

**Housing  
Rights**

Celebrating  
**Sixty  
Years**  
1964 - 2024

**Policy Consultation Response**

**[www.housingrights.org.uk](http://www.housingrights.org.uk)**

**@HousingRightsNI**

**Response to Consultation on the Draft  
Programme for Government 2024-27  
'Our Plan: Doing What Matters Most'**

**October 2024**

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## **1.0. Introduction**

### **1.1. About Housing Rights**

Housing Rights is Northern Ireland's leading independent provider of specialist housing advice. For over 60 years, we have been helping people to find and keep a home. We believe that prevention is better than cure. Our work seeks to ensure that individuals and families living in Northern Ireland do not reach this crisis point. We recognise, however, that this is not always possible, and we also provide advice and assistance to help ensure that the experience of homelessness is rare, brief and non-recurrent. Housing Rights passionately believes that no one should be without a home and works towards the goal that every citizen in Northern Ireland has a good quality, affordable and sustainable home that meets their needs. In particular, the organisation's services are targeted at people who need help to:

- Prevent them from becoming homeless;
- Find suitable rented accommodation;
- Sustain their tenancies;
- Explore their housing options;
- Avoid repossession and eviction;
- Tackle disrepair or poor conditions in their homes; and
- Meet their housing costs;
- Repay mortgage and/or rent arrears;
- Resolve disputes with their landlord and/or lenders.

In the year ending March 2024, our advice services dealt with enquiries from over 13,000 households on over 53,000 housing issues. We provide a specialist housing helpline open Monday to Friday complemented by a digital Live Chat service accessed through a comprehensive and user-led advice website [www.housingrights.org.uk](http://www.housingrights.org.uk). Our busy frontline advice service is supported by an advocacy and representation service staffed by dedicated caseworkers and a small legal team who prevent and alleviate homelessness by liaising with landlords, lenders and other agencies, as well as provide representation for County and High Court.

In addition to preventing homelessness, our services also assist in promoting access to justice by providing an emergency court representation service (Housing Possession Court Duty Scheme) which assists households at risk of homelessness due to mortgage or rent arrears who are unrepresented in court proceedings. Since December 2019, we have also administered a Housing Mediation Service to address and avoid the escalation of disputes to prevent homelessness.

The reach and expertise of our advisers also extends to Northern Ireland's prisons to assist those entering or leaving custody to safeguard tenancies and/or to access appropriate support to prevent homelessness on release.

We work to support communities and other frontline advisers across Northern Ireland by providing a well-established practitioner support programme, through our Community Housing Advice Partnership and through a comprehensive training and legal information service.

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In addition to our frontline specialist advice, representation, and support services, Housing Rights has a policy and participation service that influences government policy decisions to improve housing and homelessness in Northern Ireland. Our policy work is informed by the views and experiences of the people who contact us for advice and aims to support the identification of evidence-based, informed solutions.

1.2. The nature of our response

Our work supporting people in housing need and at risk of homelessness in Northern Ireland means that we are expertly placed to comment on the increasing difficulties many people face and will continue to face in finding and keeping their homes. Indeed, most of the people in contact with our advisers each day who are in housing need will be directly impacted by the effectiveness of this Programme for Government (PfG).

As a housing advice charity, we specialise in housing and homelessness. Our response will, therefore, naturally focus on the housing priority within the Draft PfG. However, there are many interactions between other policy areas and housing. Among these are poverty, decarbonisation, and the involvement of people directly affected by policy issues in policy making, often referred to as 'co-design' and which we often refer to us as the participation of 'experts by experience'. Our response will cover these areas where there is an interaction with the policy areas of housing and the prevention of homelessness and where we identify the potential for meaningful impact for homeowners, tenants, and people who are homeless or in danger of becoming homeless.

Appropriately, Housing Rights will limit the scope of our response to issues that fall within our direct specialism.

We give permission for any government department to contact Housing Rights regarding our response or the Draft PfG. We consent to the use of our organisation's name in any summary of consultation feedback.

Housing Rights welcomes the publication of the Draft PfG and welcomes the opportunity to provide a detailed response.

1.3. Housing Rights welcomes the inclusion of housing as a priority area

As an organisation committed to our vision of a society when everyone has a home, **Housing Rights strongly welcomes the inclusion of a housing priority in the Draft PfG**. Along with colleagues in the housing and homelessness sector, Housing Rights has been calling for a housing priority to be included in a Programme for Government since 2016. Housing Rights recognises this as a significant step forward, and we would welcome further confirmation about how this priority status will influence policymaking and critically, budget allocations in the time ahead.

We have provided further comments in the sections below, which we hope will further refine the language used to describe the priority focus and the indicator measurements adopted, which we hope will maximise the impact of this priority.

In advance of making these comments, Housing Rights would like to make a number of overarching comments on the PfG in general.

**2.0. Overarching comments**

2.1. Encouraging The NI Executive to stay the course on the outcomes-based methodology

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Housing Rights notes with disappointment the absence of the clear outcomes-based methodology adopted in previous drafts dating back to 2016 from the current draft PfG. We note the expert advice which informed the adoption of this approach by the NI Executive and its continued use in some other jurisdictions, including Scotland. In particular, Housing Rights notes that whilst the annual Programme for Government in Scotland identifies priority areas, it is supplemented by a National Performance Framework, which sets out a vision of societal wellbeing through National Outcomes (recently amended to include a housing and homelessness outcome), and chart progress through a range of social, environmental, and economic indicators. Housing Rights would recommend the adoption of a similar approach by the NI Executive. It is positive that the wellbeing dashboard which accompanies the draft PfG has retained the methodology of outcomes and indicators, and there is, therefore, an opportunity to strengthen the narrative in the PfG document itself to show continued commitment to an OBA. Therefore, we would strongly recommend that the narrative in the draft PfG is amended to make stronger reference to outcomes so that the NI Executive stays the course on the outcomes-based methodology for the reasons outlined below.

