



Tai Pawb

Response to: Social Housing Rent Standards

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For further information about this paper please contact:

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Who we are

Tai Pawb (housing for all) is a registered charity and a company limited by guarantee. The organisation's mission is, "To promote equality and social justice in housing in Wales". It operates a membership system which is open to local authorities, registered social landlords, third (voluntary) sector organisations, other housing interests and individuals.

What we do

Tai Pawb works closely with the Welsh Assembly Government and other key partners on national housing strategies and key working groups, to ensure that equality is an inherent consideration in national strategic development and implementation. The organisation also provides practical advice and assistance to its members on a range of equality and diversity issues in housing and related services.

Tai Pawb's vision is to be:

The primary driver in the promotion of equality and diversity in housing, leading to the reduction of prejudice and disadvantage, as well as changing lives for the better.

A valued partner who supports housing providers and services to recognise, respect and respond appropriately to the diversity of housing needs and characteristics of people living in Wales, including those who are vulnerable and marginalised.

For further information visit: www.taipawb.org

Charity registration no. 1110078
Company No. 5282554

A. What are your views on Fair Rents being excluded from the Social Housing Rent Standard?

Tai Pawb agrees that there needs to be a consistent approach taken to Fair Rents across Wales in relation to whether information should be included or excluded in the Social Housing Rent Standard. It seems both a logical and practical solution to provide clear guidance on this matter. Excluding Fair Rents from the Social Housing Rent Standard will ensure that the rents charged in association with the Rent Act 1977 do not skew the data collected.

B. What are your views on the proposal for the Rent Officers to provide details on registered Fair Rent to the Welsh Government's KAS (rather than asking Social Landlords to identify these data separately), to ensure Fair Rent properties are excluded from the Social Rent Standard?

Tai Pawb feels that the approach suggested (having Rent Officers provide details on Fair Rents to Welsh Government's KAS) is an appropriate suggestion.

C. What are your views on the proposal for S106 properties at social rent levels to be included in the Social Housing Rent Standard?

D. What are your views on the proposal for S106 properties at other than social rent levels to be excluded from the Social Housing Rent Standard?

We have some confusion in regard to this proposal. It would appear in the guidance document that the proposal is where social housing properties have been built through a S106 agreement and there have been public funds (grant or similar) used to fund the project that these properties would mandate properties to be Social Housing Rent Standard. If this is the case we are unclear how this would interplay with any existing powers Local Authorities might have in regard to S106 agreements, in particular their choice over social rents, intermediate rents, or low cost home ownership etc. It would be beneficial if the guidance and policy were clearer around this.

Similarly to the above point we are unclear if the proposal would mandate all non-grant subsidised building to be excluded from the Social Housing Rent Standard.

There has been no equality impact assessment on this proposal. We have concerns that following this proposal might detrimentally impact on groups of people protected

under the Equality Act (2010). We would like to see data on the number and locations of recent developments and how this proposal would have impacted on the housing provided. This is of particular importance to clarify if there is a location bias where subsidy is present in relation to these developments and if there would be any significant change to the housing stock levels within each location which could impact on the housing options and opportunities (both positively and negatively) for each of the protected characteristics.

We also have concerns in relation to areas where it may be easier to lever in financing for developments such as larger cities that this could become the preferred mechanism – resulting in a significant reduction in new build Social Housing Rent Standard Properties in the future.

E. What are your views on the proposals for Social Landlords to have the flexibility to re-classify dwellings only where they have been funded without any public subsidy?

We are concerned no data analysis has been published to examine the number and type of properties potentially impacted by this proposal. We are significantly concerned no information has been published in connection to the equality data of the residents potentially impacted by this proposal. From our examination of Welsh Government Data (<https://statswales.gov.wales/Catalogue/Housing/Affordable-Housing/Provision/additionalaffordablehousingprovisionbyregisteredociallandlordony-by-location-tenure-funding>) it would appear that 216 new properties during this reporting cycle which were non-Capital Grant funded entered into the social rented (Social Housing Rent Standard) stock. This proposal would potentially remove these properties from the social housing rent stock. While the locations of these properties could be determined on Local Authority level more detailed geographical information could not be found so it was unclear if this would be from a rural, semi rural or urban setting. It was also not possible to tell the property type nor any data related to equality considerations of who these properties were let to. We note that these figures only include new builds and any significant historical data which would relate to the reclassification of existing properties could not be easily sourced.

We are unclear if the proposals to allow housing providers to re-classify dwellings would only come into effect when the property is empty. This has significant implications for tenant's Human Rights, especially Article 8 of the European Convention on Human Rights – the right to private and family life. The proposals should ensure that the rights of existing tenants are protected and re-classification could not take place when there is an existing tenant. We would like to highlight the potential this proposal has for unintended consequences, we are concerned that the issuing of contracts to existing tenants through the implementation of Renting Homes (2015) maybe seen as an opportunity to re-classify properties. While Renting Homes (2015) affords tenants protection when their tenancies are converted to occupational contracts it would be beneficial if information specifically addressing this group of people was included in the guidance documentation.

We have concerns that this proposal would still enable properties which have received significant public funds through channels such as Physical Adaptations

Grant to be reclassified. We would like to see published data on how many properties of this type could be impacted.

We are also concerned that there seems no mechanism to oversee the impact of allowing housing providers to reclassify their properties - without relevant monitoring the unintended consequence of this policy change could be similar to the challenges being faced by the sector as a result of 'right to buy/right to acquire'.

We have concerns that the current proposals for reclassification could have the unintended consequence of housing providers looking to reclassify properties in high demand and high rent areas. Reducing the number of Social Housing Rent Standard properties in these areas could impact significantly on the housing choices of people with lower incomes and those on benefits such as: single parents (usually women), disabled people, some older people, people from some BME backgrounds.

F. General feedback from Tai Pawb:

Social housing provision houses some of the most vulnerable people of our society. For many of those protected under the Equality Act (2010) social housing is the only way they can have safe, secure, and affordable housing. Given this we are significantly concerned that an equality impact assessment has not been undertaken in relation to these proposals. We are also concerned that the need for organisations to undertake a full equality impact assessment when considering reclassification of properties has not been more strongly highlighted.

Given the potential impact these proposals have to significantly change the shape and availability of housing in Wales we would urge the Welsh Government to consider undertaking a full public consultation and a full equality impact assessment.