

EQUALITY COMMISSION FOR NORTHERN IRELAND

Investigation Report under Schedule 9 of the Northern Ireland Act 1998

Department for Social Development: Housing Policy Proposals

November 2015

1. Introduction

- 1.1 In April 2014 the Equality Commission (the Commission) authorised an investigation arising from its concerns that the Department for Social Development was taking forward a number of housing policy proposals apparently without fulfilling the commitment to screen and, where appropriate, equality impact assess policies as set out in Paragraphs 3.1 and 3.2 of the Department's Equality Scheme. The Commission has the power to undertake an investigation by virtue of Paragraph 11 of Schedule 9 of the Northern Ireland Act 1998 where it forms the belief that a public authority may have failed to comply with its Approved Equality Scheme commitments.
- 1.2 A consultation on the draft 'Facing the Future: Housing Strategy for Northern Ireland 2012-2017' was issued in October 2012. The Commission, in its response to the consultation in December 2012, queried why screening of the draft Housing Strategy was not conducted at the stage when these proposals were being drafted. The Commission again expressed these concerns to the Assembly Committee for Social Development in March 2013. Further, the Commission became concerned that a number of policy proposals – in particular the 'Social Housing Reform Programme (Jan 2013)' the 'Housing Strategy Action Plan (July 2013)' 'Building Successful Communities (Oct 2013)' - were being taken forward apparently without the application of the commitments in its Equality Scheme.

- 1.3 The Commission sought information from the Department for Social Development in November 2013 and again in January 2014 concerning the application of the Department's equality duties in relation to 'Facing the Future: Housing Strategy for Northern Ireland 2012 – 2017'. The Commission was advised that the Department's intention was to screen each of the policies arising out of the draft strategy and where appropriate to undertake equality impact assessment. A number of organisations also made representations to the Commission regarding the application of the Equality duties (See 1.5 below and Appendix 1). The Commission authorised this investigation of its own volition in circumstances where it believed that the Department for Social Development *may* have failed to comply with its approved Equality Scheme in relation to the Housing Strategy and its emerging Action Plan and Policies.
- 1.4 The Commission carried out the Investigation with the full co-operation of the Department for Social Development. The Commission acknowledges the assistance of the Department in this regard. The Investigations Team met with Departmental officials and was supplied with a significant amount of documentation. The Investigation's focus was on the high level strategic policy 'Facing the Future: Housing Strategy for Northern Ireland 2012 – 2017' and on policies that arose from the published Action Plan attendant to the Housing Strategy; in particular Housing Strategy Action Point 33: Social Housing Reform Programme; and Housing Strategy Action Point 25: Housing Led Approach to Regeneration, also known as 'Building Successful Communities'.
- 1.5 Both before and after the launch of this Investigation, the Commission received representations from:
- Participation and the Practice of Rights
 - The Committee on the Administration of Justice
 - Dolores Kelly MLA
 - The Equality Coalition
 - Sinn Féin

Brief summaries of the representations are contained in Appendix 1.

- 1.6 The Northern Ireland Human Rights Commission provided advice on international human rights obligations and guidance pertaining to the Investigation.

Background

- 1.7 The Department (DSD) has a very substantial remit covering strategic responsibility for urban regeneration, community and voluntary sector development, social legislation, housing, social security, and child maintenance benefits.

In the urban regeneration field, the Department has responsibility for:

- the establishment of policy and strategy; and
- the implementation of programmes to target social need, by addressing the social, economic and physical regeneration of cities, towns and villages in Northern Ireland.

The Department's functions in respect of housing include:

- having overall control and responsibility for preparing and directing social housing policy in Northern Ireland;
- working closely with the Northern Ireland Housing Executive and Registered Housing Associations in implementing social housing policies;
- having regulatory powers over the Northern Ireland Housing Executive and Registered Housing Associations;
- having oversight of the Private Rented Sector, which is also controlled by the Rent (Northern Ireland) Order 1978;
- appointing the Board of the Northern Ireland Housing Executive and the Rent Assessment Panels;

- taking the lead in the ‘Promoting Social Inclusion’ review of the difficulties faced by people who are homeless; and
- taking the lead in tackling fuel poverty, a major element of which is the ‘Warm Homes Scheme’.

1.8 Designated public authorities are required by Schedule 9(2) of the Northern Ireland Act 1998 to submit an Equality Scheme to the Commission for approval. Such Equality Schemes are both a statement of the public authority’s commitment to fulfilling the Section 75 duties and a plan for their performance. Schedule 9(4)1 of Section 75 sets out “A scheme shall show how the public authority proposes to fulfill the duties imposed by Section 75 in relation to the relevant functions”.

1.9 The Department’s first Equality Scheme was approved by the Commission in March 2001. Its commitments to screening, equality impact assessment and consultation which were contained in Paragraphs 3.1 and 3.2 of that Scheme stated:

“Any proposed policies which emerge during the lifetime of the Scheme will be screened against the four criteria in paragraph 3.2 and those identified as having significant implications for equality of opportunity following such a review will be subject to a full impact assessment” (Paragraph 3.1).

The four criteria in paragraph 3.2 of the Scheme were:

- “Is there any evidence of higher or lower participation or uptake by different groups within any of the nine categories?
- Is there any evidence that different groups have different needs, experiences, issues and priorities in relation to the particular main policy area?
- Is there an opportunity to better promote equality of opportunity or good relations by altering policy or working with others in Government or the community at large?
- Have consultations with relevant representative organisations or individuals within groups indicated that

particular policies create problems that are specific to them?”

- 1.10 The Department’s revised Equality Scheme was approved by the Commission on 13 December 2013. This Investigation focused primarily on the actions of the Department while its policies were subject to the commitments in the 2001 Equality Scheme. Policies developed after approval of the 2013 Equality Scheme were considered against these commitments. See Appendix 2.
- 1.11 In October 2012, while the Department’s 2001 Equality Scheme was still in place, the Department for Social Development issued for consultation ‘Facing the Future: Northern Ireland Housing Strategy 2012 – 2017’. The Commission’s response to the consultation in December 2012 stated:
- “The Commission questions why screening was not conducted at the stage where these proposals were being drafted, in line with Commission guidance. Screening at this early stage would have alerted consultees to the likely impact of the proposals set out in the document and thus improved the quality of consultation responses.”
- 1.12 In January 2013, the Minister for Social Development announced proposals for a ‘Social Housing Reform Programme’ which would “seek to establish a housing model that is tenant-focused, that is sustainable and that enables investment in our communities”. The aims of the programme were to:
- Improve housing structures, making the system financially sustainable for tenants and the Northern Ireland Executive.
 - Ensure delivery of well maintained housing stock and increase investment in social housing more generally.
 - Improve the focus on strategy and regional delivery of services.
 - Create space and freedom for social landlords to play a more proactive and innovative role in the communities they serve.

At that time, the Programme had 4 associated projects:

- Rent, Regulation & Inspection project to look at the options for rent policy and regulation of social housing in Northern Ireland;
- Departmental Functions, Governance & Local Government Engagement project to look at departmental functions and how the structures would interact;
- Regional Housing Body project to look at the options for delivery of the regional (non-landlord) functions of the Housing Executive in the future; and
- Landlord Re-structuring project to look at the options for delivery of landlord functions of the Housing Executive in the future.