2.2. The outcomes-based approach is about the change in people's lives.

Housing Rights agrees wholeheartedly with comments made by the deputy First Minister Emma Little-Pengelly MLA in her statement to the NI Assembly in June 2024, when endorsing the use of an outcomes-based approach she said, in response to a question from Andy Allen MLA; *"The Member will be aware that we have pushed forward with an outcomes-focused Programme for Government. Its purpose is to see the bigger picture when it comes to our objectives of having public services that deliver for people, of ensuring that what we do grows our economy and of providing a brighter, better future for everyone in Northern Ireland...There will absolutely be a framework of indicators. Those indicators will be baselined and measured throughout the lifetime of the Programme for Government to inform us moving forward. That plays an important part and will be fully integrated into our Programme for Government."*<sup>1</sup>

We further note the expert advice based on international studies of wellbeing by the Carnegie UK Trust that concluded in 2014 that the best way for the NI Executive to put the wellbeing of its people at the centre of government was to adopt a wellbeing framework through its Programme for government and the use of an outcomes-based approach.<sup>2</sup> We further note, more recent advice also from Carnegie UK Trust that the draft PfGs in 2016 and 2021 could be strengthened further by placing the wellbeing framework on a statutory footing.<sup>3</sup>

2.3. The outcomes-based approach is embedded in our current policy landscape

The architecture of public policy development in the last 8 years has been informed by the outcomes-based approach (OBA), and this is particularly evident in the housing and homelessness sector, with key strategies such as the NIHE Homelessness Strategy 2022-27 and the draft Housing Supply Strategy all adopting an outcomes-based approach. Significant policy resources have been spent on developing knowledge and capacity in this area, and many government grant-based schemes also use the OBA approach. Moving away from this approach would, therefore, undo the policy developments and undermine the genuine change in approach, which is orientated towards

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<sup>1</sup> [Member Contributions \(niassembly.gov.uk\)](https://niassembly.gov.uk)

<sup>2</sup> [Carnegie UK: Towards a Wellbeing Framework](#)

<sup>3</sup> [Carnegie UK: Embedding a Wellbeing Framework in Northern Ireland](#)

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delivering well-being through public policy. Housing Rights would also suggest that any move away from the outcomes-based approach would undermine policy implementation in these areas.

#### 2.4. Translating priorities into resourced plans

Taken in isolation, the Draft PfG is ambitious and positive. We recognise that each priority requires government intervention and, importantly, investment. We would welcome clarity on how Northern Ireland's macroeconomic and budgetary position will enable sufficient investment to make meaningful progress across a number of priorities, including housing.

To make this PfG meaningful, we must understand how the current NI Budget position, which is currently insufficient to meet current needs, will be capable of transformative action in priority areas. Housing Rights notes that the NI Executive in their recent consultations on the departmental allocations, revealed that *"funding requests from all departments far outweighed the funding available for allocation, three times more for day-to-day funding (Resource DEL) and one and a half times more for Capital DEL"*<sup>4</sup> In a housing context, the Department of Communities (DfC) budget allocation allowed for a maximum of only 400 new-build social homes, some 1,600 homes short of its target of 2,000.<sup>5</sup> The NIHE also confirmed that the budget allocation *"for homelessness services is insufficient to meet statutory obligations to provide temporary accommodation based on projected demand."* The NIHE further stated, in their response to the DFC Budget 2024/5 consultation, that *"wraparound and prevention homeless services, currently provided by voluntary and community organisations, will have to be greatly reduced"*.<sup>6</sup>

In this context, Housing Rights would welcome clarification from the NI Executive on how the adoption of housing as a priority area will improve the current budget allocation for housing and homelessness services. We note specifically that the text of the draft PfG relates not just to a focus on addressing supply but also extends to a focus on *"preventing homelessness, making it brief, rare and non-recurrent by working collaboratively, prioritising housing solutions for those most in need."*

Housing Rights welcomes the Department of Finance's assurances that future budgets will fuel and complement the Programme for Government<sup>7</sup> but reiterates that significant investment will be required, not least because the Department for Communities allocation begins at a low base in the most recent budget, adequate for only 400 homes.<sup>8</sup> We recommend that the final version of the PfG contains specific information on this by detailing the link to policies and programmes and to the NI Executive Budget, as required under Section 20(3) of the Northern Ireland Act 1998.

#### 2.5. Encouraging a stronger focus on 'co-design'

Housing Rights encourages the Executive to place a strong focus on co-design in the final PfG. We note the inclusion of co-design in relation to the priority area of ending violence against women and girls and view it as a missed opportunity if a more widespread commitment to co-design is not given more prominence in the document. In our view, the emphatic commitment to co-design evident in

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<sup>4</sup> [Budget 2024-25 \(communities-ni.gov.uk\)](https://www.communities-ni.gov.uk/budget-2024-25)

<sup>5</sup> [AQW 6642/22-27 AIMS Portal \(niassembly.gov.uk\)](https://www.niassembly.gov.uk/aqw-6642/22-27-aims-portal)

<sup>6</sup> NIHE response to DFC Budget EQIA, July 2024, accessible at: <https://www.nihe.gov.uk/getattachment/f70cd07c-4ddc-4ae3-93d2-119e042322ec/NIHE-Response-to-DFC-Budget-EQIA-24-25.pdf>

<sup>7</sup> [Committee for Finance Meeting, Wednesday 2 October 2024 - Northern Ireland Assembly TV \(niassembly.tv\)](https://www.niassembly.tv/committee-for-finance-meeting-wednesday-2-october-2024)

<sup>8</sup> [Budget 2024-25 \(communities-ni.gov.uk\)](https://www.communities-ni.gov.uk/budget-2024-25)

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the New Decade, New Approach agreement which stated *“people and communities will have an opportunity to shape the future Programme for Government and the budget, through citizen engagement and co-design”* should be echoed in the current PfG.

