


20th August, 2015

Please find attached the Comments from Supporting Communities NI as a response to the consultation on the Housing Amendment Bill.

Regards



Murray Watt
Information Officer
Supporting Communities NI



**Northern Ireland
Assembly**

COMMITTEE FOR SOCIAL DEVELOPMENT

Please use this form to submit written submissions in relation to the Housing (Amendment) Bill. Return to committee.socialdevelopment@niassembly.gov.uk by Friday 4th September 2015.

Name: Murray Watt; Linda Watson

Organisation: Supporting Communities NI

Date: 3rd August 2015

Supporting Communities NI is an independent charitable organisation which champions community participation by developing groups, supporting active citizenship and building cohesive communities; the Housing Community Network is a unique structure which was formed in response to the need for housing related policies to be developed both with and on behalf of community groups working in partnership with NI Housing Executive and Supporting Communities NI. The most significant part of the workload of Supporting Communities NI involves working with and developing locally based multi- and inter-agency partnerships which have housing services, community participation and regeneration and related matters at their core. These observations and comments in response to the discussion document are supported by extensive experience in working with community groups by Supporting Communities NI staff over many years and, where it has been possible, following discussion with voluntary committee members.

SCNI welcomes the introduction of the Bill and the consideration of evidence that the Committee has instigated. In doing so, SCNI also acknowledges the work that has been undertaken by the Department to prepare the Bill and present it for consideration.

Clause 1; Sharing of information relating to empty properties.

We support the stated intention of the Department to identify empty homes and to take such steps to bring them back to occupation and we agree that a 'do-

nothing' approach would not be helpful at this time. We would also suggest that information sharing between government departments and agencies is an important element of the Empty Homes Strategy and Action Plan and a statutory requirement to this end would be useful, if not essential.

Clause 2; Disclosure of information relating to anti-social behaviour.

In our response to a similar clause in the previous consultation we took the view that, *"information sharing between landlords and housing providers is an important housing management tool; however there needs to be guarantees in the process that any information subject to such a process is accurate, current and appropriate. We also believe that in the interests of fairness applicants should be made aware of any such disclosures and a right of reply is added as a safeguard."* Whilst we still hold this view, it is opportune that we expand on that previous view in light of the current Bill.

This Bill allows for a person to disclose any 'relevant information' relating to anti-social behaviour (ASB) to NIHE as well as housing associations. The Explanatory Memorandum states that the purpose of Clause 2 (disclosure of information relating to ASB) will allow for applying for injunctions on grounds of ASB, applying for possession orders, withholding consent for mutual exchange of secure tenancies and determining that a person is not eligible for accommodation on the basis of their unacceptable behaviour.

Given the potential consequences of the proposals within this Bill for individuals/families, we believe that this should be a transparent process and that information should be shared and handled in a responsible manner; further, measures should be introduced to ensure that information is accurate in order to prevent spurious claims being made against an individual or family and those involved should have the right to respond to any allegations made against them. The information shared should be sufficient and not excessive and it should strike the right balance between sharing 'truly relevant' information and the need to ensure that an individual is treated fairly. Furthermore, any action taken to address ASB should be proportionate and appropriate.

Subsection 7(b) defines relevant information as including information regarding applications for injunctions or orders which are pending before any court. We would be worried about this information being used in making a decision about an individual's housing situation as no court order or injunction will have, at that point, been granted.

In addition, subsection 3(b) and subsection 6(a) refer to someone being 'guilty' of conduct even though they may not have been convicted of any offence. How can we ascribe 'guilt' if there has been no conviction? It seems that the application of this phrase is open to question and is heavily and potentially unfairly loaded.

Experience tells us that ASB can have a harmful effect on individuals and

neighbourhoods and tackling ASB is a key issue for landlords, tenants and communities alike. Finding improved ways of dealing with this issue are therefore welcome, however there are already a range of statutory and non-statutory measures available to social landlords to deal with ASB and there does not appear to have been any review to determine the effectiveness of these tools prior to proposing these additional tools. In round-table discussions during previous considerations, participants from a range of organizations shared the view that reviews of definitions and mechanisms already available would be a useful undertaking.

In addition, we would draw the Committee's attention to work done in England and Wales through the Home Office Respect – ASB Charter for housing. This model includes a recognition for the need to provide support to vulnerable tenants and to work with other agencies. Tenants are also heavily involved in shaping and supporting the delivery of the service as well as scrutinising the performance and outcomes. This model has the potential to enhance our understanding and therefore improve the effectiveness of our efforts to tackling the root and underlying causes of anti-social behaviour.

Clause 3; Registration of statutory charge.

As there will a statutory charge registered against the property it could be repossessed if the borrower defaults on any loan. We would therefore recommend that anyone applying for a home improvement loan from NIHE is referred for independent financial advice as part of the application process.

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