There were also two enabling projects, Human Resources and Legislation, which would look at the staffing and legislative implications of the proposed changes.

- 1.13 In July 2013 the Department published a ‘Housing Strategy Action Plan 2012 – 2017’. This is a list and timetable of 33 actions that were intended to realise the aims of the Strategy. The document contained the statement “The Minister for Social Development, Nelson McCausland MLA, has already implemented some of the proposals in the Housing Strategy during the consultation. This was done when it was clear that those proposals were overwhelmingly supported and urgently needed”.
- 1.14 October 2013 saw the launch of the Department’s plan to regenerate communities with ‘Building Successful Communities’. This initiative is Action 25 in the Action Plan. There the title of the policy is “Working with NIHE, to pilot a housing-led approach to regeneration in four areas”. The aim of the policy is to use housing intervention as one of the main catalysts for local regeneration. The following 6 pilot areas (not 4 as originally intended) were confirmed by the Minister for Social Development on 28 October 2013 as:

- Lower Oldpark/Hillview
- Divis/Albert Street
- Tiger's Bay/Mountcollyer
- Shankill/Brown Square
- Andersonstown
- Doury Road, Ballymena

The main aim of the pilot programme is to drive regeneration through concerted social, economic and physical interventions by a range of Departments, agencies and community interests and to address blight and associated market failure in the selected policy areas. The Department has advised that the areas were selected taking account of the communities themselves which would be at the heart of the approach through regeneration forums in each area drawing membership from elected representatives, local communities and statutory and voluntary agencies.

- 1.15 In late 2013, the Commission contacted the Department to seek information on how the 'Facing the Future: Northern Ireland Housing Strategy 2012 - 2017' was treated for the purposes of the Section 75 duty. In an email dated 19 November 2013 the Department indicated that:

"The Strategy is a high level, 5 year vision for housing in NI and contains a significant number of policy proposals. As such, it was not screened in advance of publication, but included the statement that: "As each of the policies set out in this draft strategy are developed, they will be screened in the context of our Section 75 duty and, where appropriate, an equality impact assessment undertaken. However, we also welcome any evidence at this stage of any equality impacts of any of the proposed measures contained in this strategy, particularly where there may be an adverse impact on a particular group specified within Section 75. There was also a consultation question asking "Do you have any evidence of any equality impacts of any of the measures contained in the strategy, particularly in

relation to potential adverse impacts? Please provide details of any relevant evidence”.

The Department restated the commitment within the Strategy’s consultation document that as each of the policies are developed, they will be screened in the context of the Section 75 duties and, where appropriate, an Equality Impact Assessment will be undertaken.

- 1.16 The Equality Coalition, which is co-convened by the CAJ and the Trade Union UNISON, expressed its concerns to the Northern Ireland Assembly Committee for Social Development that “in contravention to its Equality Scheme the Department of Social Development has to date failed to carry out screening and equality impact assessment of strategic housing policy centred around Facing the Future: Housing Strategy for Northern Ireland 2012-2017”. The Northern Ireland Assembly Committee for Social Development considered these concerns at its meeting on 23 January 2014 and subsequently forwarded the Coalition’s correspondence to the Department for comment.
- 1.17 The Commission wrote to the Department again in January 2014 seeking information about the application of its equality duties in relation to the Housing Strategy. The Commission did not receive a response directly from the Department but was copied into the Department’s response to the Department for Social Development Assembly Committee.
- 1.18 The Department’s response to the Social Development Committee on 11 March 2014 stated:
“The Housing Strategy, as published for consultation on 15 October 2012, stated that ‘As each of the policies set out in this draft strategy are developed, they will be screened in the context of our Section 75 duty and, where appropriate, an equality impact assessment undertaken’. The Department is adhering to this commitment by screening policies prior to implementation, or at appropriate stages

during implementation. The Department also intends to screen the Strategy as a whole once the equality impacts of individual policies have been determined”.

- 1.19 The ‘Social Housing Reform Programme’ is Action 33 in the Action Plan. In relation to this Programme, the Department stated that it:

“has no agreed proposals or policies in place at this stage” and the Department “has therefore not undertaken any screening or equality impact assessments to date. The Social Housing Reform Programme could potentially have an impact on housing service users and therefore in accordance with the duty under Section 75 of the Northern Ireland Act 1998, each of the emerging proposals under the programme will be subject to an equality screening exercise to determine the potential impacts for equality of opportunity”.

- 1.20 The Department’s actions in relation to the Housing Strategy and its emerging policies span both its 2001 and its 2013 approved Equality Schemes. Whilst there was a revision of the commitments relating to screening and equality impact assessment in these schemes, the equality duties for public authorities under Section 75 of the Northern Ireland Act have not changed. The Commission has considered policies developed before 2013 against the commitments in the 2001 Approved Equality Scheme and those developed after the approval of the 2013 Scheme against these commitments.

2. Department for Social Development’s approach to its Scheme commitments

- 2.1 On the issue of the Department’s Equality Scheme commitments in relation to ‘Facing the Future: Northern Ireland Housing Strategy 2012-2017’, a Narrative Report submitted by the Department as evidence to the Investigation states that:

“During drafting of the strategy for consultation, and before the proposals were finalised, a decision was taken

that the high-level strategic approach could not be meaningfully screened singly and in its entirety on a 'one-off' basis, containing as it did a wide range of actions which aimed to deliver benefits for people across every housing tenure type (owner-occupiers and renters in the social and private sectors)"¹. The Department considered that screening of the Strategy at the initial stage of development "would result in too generalised a piece of work to be of any significant value".

2.2 In July 2014 the Department indicated that it considered that 'due regard' was given to the Section 75 duties during the drafting of the Housing Strategy and that this is evidenced in specific references in the consultation document to planned screening of individual policies as they are developed, and the statement welcoming evidence of any equality impacts of any of the proposed measures.

2.3 The Narrative Report notes that few consultation respondents expressed the view that the Strategy should be screened. The Department "noted that none of the calls to screen the Strategy appeared to raise an equality issue with the Strategy itself as a high-level, visionary approach". This "in the Department's view, supported the approach that screening such a high-level, overarching document would not be meaningful at that time". It highlights that "there was no consensus among respondents that the high-level vision and roles in the strategy would have any adverse impact within any Section 75 category"; that equality comments were highlighted in the summary of consultation responses to ensure that these were "considered by branches during the policy development process"; and that "the Department has had due regard for its Section 75 duties throughout the process of developing the Housing Strategy Facing the Future and developing and implementing the associated Action Plan".

¹ Paragraph 4.7, Page 11, DSD Narrative Report to the Equality Commission Northern Ireland – Regarding the Housing Strategy Action Plan 2012-17

2.4 'Building Successful Communities' (otherwise referred to in the Housing Strategy Action Plan as Action Point 25 "Pilot a housing-led approach to regeneration in four areas") was launched in October 2013. Screening of this policy commenced in November 2013 and when the Department provided investigation evidence on 24 July 2014 this was still in progress.

2.5 Six pilot areas meeting the criteria below were selected, three in West Belfast, two in North Belfast and one in Ballymena. Facing the Future: Housing Strategy for Northern Ireland 2012-2017 detailed the criteria for selection of pilot areas as having the following characteristics²:

- significant levels of empty properties;
- available undeveloped land;
- areas which, despite being in close proximity to economic activity, have experienced a decline in housing demand;
- blight;
- stigma attached to the area;
- high levels of vandalism and anti-social behaviour;
- areas of deprivation such as Neighbourhood Renewal Areas and Areas at Risk; and
- proximity to places where there is housing need.