At minimum, Housing Rights would welcome specific reference to co-design to be included in the priority area for housing. The housing and homelessness sector is already leading innovation in involvement and co-design with multiple areas of good practice already evident. The Community Solutions to Housing and Homelessness Programme, delivered by The Community Foundation Northern Ireland with involvement from stakeholders across the statutory and community and voluntary sectors is a good example of this work<sup>9</sup>. Research by Involve, which examined the landscape around co-design and participatory mechanisms in the housing and homelessness sector in Northern Ireland identified that there *“are important and increasingly urgent issues that demand fresh and bold approaches to policy and service design, shaped by the expertise and needs of people who have experience of poor housing and homelessness.”*<sup>10</sup>

To support the involvement of people with experience of poor housing and homelessness in the development of the PfG in response to this draft, Housing Rights has supported experts by experience to respond. Renters' Voice, a group of private renters whose circumstances and personal characteristics make them vulnerable to homelessness, who are supported by Housing Rights has responded separately to this consultation and a further group of experts by experience, drawn across tenures' views have been sought and are included below with their report included as an Appendix to Housing Rights' response.

In addition to the above overarching comments, Housing Rights also makes the below housing-specific comments and comments on a number of housing-related areas.

### **3.0. Housing specific comment**

In addition to the above overarching comments, Housing Rights also makes the below housing-specific comments and comments on a number of housing-related areas.

Housing Rights recognises that the Draft PfG is aspirational in nature. Aspiration can be a key driving force of positive change and the Programme for Government can be an appropriate vehicle for that change.

For that aspiration to be realised, however, it must be matched by delivery. It is therefore regrettable that clearer information on how this ambition will be matched by delivery is not in the draft Programme for Government. We would encourage clearer information to be included in the final draft. Below, Housing Rights has highlighted some key areas we believe would help the Executive build on what it has already established in the housing priority and assist in its successful delivery.

#### **3.1. Improving the housing priority / outcome**

Housing Rights notes that use of priorities in place of outcomes in the draft PfG has diluted the focus on relevant housing issues. Whilst we acknowledge of course, the pivotal role that addressing the supply of social homes would have on the housing market, it may be more appropriate to highlight

<sup>9</sup> Further information available at: <https://communityfoundationni.org/programmes/community-solutions-to-housing-homelessness/>

<sup>10</sup> Involve (2022) Putting the 'US' in housing, available at: <https://www.housingrights.org.uk/sites/default/files/documents/policy-research/involve-research.pdf>

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addressing supply of social and affordable homes as a key action, rather than a headline priority/outcome in the PfG. For example, the housing PfG outcome as agreed in *New Decade New Approach* was:

*'The Programme for Government outcomes framework will be augmented with a new outcome and indicators to provide specific focus on ensuring every household has access to a good quality, affordable and sustainable home that is appropriate for its needs.'*<sup>11</sup>

Later, NDNA expands on this commitment.

*"Building on the actions in year 1, the parties agree on the need for continued attention and priority to be given to housing within the Programme for Government 2020 and beyond. The specific housing outcome and indicators, which will focus on ensuring every household has access to a good quality, affordable and sustainable home that is appropriate for its needs, will be supported by robust programmes and actions."*<sup>12</sup>

The wording in the draft PfG however, is simply to:

*"Provide More Social, Affordable and Sustainable Housing."*<sup>13</sup>

Housing Rights notes that the Scottish government has recently added a housing outcome to its National Performance Framework. The Scottish outcome is almost identical in its wording to that in NDNA.

*'We live in safe, high quality and affordable homes that meet our needs.'*<sup>14</sup>

The outcome goes further again, setting out its targets and vision, all of which will be measured by a suite of indicators.

*'We ensure that everyone has housing that is safe, secure, accessible and affordable. Homelessness and the causes of homelessness are addressed. There is availability of housing of all tenures, including social housing, in our urban and rural areas.'*

*We plan our communities sustainably to ensure there is suitable, good quality housing for all types of households and access to local services. Housing is sustainable, energy efficient, resilient and well maintained.*

*Housing meets everyone's needs, throughout all stages of life. We are supported to live independently within our communities.'*

Housing Rights welcome the use of indicators through the Well-being Portal and make more in-depth comment on the particular measurements below, but **we recommend that the housing priority is amended to resemble more closely that which was agreed in NDNA, and that which is included in the Scottish National Framework. This revised priority would recognise that the housing and homelessness crisis is not solely a manifestation of stock shortages, but a whole-system issue which includes insufficient housing standards, a poorly regulated private rented sector and insufficient levels of funding. Accordingly, 'provide more social and affordable homes' would**

<sup>11</sup> [New Decade, New Approach, page 39](#)

<sup>12</sup> Ibid. page 43

<sup>13</sup> [Our Plan: Doing What Matters Most \(northernireland.gov.uk\)](#)

<sup>14</sup> [Annex 4: Revised National Outcomes | National Performance Framework](#)



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**become a key action to ensure every household has access to a good quality, affordable and sustainable home that is appropriate for its needs.** Additionally, the current priority as written in the PfG makes no reference to the Well-being Portal or the issues that are being measured. We recommend that the key measurements are woven into the narrative of the housing priority to ensure people are clear on that the priority seeks to deliver.

3.2. Improving the housing outcome indicators

Housing Rights would like to make the following comments to improve the measurements used to determine progress on the housing priority in the draft PfG.

The domain currently measures four main areas which are simplified to the headlines of 'homelessness', 'availability of suitable housing', 'housing costs as a proportion of household income' and 'housing stress'.

