of Unacceptable Behaviour
- No longer Eligible as a Person From Abroad or a Person Subject to Immigration Control

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Proposal 16 - Key Points

- Rule 58 should only be used in exceptional circumstances and following thorough investigation
- Once a customer has signed the tenancy agreement Rule 58 becomes null and void and can no longer be used
- NIHE Standing Orders Amended – decision by an Assistant Area Manager (Level 7)
- Existing Offer Letter amended and new Withdrawal Letter
- An applicant has 7 days to make a complaint about the withdrawal
- Following the withdrawal of an offer the property **must** be held for 7 days
- The Complaint will be expedited to second stage

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Communication

- ✓ Mail drop was issued to all households on the Waiting List
- ✓ Press release issued to public reps and key stakeholders
- ✓ Information update on Website and Social Media
- ✓ Awareness / Training sessions for frontline NIHE & Housing Association staff throughout January 2023
- ✓ Revised Customer leaflets and Forms
- ✓ Presentations to key Stakeholders: Central Housing Forum and Housing Community Networks, the Housing Council and Advocacy Groups
- ✓ Stakeholder Advisory Group established

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Useful Links

- [Consultation Outcome Report](#) (DfC, Dec 2020)
- [Summary of Consultation Findings](#) (DfC, Dec 2020)
- [Fundamental Review of Social Housing Allocations – Consultation on Proposals](#) (DfC, Sep 2017)
- [Fundamental Review of Social Housing Allocations – Information Leaflet](#) (DfC, Sep 2017)
- Link to DfC [webpage](#) with all FRA documentation (incl. EQIA/RNIA)
- [Housing Selection Scheme Booklet](#) (NIHE, Jan 2023)
- [Housing Selection Scheme Rules](#) (NIHE, Jan 2023)
- FRAProject@nihe.gov.uk

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