2.6 The Narrative Report supplied by the Department states:
"To ensure equality of opportunity and promote good relations it was felt that a community balance should be sought across pilot areas. It was also felt that areas that were already subject to ongoing regeneration initiatives, such as The Village area of Belfast, or proposed regeneration initiatives, such as the New Lodge area of Belfast, should be excluded from the programme pilot".

The Narrative Report further states that:

² Identified as the most deprived 10% of wards across Northern Ireland using the Noble Multiple Deprivation Measures – Narrative Report.

“due regard was given to the Section 75 duties during the development of this programme. When selecting pilot areas, priority was given to identified areas of deprivation, namely Neighbourhood Renewal Areas or Areas at Risk. These areas display indicators such as poor health and educational attainment. Also, as Belfast and Ballymena Local Government Districts have high housing demand, pilot areas were selected in these areas. This is to ensure that any new social housing that might be developed through the programme is targeted at meeting housing need. Housing allocation will be made on the basis of identified need through the NIHE common selection scheme. Advice was taken from the Department’s Equality Unit in March 2013 regarding equality screening of this initiative. It was queried whether an Equality Impact Assessment should be undertaken if/when a decision is taken to develop a housing led regeneration policy and was therefore not appropriate at pilot stage. Advice at that time supported this approach and confirmed that there would be little point in screening an unformed policy which will develop once the pilot is complete”.

“The appropriate timing of screening / Equality Impact Assessment will vary across the 33 actions: some may be screened more than once, or a draft screening document may be in development or drafted over a period of time. As an example, Action 30 (develop the policy framework on anti-social behaviour) has had a number of screening exercises completed, on separate elements of the policy, as the policy had developed”.

- 2.7 Evidence provided by the Department shows that screenings of 22 policies listed under the Housing Strategy Action Plan have been completed by the close of this Investigation. No significant adverse impacts in respect of the overall Housing Strategy were identified by the Department.

- 2.8 The Commission was advised by the Department that some developing work areas have not yet been screened, or equality impact assessed, but these are planned and scheduled to take place at the appropriate point in policy development.

3. The Commission's consideration of DSD's approach

- 3.1 A list of the documents provided by the Department as evidence in this Investigation is attached (Appendix 3). Summaries of written submissions it received from individuals/groups is attached (Appendix 1).
- 3.2 On 30 April 2014, the Commission authorised a Paragraph 11 investigation into potential failures by the Department for Social Development to comply with its approved Equality Scheme in connection with the Facing the Future: Housing Strategy for Northern Ireland 2012-2017 and a number of associated policy proposals. The Commission was concerned that a number of policy proposals (particularly Facing the Future: Housing Strategy for Northern Ireland, the subsequent 'Housing Strategy Action Plan', the 'Social Housing Reform', and 'Building Successful Communities') were being taken forward apparently without fulfilling the commitment to screen or, where appropriate, equality impact assess as set out in the Department's Equality Scheme.
- 3.3 Commission staff met with Departmental officials on 30 May 2014 to outline the scope of the Investigation and to agree the format for submission of evidence. It was agreed that, as the 'Housing Strategy Action Plan', 'Social Housing Reform' and 'Building Successful Communities' programmes were published while the 2001 Equality Scheme was in place, the Investigation would focus on the Department's compliance with that Equality Scheme. As the Department's current Equality Scheme had been approved by the Commission on 13 December 2013, any action that the Department has taken after that date regarding the Housing Strategy and its emerging policies is governed by

this Scheme's commitments. A number of the policies continued to be developed after December 2013.

3.4 A further meeting of Commission and Departmental officials took place on 24 July 2014. The Commission wishes to acknowledge the substantial and detailed work undertaken by the Department during the course of this Investigation. During this meeting a substantial and comprehensive Narrative Report regarding how and when the Department considered it had complied with its statutory duties was submitted to the Investigation Team, and this was supported by a substantial number of documents relating to the:

- development of the Housing Strategy and its proposals;
- consultation on the Housing Strategy;
- development of the Housing Strategy Action Plan;
- equality screening of all policies contained within the Housing Strategy Action Plan.

3.5 The Investigation was provided with evidence that equality screening exercises were carried out on 22 policies before and after the launch of the Investigation. The table at Appendix 4 lists the policies for which evidence of screening has been provided to the Commission.

3.6 In addition to the screening questions set out in the particular Equality Scheme under which the policies were screened, the Department's screening exercises also took into consideration:

- Section 75 groups expected to be impacted by the policy
- financial and legislative factors that could contribute to or detract from the aim/outcome of the policy
- other policies with a bearing on the policy being screened
- any data available to help assess the impact of a policy on each of the Section 75 groups
- the needs, experiences and priorities identified for each Section 75 category
- likely impact on equality of opportunity

- any particular policy problems identified through initial consultations with representative organisations or individuals
- additional considerations in relation to people with multiple identities.

3.7 Screening identified a need to subject one policy to Equality Impact Assessment - the 'Development of a Regional Rent Policy for Social Housing in Northern Ireland' (Social Housing Reform Programme: Proposed Structural and Policy Framework). This was on the grounds that screening of the 'Social Housing Reform Programme' stated that "Once rent modelling data is available a full EQIA will be carried out". The Department has advised that this will be published alongside the policy consultation.

3.8 At the conclusion of this Investigation, the Commission had been provided with evidence that screening had been completed on 'Facing the Future: Housing Strategy for Northern Ireland' and 22 policies listed in the Action Plan (these policies are listed in Appendix 4). The Department has provided the Commission with evidence of on-going work relating to the screening of policies not yet screened. This includes:

- Aim & brief description of the policy
- List of stakeholders
- Key Factors/Contributions
- List of information sources
- Section 75 categories likely to be affected by the policy
- Whether or not there will be a direct opportunity to promote good relations in relation to the three dimensions of race, religious belief and political opinion
- Comment on next steps
- Note of supporting documentation.

3.9 Prior to the commencement of this Investigation in April 2014, the Commission was notified by the Department that 'Facing the Future: Housing Strategy for Northern Ireland' was not screened

because it is a 'high level five year vision' but there was a commitment to screening 'as policies emerge'. Under the 'Building Successful Communities', the selection of pilot areas was described as a pilot initiative and not as a policy and was not screened or subjected to equality impact assessment at the outset.

- 3.10 The evidence supplied by the Department indicated that:
- Screening on 'Facing the Future: Housing Strategy for Northern Ireland' was completed on 23 July 2014;
 - Although the 'Housing Strategy Action Plan' was not in itself subjected to equality screening, the Department gave a commitment that policies making up the action plan will be individually subjected to screening and where appropriate to equality impact assessment;
 - Screening of the 'Social Housing Reform Programme: Proposed Structural and Policy Framework' was completed on 27 October 2014. The result of the screening was that the Programme as outlined to date and in its entirety does not require EQIA at this time because all policies would be fully screened at a later date. Individual elements within the 'Social Housing Reform Programme' have undergone a preliminary screening including:
 - a) The Tenant Participation Strategy (September 2014)
 - b) The Regulatory Framework for Social Housing Providers in Northern Ireland (February 2015)
 - Screening of 'Building Successful Communities', also referred to as a 'Housing-led Approach to Regeneration', was in progress at the conclusion of this Investigation.