3.2.1. Homelessness

Whilst agreeing that homelessness acceptances is an appropriate indicator, Housing Rights is concerned that viewed in isolation this indicator does not accurately capture the area it is trying to measure. Our concern is further realised with the Wellbeing Portal suggesting that homelessness is improving (despite the data used indicating that the situation has worsened in the last 2 years). As of March 2024, there were over 29,000 households in Northern Ireland who were considered statutorily homeless.<sup>15</sup> This number has been steadily rising and has likely already passed 30,000. It is the most accurate official statistic demonstrating the cumulative and true scale of the homeless crisis and, therefore, the most reliable statistic for informing whole-system policy decisions. **Housing Rights recommends that the homelessness measurement in the Wellbeing Portal includes the number of Statutorily Homeless households on the waiting list.**

Furthermore, Housing Rights notes the commitment in the draft PfG to preventing homelessness and ensuring that it becomes rare, brief and non-recurrent. Housing Rights recommends that, similar to other jurisdictions across the UK; the NI Executive adopt incubators which measure progress in each of these areas. We understand that the NIHE are working closely with the Centre for Homelessness Impact to adopt indicators which would do exactly this under the Ending Homelessness Framework<sup>16</sup> and would encourage the NI Executive to incorporate relevant indicators from this process into the Well-Being Portal. Specifically, Housing Rights would encourage the NI Executive to measure the number of cases of homelessness prevented. Housing Rights notes that there is a UK Government definition in use for homelessness prevention known as 'P1E' which has been adopted by bodies engaged in homelessness prevention activity in Northern Ireland, including the NIHE and Housing Rights. In our view including an experimental indicator which measures the number of cases of homelessness prevention using this definition, is reliable and would highlight the success of prevention interventions. Further information about the P1E definition is included below.

In England, cases of homelessness prevention are measured by local authorities and reported to central government for statistical publication. This means that there is already in existence a working definition and therefore measurement for measuring successful instances of homeless prevention.

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<sup>15</sup> Provided to Housing Rights by NIHE Homeless Strategy Team

<sup>16</sup> <https://www.homelessnessimpact.org/ending-homelessness-framework>



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There is published guidance on the use of P1E for recording purposes and the NIHE and DfC could quickly implement this. Instances of success homeless prevention cases are outlined below:

*Successful cases should be recorded on the P1E form, as follows:*

- *Cases that have had their risk of homelessness prevented and remain in their existing home should be recorded,*
- *Cases that have had their risk of homelessness prevented through assistance in obtaining alternative accommodation (available for a minimum of six months before homelessness occurs) should be recorded.*
- *Cases that have become homeless but have had their homelessness relieved through assistance in securing accommodation (available for a minimum of six months) should be recorded. These would be non-priority or intentionally homeless households, found to be homeless but not accepted as owed a main duty to secure suitable accommodation under the homelessness legislation (for the purpose of this data collection).<sup>17</sup>*

### 3.2.2. Housing Costs as a proportion of household income

Housing Rights notes that the indicator used here is presented as an overall position with the option to view data disaggregated over a number of themes. By selecting the option to view the data disaggregated by tenure, it is clear that not only is the position for many households worsening but that the experience of some households is significantly worse than others. Whilst the headline proportion of households who fall into this category is '8%', the proportion of households with this experience in the social rented sector is 20% and worse still, in the private rented sector it is 24%. More worrying still is that the data notes that "owner-occupiers are not included as they have no housing costs". As an organisation which provides advice and advocacy, including and up to the point of legal representation for households in the owner occupier sector who cannot meet their housing costs and are at risk of homelessness, we would robustly argue that this statement is untrue.

Housing Rights would recommend that an indicator is adopted here which is capable of demonstrating the cross-tenure variations with households and their ability to meet their housing costs.

**We would suggest that this measurement be augmented with a tenure breakdown.** Our own advice experience tells us that private renters are suffering most due to rapid rent price inflation and are facing severe affordability issues, particularly low-income households. This is not captured in the Wellbeing Portal but is vital to track if the draft PfG is to be successful in delivering sustainable homes and reducing homelessness.

We would further request that the PfG outlines how the cross-tenure analysis will be used to influence the development of government policies and programmes to improve the lives of people who spend more than 30% of their income on housing costs.

### 3.3. The Private Rented Sector

Housing Rights welcomes the draft PfG commitment to continuing the reform programme in the private rented sector. This must progress as soon as possible.

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<sup>17</sup> [Title \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

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In Housing Rights advice experience, tenants in the private rented sector are significantly overrepresented in the number of people who call our helpline for help, support and advice. Despite accounting for between 13%-17%<sup>18</sup> of total stock in Northern Ireland, tenants from the private rented sector account for 33% of annual calls to our helpline. The most commonly reported issues are affordability, security of tenure, and repairs and standards.

It is important to recognise at the outset that the private rented sector in Northern Ireland is the least regulated sector on these islands, with tenants afforded the fewest protections by existing legislation.

There are significant issues in the private rented sector in Northern Ireland with regard to affordability. Private renters are facing unprecedented and rapid rent rises that are challenging household affordability thresholds and making people homeless. Average monthly rent in Northern Ireland has risen from £664 in Q4 2020 to £891 in Q3 2024<sup>19</sup>. This means that the average private renter in Northern Ireland spends over £2,000 more per year to keep a roof over their heads than just under four years ago. This situation is unsustainable and has resulted in increasing numbers of people becoming homeless due to the loss of private rented accommodation. This is borne out in the Department of Communities' official statistics<sup>20</sup>, which showed that in 2022/23, 2,892 households presented to NIHE as homeless due to the loss of private rented accommodation, and indeed by the Simon Community's recent research on hidden homelessness<sup>21</sup>.

Housing Rights also has considerable experience with private tenants who are experiencing extreme levels of damp and mould in their homes, or repairs to vital appliances such as boilers not being carried out. Most worryingly, a significant number of tenants report being afraid to push their landlords for these repairs or report the landlord to Environmental Health for fear of being evicted.

A trend which is also swiftly on the rise is tenants reporting being evicted by the landlord and being given the reason that the landlord wishes to sell the property, only for the property to be put on the rental market a short time later at a vastly increased monthly rent.

