

**Department for Communities – Intermediate Rent
Development of Policy and Model
Consultation Response
December 2021**

1 Introduction

- 1.1 The Commission welcomes the opportunity to respond to the Intermediate Rent Development of Policy and Model consultation, and the offer to engage directly to further discuss any comments within this response.
- 1.2 Housing is explicitly recognised as a priority area in the Programme for Government (PfG) draft Outcomes Framework, and as referenced in the consultation document there are ‘explicit outcomes and indicators aimed at growing housing supply to meet demand, and reducing housing stress’. However, whilst we welcome the KPA on Housing, we suggest a more targeted approach, which identifies those groups who experience inequalities in accessing good quality, affordable housing, is adopted¹.
- 1.3 The Commission welcomes the proposal to provide security of tenure and more options for people on the Common Waiting List through the provision of the Intermediate Rent model. During development, policy should be designed to effectively tackle the persistent inequalities experienced by people within Section 75 equality groups.

2 Overarching comments

- 2.1 When delivering a supply of Intermediate Rent homes, consideration to the housing requirements for all people across all equality groups is required. As home requirements may differ from one person or family to another, steps need to be

¹ ECNI (2019) [Equality in Housing and Communities: Policy Recommendations](#)

taken to ensure the delivery of accessible, adequate and sustainable homes.

- 2.2 The embedded link sets out the Commission's policy recommendations regarding equality in [housing and communities](#)².
- 2.3 All potential tenants should be fully aware of the differences between renting a social home, renting in the private sector, and renting in the private rented sector within the Intermediate Rent model, particularly around security of tenure, rent levels and supports available. It is also essential that information is accessible and meets the communication needs of the range of tenants using the proposed model. This information includes in relation to language and accessible formats.
- 2.4 The Commission, whilst supportive of opportunities to 'create a new supply of homes in locations where Intermediate Rent is viable and attractive to deliver and live in', we note there is no reference to tackling key inequalities across Section 75 grounds and ensuring objectively assessed need is met.
- 2.5 The equality impacts of any potential new policy should be carefully considered and any negative effects mitigated throughout. We recommend that the key indicators have accountable and transparent monitoring and reporting arrangements. In addition, we recommend that all relevant indicators are tracked not only in aggregate but also for the impact on individuals from each of the Section 75 grounds.
- 2.6 In addition, a timeline for monitoring and reporting should be included in any monitoring and evaluation of the policy. We look forward to sight of the review including measurement, monitoring and reporting of outputs against key indicators.

3 Specific Comments

- 3.1 The Commission has set out below our specific comments and recommendations as they relate to equality, within the headings of the proposed development of an Intermediate Rent model.

² ECNI (2019) [Equality in Housing and Communities: Policy Recommendations](#)

Development of programme to supply Intermediate Rent homes

- 3.2 To ensure equality of opportunity, the development of the programme and the provision of a ‘first come, first served’ basis there needs to be a greater awareness of rights and the market in order to empower potential tenants to explore the full range of options open to them.
- 3.3 Whilst the consultation document makes no reference to persons with disabilities as potential tenants in an Intermediate Rent home³, as covered in paragraphs 3.11 to 3.14 below, we continue to recommend that all new private builds are built to the Lifetime Homes Standard. This will ensure disabled people and older people can stay in the homes for longer, without the costly need for adaptations.
- 3.4 The consultation proposes the Intermediate Rent scheme is operated by a single entity, however, in addition to working with a Programme Operator experienced in housing provision and management, the Department should ensure all relevant expertise within the housing sector is drawn upon and fully utilised.

Provision of information

- 3.5 Alongside an affordability assessment, it is proposed that the applicant tenant will receive the information they need to decide whether this housing option is appropriate for their needs. Information should be provided prior to any affordability assessment, and consideration given to the particular needs of certain Section 75 groups when disseminating information. For example, English may be an additional language, or as a result of a disability an alternative format may be required.

Disabled people

- 3.6 Paragraph 6.9⁴ of the consultation explores the appointment of a programme operator who may not be a subsidiary of a Regional Housing Association (RHA). We would recommend that irrespective of the programme operator’s affiliation with the

³ Department for Communities (2021) Consultation: Intermediate Rent Development of Policy and Model Pgs 21 to 22

⁴ Department for Communities (2021) Consultation: Intermediate Rent Development of Policy and Model Pg 30

RHA that all Intermediate Homes are included on the NIHE's accessible housing register for social housing, which includes a planned rolling programme to increase its coverage including to housing association stock and private accommodation⁵. This will assist disabled people to make an informed decision on Intermediate Rent properties.