- 3.11 The Narrative Report provided by the Department in July 2014 stresses that the 'Facing the Future: Housing Strategy' covers a

five year timescale, reflecting that some of the Action Plan commitments are highly complex and significant reforms, which require long-term, in-depth analysis and long-term development. It states that the Department's practice is that the equality and good relations duties must be embedded in the policy development process, which itself has to be carefully planned and executed over the relevant timescale.

- 3.12 Equality Schemes set out how the duties in Section 75 will be given effect. In GB where there is a similar public sector duty, the courts have given clear advice on what decision makers must do in order to comply with the public sector duties, namely:
- The decision-maker must be aware that he/she is obliged to comply with the public sector duties;
 - The duties must be fulfilled before and at the time that a particular decision is being considered, and not afterwards;
 - The duties must be exercised in substance, with rigour and an open mind, and not as a "tick boxing" exercise.
 - The duties are non-delegable, meaning that it is the actual decision-maker who must comply with the duties, and not some other person;
 - The duties are continuing ones;
 - It is good practice to keep adequate records that will show that the statutory goals have actually been considered and pondered and to promote transparency and discipline in the decision-making process³.
- 3.13 In assessing the extent to which the Department for Social Development complied with its commitments in its Equality Scheme, the Commission has focused on the timeliness and adequacy of the considerations.
- 3.14 Section 75 is important to policy formulation (new or proposed policies) and policy review (existing policies). It is important that public authorities use screening and equality impact assessment

³ R (Brown) v Secretary of State for Work & Pensions & others (2008) EWHC 3158 (Admin).

as part of their policy development process, rather than identify impacts later, when the policy has been established.

By enabling people likely to be affected by policies to participate directly in the development of policies and to seek information on inequalities through appropriate consultation, the extent of impact can be more effectively assessed. Commission guidance published in 2010 advises that results of assessments must be published.⁴ Such publication should assist public authorities to show that they are meeting their Section 75 duties in a transparent and timely manner.

- 3.15 The Northern Ireland Housing Strategy for the period 2012 - 2017 was being developed by the Department during 2011 and 2012 and this resulted in the 'Facing the Future' document which was subjected to a public consultation between October and December 2012. The Commission is of the view that equality screening and, if appropriate, EQIA could and should have been concluded at the stage when the proposals were being developed.
- 3.16 The Commission notes the view of the Department that a high level strategic document could not, at that stage, be meaningfully screened. However, legislation intended that the equality duties be part of the policy development process. The Commission advises that public authorities must take into account, at the earliest possible stage, available evidence and the different needs, experiences and priorities of each of the nine S75 categories in order to aid the consultation process and inform the policy. In the context of Section 75 a 'policy' is very broadly defined. The Commission's guidance notes:
- "Whatever status or label is accorded to an amended or new policy, for example 'draft', 'pilot', 'high level strategy' or 'sectoral initiative', the equality and good relations implications must be considered in terms of assessing the likely impact of a policy . . ."*

⁴ Section 75 of the Northern Ireland Act 1998 – A Guide for Public Authorities 2010

It is crucial that these issues are given consideration when strategic visions or plans are being formulated, as it is at this stage that policy direction is set.

- 3.17 Responsibility for identifying the equality assessment overall, including potential adverse impacts and possible mitigating action lies with the public authority. The effectiveness of the Section 75 process requires public authorities to consider the policy as a whole and not just its constituent parts. Early screening facilitates this approach.
- 3.18 The Commission remains concerned that the overall strategy was not equality screened at the development stage. The Commission acknowledges that during the course of this Investigation ‘Facing the Future: Housing Strategy for NI 2012-2017’ was equality screened and a screening document dated 23 July 2014, based on Commission Guidance, was submitted to the Investigation. The document recorded that the Department had considered evidence of qualitative and quantitative research from a variety of sources, as well as consultation responses. It had given consideration to the needs, experiences and priorities of each of the section 75 categories. With regard to the screening questions the Department concluded that there were no negative impacts anticipated. It noted:
- “If the high level vision and roles of the strategy are realized positive impacts will be felt by all groups. It is not possible to determine specific impacts however from this strategic perspective: such impacts will emerge via the individual equality screenings carried out as each specific policy proposal is developed. At this time however we don’t expect any negative impacts”.*
- 3.19 The Department viewed the Housing Strategy very positively and no adverse impacts were anticipated in respect of any of the Section 75 groups, therefore it considered that equality impact assessment was unnecessary. However, during the public

consultation a number of consultees raised potential adverse equality impacts⁵.

- 3.20 The focus with respect to Section 75 and the commitments by public authorities to screen and equality impact assess is to establish if there may be any adverse impacts on any of the equality groups and if so, what can be done to mitigate these. To this end, it is important that public authorities retain a focus on potential impacts, as each specific policy proposal is developed. However, more than that, screening and equality impact assessment facilitates public authorities to give due regard to the need to promote equality of opportunity and regard to the desirability of promoting good relations. A holistic approach means that there must be proper consideration of high level strategic 'visionary' policies and not solely their individual constituent parts.
- 3.21 The screening of 'Facing the Future: Housing Strategy for Northern Ireland' resulted in the following monitoring commitment:
- "Each policy falling out of the Housing Strategy will be screened and monitored. The Housing Strategy in itself will not be monitored, but may need to be revisited if any of the impacts from the resultant policies indicate that the Strategy needs to be reviewed. Any subsequent revisions of the Strategy will then be re-screened."*
- 3.22 Similarly, the subsequent development of an Action Plan is referred to in the Housing Strategy screening document with the commitment that:
- "As each abstract strategic proposal evolves into a more robust policy proposal (and the potential impacts can be more clearly seen) they undergo an appropriate equality screening".*

⁵ Facing the Future: Housing Strategy for Northern Ireland, 2012 – 2017. Summary of Responses to Consultation. Department for Social Development

- 3.23 The Action Plan followed the consultation on the Housing Strategy and on the basis of consultation responses added a fifth role (in addition to the four already set out) for government in relation to housing and that is ‘to promote equality of opportunity in housing in NI and to promote good relations’. The Action Plan listed and timetabled the actions that arose out of the Strategy.
- 3.24 The Department provided the Investigation with considerable documentary evidence of the screening work carried out, underway, or planned in respect of policies in the Action Plan. Twenty two policies screened at the conclusion of this Investigation are listed in Appendix 4.
- 3.25 The Commission was particularly interested in the ‘Social Housing Reform Programme’ (Action 33) which was announced by the Minister in 2013. While the Housing Strategy had anticipated new structures following the 2011 review of the Housing Executive, the Ministerial Statement proposed a programme that included exploring regional housing functions, NIHE landlord functions, rent, regulation and inspection. There was no indication that screening or equality impact assessment had been carried out on this programme.
- 3.26 The Investigation was initially provided with an equality screening document for the ‘Social Housing Reform Programme’ (referred to as condensed screening) dated 27 June 2014. This document noted that to date no policy proposals had been made or decisions taken in any of the areas. Screening of the Tenant Participation Strategy element of the Programme was completed in September 2014 and the Proposed Structural and Policy Framework in October 2014.
- 3.27 This Reform Programme is one of the 33 actions on the Action Plan. The Department noted:
“Initial equality screening for the Programme and certain policies within the Programme were incorporated into

Programme Project levels to be carried out from June 2014 onwards with subsequent equality screening and impact assessment taking place as appropriate throughout the policy and options development process.”