These examples may seem extreme, but they are becoming ever more commonplace as the housing crisis deepens. There is an ever-increasing power dynamic at play as housing availability becomes sparse, and landlords can be safe in the knowledge that desperation for a home is becoming so high that there are tenants out there willing to pay to live in a mouldy or cold home because they are so desperate just to have a home. There are tenants out there on the higher affordability end that could afford a rent that current in situ tenants cannot. The housing crisis has made evictions safe, easy and even profitable for landlords. This must be addressed at the earliest possible opportunity.

Worryingly, there is nothing in Northern Ireland's current legislation to prevent this practice or make it illegal. Accordingly, **Housing Rights strongly recommended that the PfG commits to legislation being brought forward to end the practice of 'no-fault' evictions within this current mandate.** Neighbouring jurisdictions are ahead of us on this. Scotland ended the practice in 2016<sup>22</sup> by introducing '*private residential tenancies*', which can only be ended by the tenant or by the landlord

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<sup>18</sup> Departmental statistics = 13% 2021 Census = 17%. Evidence from Ulster University and PropertyPal suggests stock is declining further.

<sup>19</sup> [Northern Ireland Housing Market Update: Q3 2024 by PropertyPal - Issuu](#)

<sup>20</sup> [ni-housing-stats-22-23-tables3.ods \(live.com\)](#) table 3\_8

<sup>21</sup> [Simon Community | Hidden Homelessness](#)

<sup>22</sup> [Private Housing \(Tenancies\) \(Scotland\) Act 2016 \(legislation.gov.uk\)](#)

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under a prescribed set of circumstances known as exceptions. England is in the process of banning the practice at the time of writing, abolishing *Section 21*, the mechanism which allows for 'no-fault' evictions through the introduction of the Renters (Reform) Bill<sup>23</sup> and will provide a set of exceptions which allow the landlord to evict for a valid reason. Exceptions would not be difficult to draft. There are examples from both England and Scotland. Indeed, the Department for Communities is currently developing exceptions to longer notice-to-quit periods, which could serve as the basis for exceptions to 'no-fault' evictions.

In this housing crisis, in a tenure where tenants are under huge financial and insecurity pressures and with less power than ever before, where neighbouring jurisdictions display an understanding of these dynamics and have moved to protect tenants, it is simply unacceptable to Housing Rights that the practice of no-fault evictions should survive this current mandate.

To supplement this, **Housing Rights also recommends that the PfG commits to legislation being brought forward to raise the minimum fitness standards in Northern Ireland.** The current statutory minimum fitness standard in Northern Ireland is applicable across tenures of housing and is set out in Article 46 of the Housing (Northern Ireland) Order 1981.<sup>24</sup> The standard is a physical standard and states that for a dwelling to be fit for human habitation it must:

- Be structurally stable
- Free from serious disrepair
- Free from dampness prejudicial to health of occupants
- Have adequate provision for heating, lighting and ventilation
- Have an adequate piped supply of wholesome water
- Have satisfactory facilities in the house for the preparation and cooking of food, including a sink with a satisfactory supply of hot and cold water, for the exclusive use of occupants
- Have a system for the draining of foul, waste and surface water

This standard is 43 years old and no longer fit for purpose. The predecessor of DfC, the Department for Social Development, recognised this view in its own review of the standards where it stated, *'its value falls short as a means of dealing with modern housing challenges and complimenting the Northern Ireland Housing Executive's wider policy agenda.'*<sup>25</sup>

If the draft PfG's housing priority is to deliver sustainable homes effectively, these vital issues in the private rented sector must be urgently expedited and committed to in the final Programme for Government.

### 3.4. Homelessness Prevention

Housing Rights welcomes the focus on homelessness prevention. We have stressed above the acute need for adequate amounts of funding to support third-sector organisations carrying out this vital work and to fund homeless prevention initiatives. We believe this aspiration could be strengthened

<sup>23</sup> [Renters \(Reform\) Bill 2023-24: Progress of the Bill - House of Commons Library \(parliament.uk\)](#)

<sup>24</sup> [Housing \(Northern Ireland\) Order 1981 \(legislation.gov.uk\)](#)

<sup>25</sup> [Review of the Housing Fitness Standards \(qub.ac.uk\)](#)

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by introducing legislation that would widen prevention duties and ensure cross-departmental work on homelessness prevention.

Firstly, the PfG could be strengthened by setting out an action to explore of a **statutory duty to cooperate on** relevant bodies across housing, communities, education, justice, health and social services to prevent and alleviate homelessness. The statutory duty should be placed on each of the statutory bodies named in Section 6A(5) of the Housing (Northern Ireland) Order 1988<sup>26</sup>. The duty would be operationalised by a mechanism requiring the pooling of resources between Departments and agencies to prevent homelessness. Significant work has been undertaken in previous mandates to develop proposals in this area that could be reviewed and progressed quickly.

The Northern Ireland Audit Office, in its 2017 report, *Homelessness in Northern Ireland*<sup>27</sup>, recommended that an integrated, cross-departmental strategy is needed to prevent and alleviate homelessness. This would include “horizontal cooperation across departments and public agencies to break down institutional silos.” Similar findings<sup>28</sup> have also been made in England and Wales. It is vital that this work commences immediately, and legislation is introduced to guarantee its progress.

A positive example of cross-sector cooperation regarding homelessness is the *Complex Lives Project* in Belfast, which brings together the PSNI, the NIHE, Extern, the Welcome Centre and DePaul to ensure vulnerable people are afforded the wrap-around support they need from the appropriate agency.

Another positive example is the *Housing Advice in Prisons* project, jointly funded by the Northern Ireland Prison Service and the NIHE and delivered by Housing Rights. This cross-sectoral cooperation has been credited by the NI Audit Office<sup>29</sup> as a key factor in rehabilitating prisoners, improving outcomes and reducing chances of reoffending.