Migrants and minority ethnic groups

- 3.7 Research suggests there is potentially limited awareness of rights and/or limited accommodation choices available to migrants and minority ethnic groups. Furthermore, these groups may lack a wider network of family and friends with knowledge of the Northern Ireland housing market, which would enable them to make better informed choices.
- 3.8 All associated information on the proposed model should be provided in methods and formats accessible to the identified audience both in terms of language and dissemination channels.

Older People

- 3.9 If providing information electronically, account should be taken of the lower rates of information technology awareness and/or internet usage by older people⁶ or people with sensory disabilities compared to that of the general population. In Northern Ireland, in 2020, 12% of the population never used the internet in last 3 months⁷. In the United Kingdom, 85% of those aged 65 and over had 'never used the internet/used over 3 months ago'. This contrasts with only 1% of those aged 16 – 34 having 'never used the internet/used over 3 months ago'⁸.
- 3.10 In addition, Northern Ireland has the lowest coverage of superfast broadband throughout the United Kingdom⁹.

⁵ Letter correspondence (20 July 2018), NIHE to ECNI

⁶ Age UK , [Introducing another World: older people and digital inclusion](#),

⁷ ONS (April 2021) [Internet Users, UK: 2020](#). Internet users Dataset. Table 5a. Recent and lapsed internet users and internet non-users, by geographical location, UK, 2014 to 2020. Figures relate to the period January to March 2020

⁸ ONS (April 2021) [Internet Users, UK: 2020](#). Internet users Dataset Table 2a. Recent and lapsed internet users and internet non-users, by age group (years) and sex, UK, 2014 to 2020. Figures relate to the period January to March 2020

⁹ Superfast broadband coverage in 2019, Northern Ireland 89%, Scotland 92%, Wales 93% and England 95%. OFCOM (Dec 2019, reissued Mar 2020) [Connected Nations 2019: UK report](#)

Create a new supply of homes in locations where Intermediate Rent is viable and attractive to deliver and live in.

- 3.11 The Commission continues to recommend that accessible housing standards are applied to all new builds. Ensuring that all new builds in all sectors meet accessible standards would increase the ability of people, particularly older people and people with disabilities, to secure and remain in their home for the full tenancy period.

Ensure application of accessible housing standards to all new builds.

- 3.12 We consider that more needs to be done to ensure that all new builds in private tenures comply with accessible standards, so as to better facilitate individuals to secure a home and remain in it. Over time, the universal application of accessible standards would significantly reduce the need for formal care services and costly home adaptations in the future¹⁰.
- 3.13 While Part R of the Building Regulations - 'Access and Facilities for Disabled People'¹¹ has applied to all new private sector builds since 2001, providing basic access standards in dwellings, the Building Regulations do not include the 'Lifetime Homes Standard' that were adopted for all social housing in 1998.
- 3.14 The Lifetime Homes Standard uses a set of 16 design criteria to build homes that are inclusive, accessible and adaptable. It is complemented by wheelchair standard housing *'the designs of which have been evolving to meet the needs of assisted wheelchair users and carers'*¹².
- 3.15 **Adaptations** - A person with disabilities may require adaptations to their prospective home, therefore we consider that ensuring the availability of housing adaptations is essential, not least given the emphasis within government policy - particularly Transforming Your Care - on the delivery of social care within the home.

¹⁰ Wallace, A. (2015) [Housing and Communities Inequalities in Northern Ireland](#) at page 141

¹¹ [The Building Regulations \(Northern Ireland\) 2000, Part R](#)

¹² NIHE (2013) [Interdepartmental Review of Housing Adaptation Services](#)

3.16 **Law reform – Disability Discrimination Act** - Currently under disability discrimination legislation, landlords and managers of rented residential premises must make reasonable adjustments to the disabled person’s home. In addition, they cannot unreasonably refuse permission for disability-related alterations to be carried out. Landlords however are not required to make disability-related alterations to the physical features of the common parts of let residential premises, such as stairs and hallways; even if they are reasonable to make and paid for by a disabled tenant.

3.17 We continue to recommend¹³ that disability discrimination legislation is extended to require landlords to make disability-related alterations to the physical features of the common parts of residential properties, such as stairs and hallways.