The Commission received copies of screening documents for the Proposed Structural and Policy Framework (November 2014), the Tenant Participation Strategy (February 2015), the Proposal for a new Regulatory Framework (July 2015) and a draft Equality Impact Assessment for the Development of a Social Housing Rent Policy (July 2015).

- 3.28 The Commission was provided with what the Department in the Narrative Report called “condensed” screening documents. This is not a procedure that is part of the Department’s Equality Scheme arrangements and commitments and cannot be said to constitute compliance with the Department’s Scheme commitments.
- 3.29 The Commission also focused on Action 25 which was “to pilot a housing led approach to regeneration”. The intention of this policy, now called ‘Building Successful Communities’, was to regenerate communities experiencing blight, dereliction and decline. The Department has stated: “it seems prejudicial to state that the impact of additional funding and regeneration in these areas will be adverse in any sense. The areas identified for pilots are affected by social deprivation and many have problems with crime, anti-social behaviour, blight and stigma. To insist, before the pilots begin, that they will have an ‘adverse impact’ is to continue to leave these communities behind. The pilots will inform the development of a ‘Building Successful Communities’ policy, although this is still some way off. The pilots will test different (forum, and community-generated) approaches in pilot areas of different sizes, with different blight/stigma issues, differing community backgrounds and in a rural as well as an urban context. The Department’s position remains that screening should take place as soon as possible

before implementation. In this case screening cannot be completed until the Forums have been established and have developed their proposed pilot action plans. Those action plans will be screened in each pilot area, and the final 'Building Successful Communities' policy that results, after review, will also be screened".

- 3.30 Activity has already begun in six pilot areas (as noted at Para 2.9). Regeneration Forums have been established to carry out a needs analysis and develop and implement plans to address the identified issues. In choosing initially four and then six pilot areas, the Department noted the 'pilot' nature of this policy. It stated that this was an 'initiative' that would inform future policy which would in due course be subject to equality screening. The Department provided a "condensed" screening document and in addition a draft screening document of substantial scope and detail which was not yet complete. The draft screening exercise details evidence in respect of the Section 75 groups within each of the chosen pilot areas. There is no evidence that any screening or impact assessment took place with respect to the policy decision of selecting the areas that should be part of the pilot programme.
- 3.31 Screening is an early step in the assessment of the potential for adverse impacts with respect to the development of policies. The purpose of screening is to identify policies which may have an impact on equality of opportunity and to prioritise those policies for the further consideration of an equality impact assessment. This is the mechanism that underpins the Section 75 duties. The Department's Narrative Report stated that "there was no consensus among respondents that the high level vision and roles in the strategy would have any adverse impact within any Section 75 category". It is the role of the Department (and not consultees) to decide on policy development and to use equality impact assessments to ensure equality is built into decision making.

The Equality Commission recognises that considerable screening was completed after the Investigation commenced.

4. Conclusions

4.1 In April 2014 the Equality Commission authorised a Paragraph 11 investigation arising from its concerns that the Department for Social Development was taking forward a number of housing policy proposals apparently without fulfilling the commitment to screen and, where appropriate, equality impact assess as committed to in the Department's Equality Scheme.

4.2 This Investigation focussed on 4 housing policy proposals/areas, namely

- Facing the Future: Housing Strategy for Northern Ireland 2012 – 2017
- The Housing Strategy Action Plan 2012- 2017
- Action 25 – 'Building Successful Communities'
- Action 33 – 'Social Housing Reform Programme'

4.3 'Facing the Future: Northern Ireland Housing Strategy 2012 – 2017'

A wide range of housing policy proposals are contained within the housing strategy document 'Facing the Future: Housing Strategy for Northern Ireland 2012 – 2017'. This Strategy was issued for public consultation between 15 October 2012 and 7 December 2012. The Strategy is a high level five year vision for housing in Northern Ireland.

4.4 In response to the consultation on 'Facing the Future', the Commission in December 2012 stated "The Commission questions why screening was not conducted at the stage where these proposals were being drafted, in line with Commission guidance. Screening at this early stage would have alerted consultees to the likely impact of the proposals set out in the document and thus improved the quality of consultation responses."

4.5 It is the Commission's view that the Strategy document itself set the high level policy direction and that the proposals should have been equality screened when they were being drafted. The Commission recommends that, in order to identify policies likely to have an impact on equality of opportunity and/or good relations, equality screening should happen at the earliest possible stage. In this instance screening could have taken place in the period when the strategy was being developed for consultation (October 2012) and certainly should have taken place before the strategy was so well developed that an Action Plan for implementation had been published (July 2013). Equality screening of 'Facing the Future' was completed on 23 July 2014.

4.6 The Commission acknowledges the stated intention of the Department to screen and where appropriate equality impact assess each of the policy proposals *within* the strategy document and further acknowledges the progress made in this regard.

4.7 **The Commission concludes** that in relation to 'Facing the Future: Housing Strategy for Northern Ireland 2012 – 2017', the Department failed to meet its screening and equality impact assessment (EQIA) commitments set out in Paragraphs 3.1 and 3.2 of its 2001 Equality Scheme in a timely manner. That commitment is:

"Any proposed policies which emerge during the lifetime of the Scheme will be screened against the four criteria in paragraph 3.2 and those identified as having significant implications for equality of opportunity following such a review will be subject to a full impact assessment".

4.8 **'Housing Strategy Action Plan 2012 -2017'**

The Housing Strategy Action Plan was launched by the Social Development Minister in July 2013. The Action Plan contains 33

actions intended to realise the aims of the Housing Strategy. The Action Plan was a list and timetable of actions that arose out of the Strategy. The Action Plan was not subject to a screening or EQIA itself but contained the commitment that each policy proposal contained therein would be separately screened. The Commission has listed in Appendix 4 the screening documents which have been provided to it throughout the course of this investigation.

- 4.9 **The Commission concludes** that due to the nature of the Action Plan (a list of actions and a timetable, not a policy) the decision not to equality screen the Action Plan itself is not a breach of the Department's Equality Scheme commitments.

4.10 Action 25 – 'Building Successful Communities'

'Building Successful Communities' was launched in October 2013 with the aim of using housing intervention as one of the main catalysts for local regeneration. The policy was commenced with a pilot programme in initially four pilot areas; these were subsequently expanded to six pilot areas. The pilot areas attracted Departmental resources - for example the establishment of Regeneration Forums. The Investigation found no evidence of equality screening or equality impact assessment in relation to the selection of the six pilot areas. The Commission does not accept that the pilot nature of this intervention exempted it from the commitments made by the Department in its 2001 Equality Scheme to screen, and where appropriate, equality impact assess proposed policies emerging during the lifetime of the Scheme.

- 4.11 The Department acknowledges that no screening or equality impact assessment took place prior to the launch of the 'Building Successful Communities'.
- 4.12 **The Commission concludes** that the Department for Social Development failed to meet its commitments in Paragraphs 3.1

and 3.2 of its 2001 Equality Scheme at the time ‘Building Successful Communities’ was launched, specifically with respect to the selection of the areas.