It is also important to note that homelessness prevention should never have been solely the duty of the Department for Communities and the NIHE. Indeed, now that it is an Executive priority, it is unacceptable to consider it solely the responsibility of one Department. If we are truly to shift the focus from crisis intervention to homelessness prevention, **legislation must be introduced that places prevention duties on relevant bodies**. Steps to secure this important reinforcement of prevention work has already been undertaken in Scotland, where the Housing (Scotland) Bill<sup>30</sup> contains an ‘ask and act duty.’ In simple terms, this means that relevant bodies must ask a person about their housing situation and take action to avoid homelessness or refer them to homelessness services if the support is needed. The Minister for Communities has repeatedly said<sup>31</sup> he intends to prioritise homeless prevention. Introducing legislation to widen prevention duties on relevant bodies aligns with this goal. It would provide much stronger protections against homelessness for people who may otherwise have slipped through the net.

#### **4.0. Housing related comments**

##### **4.1. Planning**

<sup>26</sup> [The Housing \(Northern Ireland\) Order 1988 \(legislation.gov.uk\)](https://legislation.gov.uk)

<sup>27</sup> [Homelessness in Northern Ireland Full Report 0.pdf \(niauditoffice.gov.uk\)](https://niauditoffice.gov.uk)

<sup>28</sup> [Homelessness \(parliament.uk\)](https://parliament.uk)

<sup>29</sup> [NI Audit Office Report - Reducing Adult Reoffending in NI 0.pdf](https://niauditoffice.gov.uk)

<sup>30</sup> [Housing \(Scotland\) Bill as Introduced \(parliament.scot\)](https://parliament.scot)

<sup>31</sup> Most recently at the Homeless Connect Conference

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Housing Rights supports assurances that the planning system will support the delivery of the appropriate supply of housing and work with NI Water to address the water infrastructure that is currently restricting new builds in certain areas. This particular proposed action could be strengthened. **Action must be taken to limit the conversion of primary residences into rental units or second homes. Legislation to introduce restrictions on short-term holiday lets is another key measure that must be explored.**

In addition, **the NIHE (following revitalisation) and housing associations should be given first refusal to purchase homes in areas of high housing need, converting them into affordable social housing.**

While recognising the importance of the revitalisation of the NIHE, it will be necessary to ensure that the burden of the cost of borrowing is not unfairly placed on tenants with unfair rent increases.

4.2. Decarbonisation

Housing Rights welcomes the Draft PfG's commitment to launch a new Fuel Poverty Strategy. It is important that the rising cost of fuel and its impact on the affordability of tenants and homeowners is recognised and being addressed.

Housing Rights recommends including more detail within the draft PfG on the need to retrofit many homes to meet the 2030, 2040, and 2050 climate targets as set by the Climate Change Act (Northern Ireland) 2022.<sup>32</sup>

Of particular interest to Housing Rights is the need to retrofit the many homes in Northern Ireland owned by low-income homeowners and private renters. The policy pathway to retrofitting social homes is fairly straightforward and can be managed by the NIHE and Housing Associations. Yet the additional complexities presented by homeowners with little or no affordability and private renters present an altogether more challenging policy environment.

How will low-income homeowners be able to afford retrofitting their homes? Will landlords be willing to retrofit the houses they rent out? Will private tenants be prepared for this? What measures will help the government deliver retrofitting to these homes and encourage people to retrofit? Housing Rights is currently carrying out research to illuminate some of the issues relevant to these questions and will share the findings with the NI Executive.

We would, however, **recommend that the PfG acknowledges the challenges that retrofitting an adequate number of homes in Northern Ireland presents and provides a structured and resourced plan to deliver a Just Transition for low-income homeowners and private renters. If the Executive is not yet in a position to do this, we recommend the draft PfG acknowledges the challenges for these cohorts and gives an indication of future policy development to address those challenges.**

4.3. Poverty in Northern Ireland

Housing Rights' experience in supporting households experiencing poor housing and homelessness has long confirmed the link between poverty and housing circumstance. We are therefore disappointed by the absence of a clear focus on addressing poverty in the draft Programme for Government. In a housing context, we note the deteriorating position of many households' enjoyment of housing which is linked to worsening economic circumstances. We are particularly

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<sup>32</sup> [Climate Change Act \(Northern Ireland\) 2022 \(legislation.gov.uk\)](https://legislation.gov.uk)

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concerned for example about the impact on low income private renters of rising rent levels (in the last year alone there has been a 10% increase in private rents) particularly when set alongside the freezing and unfreezing of Local Housing Allowance rates. We note the UK wide need for focus in this area, with calls from experts in poverty including senior economists at the Joseph Rowntree Foundation for the UK government to “urgently assess” and end “the inadequacy and volatility” of LHA because of how the rate the benefit is set at is driving hardship and poverty.<sup>33</sup>

Housing Rights further notes the priority given to addressing poverty by other devolved administrations including the Scottish Government who ending child poverty as one of 4 priorities in its latest PfG.

As a founding member of the Cliff Edge Coalition, Housing Rights endorses the submission and recommendations of the Cliff Edge Coalition, which recommends that ‘Eradicating Poverty’ be added to the list of immediate priorities within the final Programme for Government. Within this priority, there should be clear prioritisation of the extension of the current welfare mitigations and their strengthening in key areas including to:

- Resolve the five week wait in Universal Credit
- Remove the two-child limit
- Provide support to private renters affected by the Local Housing Allowance

Housing Rights is especially mindful of the importance of the support needed to private renters affected by the Local Housing Allowance. We note the expert recommendations of the Independent Advisory Panel’s report in 2022, which recommended funding an independent financial inclusion service to support those affected.<sup>34</sup>

### **5.0. Conclusion**

In conclusion, Housing Rights welcomes the housing priority contained within the Draft Programme for Government. It is a positive step in the right direction. Housing Rights hopes that the constructive comments in this response, assist in the further refinement of this priority to maximise its impact.

We would encourage the inclusion of specific targets, enablers and outcomes to strengthen the credibility and accountability of the priority, and encourage cross-departmental and organisational collaboration, which can only increase the chances of effective and positive outcomes.