Low-income households

3.18 We welcome the focus upon low-income households, and suggest that consideration is given to the impact of welfare mitigations ending in 2025 on low-income individuals and families and particularly children when setting criterion for the supply of Intermediate Rent homes.

4 Provide homes in areas where people wish to live.

4.1 The consultation document states that Intermediate Rent homes will be provided in locations where demand is highest and rents more expensive¹⁴.

4.2 We welcome the acknowledgement that homes are to be integrated within communities and services and recommend that consideration is given to the different types of accommodation required, for example provision of bungalows. Homes should also have access to adequate and accessible infrastructure in terms of public transport, particularly in rural locations.

¹³ ECNI (2019) [Equality in Housing and Communities: Policy Recommendations, paras 5.17-5.20](#)

¹⁴ Department for Communities (2021) Consultation: Intermediate Rent Development of Policy and Model Pg 17

5 Set rent at a level which is more affordable for eligible households.

- 5.1 The Department's Private Tenancies Bill¹⁵ seeks to introduce legislation to stipulate that rents can only be increased once in any 12 month period.
- 5.2 While clarity as regards rent increases is to be welcomed, this does not tackle the issue of affordability within the private rented sector for a range of Section 75 groups, including those negatively impacted or to be impacted by welfare reform.
- 5.3 For example, most single people under-35 can only claim the shared accommodation rate of Housing Benefit and Universal Credit, and have to make up the difference in private rentals. Both lone parent and female reference households are more likely to experience relative poverty in the private rented sector after housing costs have been deducted.
- 5.4 Migrant workers may not be in a financial position to buy their own property or obtain a mortgage, and social housing may not be an immediate option due to waiting lists and other restrictions. The proposed Intermediate Rent model may therefore be of particular interest. We recommend action to ensure awareness of the proposed availability of homes among this group.
- 5.5 Particular issues may exist for care leavers, who may be solely responsible for securing and maintaining a tenancy. A wider pool of rental products may therefore help to address their needs.
- 5.6 The Commission identified the need to address the longer social housing waiting list for Catholic household reference person applicants¹⁶. Any initiatives that seek to address waiting lists for social housing is to be welcomed, and we would welcome a report on the impact Intermediate Rent homes has on reducing social housing waiting lists.

¹⁵ NI Assembly (www.niassembly.gov.uk - website accessed 21 Dec 2021) Private Tenancies Bill

¹⁶ ECNI (2019) [Equality in Housing and Communities: Policy Recommendations](#)

6 Enhance security of tenure meaning that tenants can remain in their Intermediate Rent home for the medium to longer term.

- 6.1 The Commission welcomes the proposal of providing a secure tenancy agreement for up to five years to assist families and people to plan for the future.
- 6.2 We note the proposal to set an income band criterion of between £18k to £30k for an individual application and between £20k to £40k for a joint application¹⁷. However, consideration to inconsistent levels of income should be given to those on zero hours contracts.

7 Require the Intermediate Rent programme operator to make available a network of management and support services; and ensure rollout of the intermediate rented model where it can be viable for the programme operator, subject to approvals and funding.

- 7.1 It is essential that good quality housing advice is available to everyone and support services offer tailored advice. We have welcomed¹⁸ the provision of a dedicated landlord advice line and a tenant information pack provided by Housing Rights and recommend similar services are tailored and extended to Intermediate Rent homes.

Support Services

- 7.2 The Commission recommends that the provision of support / advice services is tailored and takes account of specific needs of Section 75 grounds.

¹⁷ Department for Communities (2021) Consultation: Intermediate Rent Development of Policy and Model Pg 23

¹⁸ ECNI's response to the Department for Communities [Private Rented Sector in Northern Ireland – Proposals for Change. Consultation response 2017](#)

8 Conclusion

- 8.1 We welcome the development of an Intermediate Rent model, offering security of tenure and more options for households.
- 8.2 We recommend that any equality impacts of potential changes to legislation, policies, processes or procedures are carefully considered, and any negative effects mitigated throughout the strategy.
- 8.3 We recommend that the development of the policy and model should have accountable and transparent monitoring and reporting arrangements. We further recommend that all relevant measures are not only tracked in aggregate but also for the impact on individuals from each of the Section 75 grounds.
- 8.4 We trust that the proposals and recommendations set out in this response are of assistance. If further discussion would be useful, please do not hesitate to contact us.

**Equality Commission for Northern Ireland
December 2021**