4.13 **Action 33 – ‘Social Housing Reform Programme’**

Action Point 33 of the Housing Strategy Action Plan is to “Take forward the Social Housing Reform Programme”. In January 2013 the Minister for Social Development announced in the Northern Ireland Assembly a number of proposals for the reform of the structures supporting social housing delivery in Northern Ireland. This was not a pre-determined policy position that was about to be implemented. “The mandate given to the programme by the Northern Ireland Executive was to explore the proposals. There was no commitment given as to implementation and indeed this was further demonstrated by the detailed programme of work agreed with Social Development Committee in February 2014 which included a clear commitment to fully explore a no change position for each of the areas under consideration”⁶.

This is Northern Ireland’s first major review of social housing and focuses on the existing delivery structure including the Northern Ireland Housing Executive, Housing Associations and the Department itself. The Programme is substantial and covers a number of major policy areas. Screening / Equality Impact Assessment of currently developing policies within the ‘Social Housing Reform Programme’ come under the terms of the Department’s current Scheme commitments. (See Appendix 2) This has committed the Department to ensure as follows:

Screening is completed at the earliest opportunity in the policy development/review process. Policies which the Department proposes to adopt will be subject to screening prior to implementation. For more detailed strategies or policies that are to be put in place through a series of stages, the Department will screen at appropriate stages during implementation (Para 4.5)

⁶ Letter from Department for Social Development to Equality Commission dated 9 June 2015

- 4.14 After the launch of the Investigation, a pre-screening exercise (referred to as ‘condensed’ screening) was carried out on 27 June 2014 and the screening of the ‘Social Housing Reform Programme: Proposed Structural and Policy Framework’ was completed in October 2014. The Commission received a copy of the screening document in November 2014.
- 4.15 The Commission also received copies of screening documents for policies *within* the Programme, namely:
- Tenant Participation strategy (Feb 2015)
 - Proposal for a new Regulatory Framework for Social Housing Providers in Northern Ireland (July 2015)
- The Commission also received a draft Equality Impact Assessment of the Development of a Social Housing Rent Policy for Northern Ireland (July 2015). The Commission has been advised that following consultation, a final Equality Impact Assessment report (which will take account of all comments received during consultation), will be made available on the Department’s website.
- 4.16 The Commission recognises the complexity of the ‘Social Housing Reform Programme’. It is one part of the Housing Strategy 2012-2017 albeit a very significant part. It is itself a high level and strategic vision for social housing, sitting within an overall Housing Strategy. The Commission notes that some aspects of decision making in respect of the Social Housing Reform Programme sit with a number of public bodies. The Commission has been advised that key components of the Social Housing Reform Programme are currently being screened as they develop. The Commission anticipates that a number of these will be subject to equality impact assessment. The Department has advised that, given the potentially cross cutting implications of change, key decisions are to be made by the Northern Ireland Executive, not the Minister for Social Development. No proposals have been agreed or finalised and

those which have issued for public consultation have been equality screened.

- 4.17 **The Commission concludes** that the Department for Social Development has not failed to comply with its 2013 Equality Scheme commitments in relation to the Social Housing Reform Programme.

5. Recommendations

Compliance with Equality Scheme commitments

- 5.1 **The Commission recommends** that the Department for Social Development complies fully with its Equality Scheme commitments to screen and where appropriate conduct equality impact assessment (EQIA) in respect of the ongoing development and implementation of revised housing policies.

Timely consideration of high level strategies

- 5.2 **The Commission recommends** that the Department ensures that its future arrangements in respect of high level strategies provide for the utilisation of the tools of screening and equality impact assessment as part of its development process rather than identified impacts later when the policy has been established.

Robust screening and Equality Impact Assessments

- 5.3 **The Commission recommends** that the Department ensures that the screening decisions, that is, whether or not to conduct equality impact assessments, are robust; provide an opportunity to improve decision making; support 'evidence based' policy making; and provide tangible evidence as to how the Department has given due regard to the promotion of equality of opportunity and regard to the desirability of promoting good relations, in the initial stage of policy development.

Review of Progress

- 5.4 **The Commission recommends** that the Department for Social Development reports to the Commission within 9 months of receipt of this Investigation Report with regard to its compliance with the recommendations set out above.

Summary of Representations relating to ‘Facing the Future: Housing Strategy for Northern Ireland 2012 – 2017’

Each of these representations reflected the concerns of the particular organisation with respect to the wider housing context, as well as addressing the statutory equality duties and the Department’s Equality Scheme commitment to screen and where appropriate to equality impact assess its policies. In summary:

- In August 2013 **Participation and the Practice of Rights** sent a copy of its “Equality Can’t Wait” report and its consultation response to the Northern Ireland Housing Executive’s Consultation on the establishment of a Belfast City Centre waiting list. Participation and the Practice of Rights was concerned about religious inequality in housing impacting negatively on Catholics living in North Belfast. In June 2014, after becoming aware that the Commission had launched an investigation, Participation and the Practice of Rights forwarded copies of its own responses to consultations along with a summary of its main issues of concern.
- The **Committee on the Administration of Justice** (CAJ) made representations to the Equality Commission in October 2013 that it use its Paragraph 11 powers to investigate “procedural breaches of the DSD equality scheme for failure to carry out screening and equality impact assessment of strategic housing policy”.
- **Dolores Kelly MLA** wrote to the Equality Commission on 12 November 2013 alleging that the Department had failed to carry out screening and equality impact assessments of Facing the Future and the Housing Led Regeneration Scheme.

- The **Equality Coalition** wrote to the Chair of the Northern Ireland Assembly Committee for Social Development on 17 January 2014 bringing to its attention the representations it had made to the Equality Commission. The Committee for Social Development asked the Department for comment in response to the Equality Coalition's letter. On 25 March 2014 the Committee for Social Development also asked for the views of the Equality Commission on the Equality Coalition's allegation that the Department had failed to comply with its Equality Scheme.
- **Sinn Féin** met with the Equality Commission on 9 April 2014 and made a written submission alleging that the Department was in breach of obligations with regard to screening and equality impact assessment; monitoring equality of opportunity issues; leadership and commitment; and mitigation against adverse impact.

**Screening/Equality Impact Assessment Commitments
Extract from Department for Social Development 2015
Equality Scheme**

4.5 Screening is completed at the earliest opportunity in the policy development/review process. Policies which the Department proposes to adopt will be subject to screening prior to implementation. For more detailed strategies or policies that are to be put in place through a series of stages, the Department will screen at appropriate stages during implementation.

4.10 If the Department's screening concludes that the likely impact of a policy is 'minor' in respect of one, or more, of the equality of opportunity and/or good relations categories, the Department may on occasion decide to proceed with an equality impact assessment, depending on the policy. If an equality impact assessment is not to be conducted the Department will nonetheless consider measures that might mitigate the policy impact as well as alternative policies that might better achieve the promotion of equality of opportunity and/or good relations. Where the Department mitigates it will outline in the screening template the reasons to support this decision together with the proposed changes, amendments or alternative policy. This screening decision will be 'signed off' by the appropriate policy lead within the Department.