We believe that the measurements contained within the Wellbeing Portal can be refined to more accurately measure the true scale of the housing and homelessness crisis and to act as a more reliable and accurate informer of policy and decision making for the life-span of the Programme for Government.

The priority must also be supported by adequate levels of funding in order for its potential and effectiveness to be maximised. This funding should not only be made available for the critical issue of increasing housing supply but also for supporting vital homelessness prevention services and initiatives.

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<sup>33</sup> [JRF calls for government to end uncertainty over LHA at the Budget](#)

<sup>34</sup> [Welfare Mitigations Review](#)

For more information on this policy response, please contact Housing Rights' Policy Coordinator at [stephen.morrison@housingrights.org.uk](mailto:stephen.morrison@housingrights.org.uk).

## **Appendix A: Expert by Experience Workshop Report**

Housing Rights held a workshop to gather views and insights from experts by experience, people with first-hand experiences of housing and homelessness, on the draft Programme for Government (PfG). 8 experts by experience participated in the workshop and shared their views on the following aspects of the draft PfG:

- The inclusion of housing as a key priority
- The proposed actions about housing
- Involvement of experts by experience

### **1. The inclusion of housing as a key priority**

**The experts by experience strongly welcomed the inclusion of housing as a key priority in the draft Programme for Government. They unanimously agreed that housing should remain included as a key priority in the final version of the PfG.**

#### **Housing as a foundation**

*"Housing is the foundation of a person's life"*

Experts by experience saw it as crucial that housing remains a key priority in the PfG for a wide range of reasons. Many spoke of the foundational, fundamental role that housing plays, explaining that if we get housing right, it helps so many different aspects of people's lives. They explained that people have to have their basic needs met or else so many other problems will open up. One expert by experience said that "the government need to know that people matter," explaining that investment in housing should be about furthering social betterment.

#### **The broken housing system**

*"Our housing at the moment is horrendous"*

Another key reason why experts by experience saw the need for housing to be included as a priority was due to the housing crisis in Northern Ireland. Many spoke about the rise in homelessness, stating affordability as being one of the key issues that leave people caught in a cycle of homelessness. Others highlighted the lack of social homes for the 47,000 households on the waiting list, and a lack of sufficient support from statutory agencies for people experiencing homelessness. Experts by experience also highlighted different groups of people who are particularly disadvantaged



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by the current housing system including elderly people, people with disabilities, people from ethnic minority backgrounds, people on low incomes, women and families.

### **The interconnection between housing and other key priorities**

*"Everything filters down from safe, secure housing"*

We asked the experts by experience if there were any ways they felt that not having housing as a key priority in the PfG would negatively impact the other 8 priorities in the draft document. They identified numerous ways in which housing plays a key role in each of the priorities listed below:

#### Cutting health waiting times

Experts by experience explained how not having a home impacts on all aspects of a person's mental and emotional well-being. Others spoke of how chronic health conditions are impacted by people's housing environment. They believed that not including housing as a priority would increase costs to the NHS, with more people suffering from poor mental and physical health. They explained that ensuring people have suitable homes would take pressure off our already struggling health system.

#### Ending Violence against Women and Girls

Another key priority that participants noted as closely connected to housing was ending violence against women and girls. They noted that women are more likely to stay with a violent partner if the alternative is homelessness. One participant also highlighted that women who are rough sleeping are particularly vulnerable to being attacked and that making sure they have a home would provide them with protection and safety.

#### Better support for Children and Young People with Special Educational Needs

The role that housing plays in accessing education was also highlighted by a number of experts by experience, who noted that children will perform better at school if they have a safe and secure home. One expert by experience spoke about her concerns about the insecurity of private renting, and of having to move to temporary accommodation, explaining that this would significantly impact her son and his education as he needs a routine due to his special education needs.

#### Safer communities

Some experts by experience also spoke about the interconnection of housing and building safer communities, commenting on how communities are safer when people's needs are met, and they do not feel they need to turn to crime in order to cope.

#### Growing the economy

Another priority area which was identified as connected to housing was growing the economy. Experts by experience spoke about how homelessness has a negative impact on the economy as often people are unable to work if they do not have a home.

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## **2. The proposed actions about housing**

Having discussed the inclusion of housing as a key priority in the PfG, we asked participants for their views on the content of pages 38-41 of the draft PfG in terms of the actions the Government have committed to take in order to provide more social, affordable and sustainable housing.

### **Increasing the supply of social homes**

*"We need more social homes"*

The experts, by experience, felt strongly that there should be a focus on building more social homes, as well as increasing the supply of social homes by bringing derelict and empty homes into public ownership. They explained that social housing gives people security and self-respect. One expert by experience also spoke about the need to explore alternatives to existing accommodation options such as cooperative housing and inter-generational living.

### **Increasing protections for private renters**

*"We need to hear more about an increase in private renter security"*

Participants also felt strongly that more should be done to increase security for private renters, including ending no-fault eviction and introducing higher standards for private rented homes. They also highlighted the importance of better enforcement if private landlords do not meet the required standards in their private rented properties. One participant also suggested providing grants to help landlords bring properties up to standard where needed. In addition, participants noted the need to improve access to the private rented sector including supporting people without a guarantor and people unable to afford the costs of accessing the private rentals, such as rent in advance.

### **Education**

*"Schools should teach students about tenancies, mortgages, and managing their housing situations. Especially for young people like myself leaving care, or who have been homeless for a long time, I had nowhere else to learn these skills."*

A number of experts by experience spoke about the importance of including education under the proposed housing actions in the plan, in particular with regard to preventing homelessness. They highlighted the importance of making sure that young people understand the housing system, as well as financial management and budgeting skills to help them sustain their tenancies.

