

Housing Benefit Team (Supported housing consultation)
Department for Work and Pensions
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London
SW1H 9NA

10 October 2011

To Whom It May Concern

Law Centre (NI) is pleased to respond to DWP's consultation on Housing Benefit Reform- Supported Housing. As Northern Ireland is not referred to in the Department's proposals, it seems fair to assume that that the circumstances in Northern Ireland have not informed these proposals. This response therefore addresses some UK-wide matters arising from the proposals but also focuses on specific Northern Ireland issues.

Law Centre (NI) is a public interest law non-governmental organisation. We work to promote social justice and provide specialist legal services to advice organisations and disadvantaged individuals through our advice line and our casework services from our two regional offices in Northern Ireland. It provides a specialist legal service (advice, representation, training, information and policy comment) in five areas of law: social security, mental health, immigration, community care and employment. Law Centre services are provided to around 400 member agencies in Northern Ireland.

Northern Ireland Circumstances

Housing Benefit arrangements in Northern Ireland are different from those in the rest of GB. The difference in these arrangements must be taken into consideration when deciding how suitable the proposals are for the Northern Ireland housing system.

The proposals are based on responsibility of local authorities in GB for housing and social services. In Northern Ireland these functions are managed by the Department for Social Development, Northern Ireland Housing Executive, Department of Health, Social Services and Public Safety and area health and social care trusts, thus making implementation of the proposals more challenging. LHA is also administered differently in Northern Ireland, with the continuation of direct benefit payments to landlords in approximately 25 percent of cases.¹

¹ Email statistic from Northern Ireland Housing Executive. Copy held on record at Law Centre (NI), Policy Unit. Received 30/07/09

While a key aim of the proposals is to simplify the housing benefit system for claimants in supported housing it is of note that the system in Northern Ireland works well and the administration of Housing Benefit is timely and efficient in comparison to other GB regions.² Further unlike in England and Wales Supported People funding in Northern Ireland has been ringfenced and the 'other Government funding streams' referred to in the consultation are relevant in England, but may not have equivalent funding streams within the devolved administrations.

Given these considerable points of difference LCNI would recommend that strong consideration be given to how suitable the consultation proposals are within the Northern Ireland context and whether it is reasonable to overhaul a system that is working well in order to bring it into line with the English model. Certainly at the very least a separate consultation in Northern Ireland would be necessary to refine the proposals in light of the different administrative system and funding arrangements.

Comment on the Proposals

Clarity is needed on DWP's approach to different types of supported and sheltered housing. The two broad groups outlined in the consultation - people in conventional supported housing and people with more specific housing needs – cover a huge variety of different types of schemes for different needs with different costs. These variations need to be fully understood and taken into account before reform is implemented. The consultation paper also implies that conventional supported housing – including hostels, foyers and refuges – houses people with low or negligible support needs. In our experience many people using these services require intensive levels of support, albeit often for shorter periods.

We are concerned by the one size fits all approach in the proposals relating to personal budgets and payments. Whilst we are not against personal budgets and payments for additional support being made to individuals, it must be recognised that a one size fits all approach will not work. Some individuals will be unwilling and unable to take control of a personal budget and for some, giving this level of independence could be damaging for example someone with an active substance misuse need. We believe that for some vulnerable service users, direct payments to landlords are essential. The system therefore needs to be developed to allow for flexibility of the application of personal budgets based on mutual agreement, need and risk assessment.

It is important there is no Shared Accommodation Rate for supported housing. We strongly believe that a shared accommodation rate will not work and could result in closures across the social housing sector, with the consequence of increased and repeat homelessness and increased need for costly statutory intervention. IN effect any

² Voluntary Sector Housing Policy Forum briefing September 2011

saving may be outstripped by other increased costs elsewhere to housing and social services budgets. It will also have a negative impact on the capacity of providers to manage their services.

The consultation proposes including private sector housing under the exempt accommodation status in order to target help by 'accommodation type rather than type of landlord'. We welcome this in principle, but consideration needs to be given to the intended and unintended impact reform will have on the market for supported and specialist housing. The process by which rents are arrived at should be transparent, but transparency and simplicity should not come at the cost of providers being forced into running larger schemes to achieve economies of scale in order to accommodate an artificial flat-rate of Housing Benefit.

Conclusion

We welcome the debate around housing benefit reform with regard to supported housing and the recognition within the consultation paper that supported housing necessarily costs more than other forms of housing. These current proposals however were clearly drafted in a GB specific context and there is no evidence that Northern Ireland's particular circumstances were considered. This must be addressed and a number of the proposals require further clarification and consideration on a UK wide basis. Law Centre (NI) welcomes the opportunity to respond to this consultation. We trust you will find our comments helpful. If there is any further way in which we could contribute to this process we would welcome the opportunity to do so.

Yours faithfully

Laura Niwa
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