4.11 If the screening concludes that the likely impact of a policy is 'major' in respect of one, or more, of the equality of opportunity and/or good relations categories, the Department will normally subject the policy to an equality impact assessment. This screening decision will be 'signed off' by the appropriate policy lead within the Department.

4.12 If the screening concludes that the likely impact of a policy is 'none', in respect of all of the equality of opportunity and/or good relations categories, the Department may decide to screen the policy out. If a policy is 'screened out' as having no relevance to equality of opportunity or good relations, the Department will give details of the reasons for the decision taken. This screening decision will be 'signed off' by the appropriate policy lead within the Department".

DSD Folder Name: Covering Letter, Narrative Report, Annexes 1-6
Covering letter from DSD to ECNI Chief Executive
Narrative Report to the Equality Commission: Regarding the Housing Strategy Action Plan
Annex 1 – SDLP Response to the Housing Strategy Consultation
Annex 2 – Sinn Fein Response to the Housing Strategy Consultation
Facing the Future: Housing Strategy for Northern Ireland
Facing the Future: Housing Strategy for Northern Ireland Action Plan 2012 – 2017
Policy Screening Form - Facing the Future: Housing Strategy for Northern Ireland
Policy Screening Form – Review the statutory Fitness Standard across all tenures
Policy Screening Form – Review private rented sector regulation
Policy Screening Form – Improve the Regulation of Houses in Multiple Occupation
V Harmonise standards for social housing construction with those used for private housing development
Policy Screening Form – Introduce a Developer Contribution Scheme
Policy Screening Form – Explore potential for funding social housing by enabling a wider range of bodies to register as Housing Associations
Policy Screening Form – Increase the supply of affordable housing by developing and launching a scheme to deliver Affordable Homes
Policy Screening Form – Develop innovative solutions for improving the worst Northern Ireland Housing Executive stock
Policy Screening Form – Establish a Housing Supply forum
Policy Screening Form – The Department for Social Development will develop and implement a new strategic approach to support repair and improvement in private sector housing.
Policy Screening Form – Bring forward proposals to enhance the House Sales Scheme
Policy Screening Form – Review the Warm Homes Scheme and further develop our work on energy efficiency
Policy Screening Form – Work with others to implement the Northern Ireland Housing Executive Homelessness Strategy for Northern Ireland 2012 – 2017
Policy Screening Form – Establish a Working Group that will identify ways of preventing or mitigating the impact of repossessions
Policy Screening Form – Provide a private rented sector access scheme
Policy Screening Form – Lead a fundamental review of social housing allocations policy
Policy Screening Form – consider additional form of social housing tenancy for adapted social dwellings, and require social landlords to develop an accessible housing register and set targets for better use of this stock in the future
Policy Screening Form – Review the Supporting People Programme, including its policy and legislative framework
Policy Screening Form – Gather information on the impact of the housing related changes of Welfare Reform to support the Department’s analysis of the broader impacts of Welfare Reform
Policy Screening Form – Develop criteria for access to passported benefits under Universal Credit
Policy Screening Form – Work with Northern Ireland Housing Executive to provide support for the development of additional housing advice for those

affected by Welfare Reform
Policy Screening Form – Work with social housing landlords to support tenants impacted by Welfare Reform
Policy Screening Form – Increase the availability of smaller social housing units
Policy Screening Form – Take forward an Empty Homes Strategy and implement an action plan
Policy Screening Form – Working with NIHE, Pilot a housing-led approach to regeneration in four areas
Policy Screening Form – Review Living Over the Shops as a part of a broader package of town and city centre regeneration
Policy Screening Form – further develop social clauses in contracts for new house building
Policy Screening Form – to work with Registered Housing Associations and others, including the Department of Employment and Learning to investigate opportunities for generating employment and training opportunities
Policy Screening Form – Develop a shared community programme
Policy Screening Form – Further develop the policy framework on tackling anti-social behaviour (ASB) in social housing and proposals for a new ‘notice of seeking possession’ including an ASB warning
Policy Screening Form – Support business improvement in the social housing sector for the benefit of tenants and taxpayers
Policy Screening Form – Transfer agreed responsibility for: regulation of Houses in Multiple Occupation and the Statutory Housing Fitness Standard to district councils as part of the programme of local government reform
Policy Screening Form – Social Housing Reform Programme

DSD Folder Name: Additional Evidence: Housing Strategy Proposals DS1-12-2154
List of files in Housing Strategy Container (DS1-12-2154) by date created, most recent first
Draft Northern Ireland Housing Strategy 2012-17
Presentation Notes – Housing Strategy Drafting – Northern Ireland Housing Council, Cookstown
Email from Stephen Martin to Heloise Brown attaching first draft of Housing Strategy
Minutes of DSD Housing Senior Management Team Meeting at which Draft Housing Strategy considered
Addressing the housing impacts of welfare reform proposals
Discussion Paper for meeting with NIHE officers on draft housing strategy
Note of meeting between Housing Division and NIHE
Draft Housing Strategy – draft 2 for Senior DSD staff and special adviser
Email from Stephen Martin to Heloise Brown attaching draft housing strategy and highlighting further areas of work
DSD internal email exchange – input for Top of the Office briefing to Social Development Committee
Presentation Notes – Housing Strategy Update for DMB
DSD internal email exchange – seeking review and comment on revised draft of housing strategy
Draft Housing Strategy – version 3
Minutes of SMT
Letter from Permanent Secretary seeking comments on draft housing strategy
Email from DFP Permanent Secretary's Office – Response to draft strategy
Email from DETI Permanent Secretary's Office – Response to draft strategy
Letter from DCAL Permanent Secretary – response to draft strategy
Letter from DoJ – response to draft strategy
Email from DENI – response to draft strategy
Letter from DRD Permanent Secretary – response to draft strategy
Letter from Head of the Civil Service – response to draft strategy
Letter from DHSSPS – response to draft strategy
Letter from DELNI Permanent Secretary – response to draft strategy
DSD internal email and Letter to Executive Colleagues from Nelson McCausland – consultation on draft housing strategy
Notes on SMT meeting
DSD internal email exchange and attached presentation to SMT
Comments on housing strategy arising from meeting with private Rented Sector Tenant's Group – Housing Rights Service
Briefing of Minister – revised oral statement
Housing Strategy Summary of Consultation Responses
DSD internal email from Karen Mills, Housing Director's Office to Heloise Brown re number of consultation documents issued & list of attendees at Belfast and Derry Consultation events held on 7 & 14 November 2012 respectively.
Summary of consultation responses detailing issues raised and Departmental response
DSD internal emails and letter to Committee for Social Development re scheduled briefing to the Committee