### **Homelessness prevention**

*"There should be a lot more focus on preventing homelessness"*

Participants also spoke of the need to focus more on homelessness prevention and investing in early intervention services, explaining that even if we had enough homes, we would still need to ensure our prevention services work. When asked what more needs to be done to prevent homelessness, experts by experience again highlighted the above-mentioned actions with regard to increasing the supply of social homes, increasing protections for private renters and bringing education on homelessness and housing into schools. One participant also highlighted the importance of improving services to support people with mental health and addictions.

### **Accountability**

*"Who is monitoring progress? Who is reporting?"*

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Alongside the detail of what actions should be prioritised with regard to housing in the PfG, participants also highlighted the importance of accountability and mechanisms to monitor progress and ensure that the commitments made in the PfG turn into actions. One expert by experience explained that it felt like the government is trying to hide homelessness rather than tackle it. Others noted the importance of ensuring the government is held to account for the commitments made in the PfG. Some experts by experience felt that the housing section in the draft PfG was vague and lacked detail, making it less transparent as to exactly what the government are committing to do. Others spoke about the need for a plan that is longer than 3-years, and the importance of ensuring the steps taken to reduce homelessness through the PfG are not scrapped in 3 years time but continue longer term.

**3. Involvement of experts by experience**

The next section of the workshop focused on the involvement of experts by experience in the draft PfG, in particular in the section regarding housing. We used a 4-corners debate to facilitate the discussion whereby the 4 statements below were read out and participants were asked whether they strongly agreed, agreed, disagreed or strongly disagreed with each statement.

**I feel like if I speak up about housing problems and homelessness the Government will listen to me.**

*"I've been speaking out for years and they haven't listened once."*

4 experts by experience disagreed with this statement and the remaining 4 strongly disagreed. Those who disagreed explained that while they felt there were some politicians in Stormont who do listen to experts by experience, they have the smaller voices in government and that they get drowned out. Those who strongly disagreed expressed their frustration that when government has engaged with them, or when they have spoken out about their experiences, they are not listened to and that rather than seeing the housing crisis improve, they are only seeing it get worse.

**My first-hand experience of homelessness and housing problems gives me knowledge about what needs to be done to make things better.**

*"People in power should be able to feel how the insecurity feels, what it's like to be insecure in your home, what it's like to be homeless."*

5 experts by experience strongly agreed with this statement, 1 agreed, 1 disagreed and 1 said that they did not know. Those who strongly agreed explained that because they have lived through homelessness and housing problems, the government should take heed of their knowledge. They explained that the same problems that they experienced that still need to be addressed and that they could help the government stop making the same mistakes again.

The participants who agreed, disagreed and stated that they did not know all raised similar points, explaining that whilst they feel they have knowledge and expertise of the specific housing issues they personally had faced, they did not know about all the different housing issues other people are facing. One explained that just because they are an expert on one side of the crisis, does not mean they are an expert in all of it. Participants noted that every story is different and it that it was important that the government does not just listen to a small number of people with experience of homelessness, but a wide range of people with different experiences and journeys.

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**I think the Government are doing enough to use the knowledge and expertise of people who have experienced homelessness and housing problems, in order to make things better.**

*"When they do engage, it feels like a tick-box exercise more than anything and what you have said hasn't made any real difference."*

6 experts by experience strongly disagreed with this statement, 1 disagreed and 1 explained they were between agree and disagree. Those who strongly disagreed explained that engagement often feels like a tick-box exercise and that when they have engaged in the past, they haven't had any real feedback, and their engagement hasn't made any real difference. As one participant explained,

*"From personal experiences, in and out of homelessness since 13, I had a friend who died on the streets; that should never happen. The government should be helping them. But when they do ask us to talk it almost feels like we are being used, like they use one or two people to represent homeless people as a whole. But we are all different with different stories. One or two people is not representative and we don't see change, so really it feels like we are being used so they can say they spoke to us."*

Experts by experience who strongly disagreed also spoke about the disconnect between the people in power and the people experiencing the issues. They explained that there are too many 'middlemen' facilitating the conversations, as one noted, *"If [the government] are serious about ending this, take the engagement off the page, talk to us, and turn that engagement into real change."* Another said, that if the government were doing enough there would be no need for the workshop Housing Rights were holding.

The expert by experience who disagreed with the statement explained that they felt that they didn't know enough about what the government is doing to involve people or about the limitations that the government might have as to what they can and cannot do. They explained they would like more transparency from the government on this. One expert by experience, who placed themselves between agree and disagree felt more positive, stating that the government gets some things right and some things wrong when it comes to involving people.

**I think the Government's new plan (the PfG) should include how they will involve people who have experienced homelessness and housing problems, so that they know what the issues are and what needs to change?**

*"How can they make a decision by themselves on something they are so disconnected from? You need to at least listen to people with experience of the matter."*

6 experts by experience strongly agreed with this statement, 1 agreed and 1 stated that they did not know. Those who strongly agreed and agreed spoke about the importance listening to experts by experience, as people in power often don't have experience of the issues. They also spoke about their hope that their contribution to the workshop would make a tangible difference to the government's approach, as one commented, *"We are just hoping that our voices today have an impact. Even just one sentence. There are people on the streets, homeless and in crisis all over NI."*

Participants also spoke about the importance of the government showing people that their perspectives are truly valued in order to engage people. One expert by experience explained *"There are people who are so angry, so beaten down, and their mental health so bad that they are not comfortable or confident in coming forward to speak about things like this. That might change if the government approached them and showed that their perspectives are valued."*

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Others spoke about the need for dedicated roles within government departments whose role is to engage with experts by experience, and the need for experts by experience to be appointed into roles to champion this work. Participants further highlighted the need for the government to ensure they also involve people whose voices are often ignored, as one participant explained *"We are lucky to know about this today and it's only because Housing Rights made the effort to contact us. There are lots of people out there whose voices are never heard."*

The expert by experience who stated that they did not know whether the Government should include how they will involve people in their new plan stated that this was because they did not know how much of what experts by experience would say would actually be reflected in the government's work.

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when everyone has a *home*