Departmental Comments briefing to Minister
Briefing – Ministerial colleagues’ letter
Briefings – Minister’s oral statement to the Assembly
Briefing – meeting with Chair of Social Development Committee
Letter from Director, Housing Division to Minister re finalising the draft Strategy for Executive endorsement in advance of public consultation
PowerPoint Presentation on Housing Strategy Consultation Responses and Way Forward for SMT
Summary of Consultation responses
Summary of Responses to Housing Division Grade 7s
Action Plan Briefings – submission to Minister on Housing Strategy consultation Responses Summary, for SDC Presentation
Action Plan Briefings – Liaison with Committee – Briefing on Housing Strategy Consultation Responses for Presentation on 28 Feb 2013
Action Plan Briefings – Liaison with Committee – Director’s speaking notes for SDC
Action Plan Briefings – Liaison with Committee – SDC intention to consult further – Letter to DALO
Action Plan Briefings – submissions to Minister – Final Revised to Private Office – for briefing to DSO
Action Plan Briefings – Liaison with Committee – final Deputy Director’s speaking notes – SDC
Action Plan Briefings – Submissions to Minister – response to Committee queries on the draft Housing Strategy Action Plan at presentation of 9 May 2013
Action Plan Briefings – Liaison with Committee – Hansard of Briefing
Action Plan Briefings – Liaison with Committee – Committee comments and queries in response to the draft Housing Strategy Action Plan
Action Plan Briefings – Submissions to Minister
Action Plan Briefings – Liaison with Committee – letter to Committee Clerk – Departmental response to Committee Queries on Housing Strategy Action Plan
Action Plan Briefings – Submissions to Minister – publication of Action Plan and Consultation Summary

DSD Folder Name: Additional Evidence: Directors Office Development of Housing Strategy: DS1-09-5018
Initial skeleton draft 'Facing the Future: a Homes and Communities Strategy for Northern Ireland
Draft 2 'Facing the Future: a Homes and Communities Strategy for Northern Ireland 2011 – 2016
Correspondence containing Draft 2 'Facing the Future: a Homes and Communities Strategy for Northern Ireland 2011 – 2016; and A High Level paper for drafting the Homes and Communities Strategy Reference to some revisions made following DUP Manifesto.
Ministerial submission inviting Minister to roundtable discussion on potential Homes and Communities Strategy for Northern Ireland
Discussion paper version 2 entitled 'Potential Homes and Communities Strategy'
Housing strategy Discussion paper for Ministerial meeting 22 November 2011
Ministerial submission including discussion paper ahead of meeting on 22 November 2011 – 4 documents
Correspondence including working version of Draft Housing Strategy revised following Minister's comments
Correspondence showing Minister's agreement to update of Housing Strategy
Summary of feedback of partner views to Cross Whitehall Group
Correspondence and presentation to Northern Ireland Housing Council
Correspondence with Chartered Institute of Housing in Northern Ireland
Correspondence from CIH to DSD
Joseph Rowntree Foundation Report "Improving housing outcomes for young people: practical ideas"

DSD Folder Name: Additional Evidence: Directors Office Development of Housing Strategy: DS1-09-5018
Facing the Future: Housing Strategy for Northern Ireland 2012 – 2017. Summary of Responses to Consultation
Table highlighting which consultees referred to equality in their response
Consultation Response – DHSSPS
Letter from Central Management Branch to DSD Housing Division
Letter from Northern Ireland Ombudsman
Consultation Response – Alliance Party
Consultation Response – Antrim Council
Consultation Response – Ards Borough Council
Consultation Response – Ark Housing Association
Consultation Response – Belfast City Council
Consultation Response – Belfast Metropolitan Residents Group
Consultation Response – Bryon Energy
Consultation Response – CBI
Consultation Response – Centre for Ageing Research and Development in Ireland
Consultation Response – CIH Housing Investment Think Tank
Consultation Response – Chief Environmental Health Officers Group
Consultation Response – Children’s Law Centre
Consultation Response – Citizens Advice
Consultation Response – Clanmil Housing Association
Consultation Response – Construction Employers Federation
Consultation Response – Chartered Institute of Housing
Consultation Response – Council for the Homeless NI
Consultation Response – Council of Mortgage Lenders
Consultation Response – Coleraine Borough Council
Consultation Response – College of Occupational Therapists
Consultation Response – COPNI
Consultation Response – Community Relations Council
Consultation Response – Northern Ireland Regional Council of the Co-operative Party
Consultation Response – Disability Action
Consultation Response – NIHE Disability forum
Consultation Response – Disability social Care Forum
Consultation Response – Dungannon & South Tyrone Borough Council
Consultation Response – SDLP Mark H Durkan MLA
Consultation Response – ECNI
Consultation Response – Federation of Master Builders
Consultation Response – Flax Housing Association
Consultation Response – Fold Housing Association
Consultation Response – Forum for Alternative Belfast
Consultation Response – Greater Belfast Senior Citizens Forum
Consultation Response – Green Future NI Ltd
Consultation Response – Helm Housing Ltd
Consultation Response – Housing Council
Consultation Response – Housing Rights Service

Consultation Response – Labour Party in Northern Ireland
Consultation Response – Lagan Homes
Consultation Response – Landlords Association for Northern Ireland
Consultation Response – Law Centre Northern Ireland
Consultation Response – Lisburn City Council
Consultation Response – Lower Oldpark Community Association
Consultation Response – WJ Law & Co LLP
Consultation Response – Mencap
Consultation Response – Ministerial advisory Group for Architecture and the Built Environment for Northern Ireland
Consultation Response – National Energy Action Northern Ireland
Consultation Response – NHBC
Consultation Response – NIACRO
Consultation Response – NICEM
Consultation Response – NI Co-Ownership Housing Association
Consultation Response – Northern Ireland Federation of Housing Associations
Consultation Response – Northern Ireland Housing Executive
Consultation Response – Northern Ireland Local Government Association
Consultation Response – NI Private Rented Sector Tenants’ Forum
Consultation Response – NIPSA
Consultation Response – Oaklee Homes Group
Consultation Response – Open Communities
Consultation Response – Participation and the Practice of Rights
Consultation Response – PlayBoard NI
Consultation Response – PricewaterhouseCoopers Ltd
Consultation Response – Praxis Care
Consultation Response – Probation Board for Northern Ireland
Consultation Response – Quarry Products Association
Consultation Response – The Royal Institution of Chartered Surveyors
Consultation Response – Royal Town Planning Institute (NI)
Consultation Response – Rural Community Network
Consultation Response – Save the Children
Consultation Response – Association of Chief Police Officers
Consultation Response – Simon community Northern Ireland
Consultation Response – Strategic Planning
Consultation Response – Supporting Communities NI
Consultation Response – Triangle Housing Association
Consultation Response – UNISON
Consultation Response – University of Ulster School of Built Environment
Consultation Response – Verner Contracts Ltd
Consultation Response – South Belfast Partnership Board
Consultation Response – West Belfast Partnership
Consultation Response – Women’s Aid Federation Northern Ireland
Consultation Response – Patient and Client Council
Email – Winifred Collins (appears to be an individual living in the Newry area)
Email – Tom Cowan (individual)
Consultation Response – A Dunwoody (individual)
Email exchange internally as a result of an email from Theresa Early providing

information about low-impact living initiative –
Consultation Response – Kerri McCrossan Housing Management Year 2 student
Consultation Response – James McCullagh, Housing Management, Placement Year, NIHE
Consultation Response – Laurence Moffatt
Consultation Response – Christopher Williamson

Appendix 4

Action Plan Policies Screened

Action Plan Theme and Point	Name of Policy
	Facing the Future: Housing Strategy for Northern Ireland
Theme 1, Action Point 3	Improve the Regulation of Houses in Multiple Occupation
Theme 1, Action Point 5	Ensuring access to decent, affordable, sustainable homes across all tenures
Theme 1, Action Point	Affordable Homes Loan Fund/Affordable Housing
Theme 1, Action Point 8	Develop innovative solutions for improving the worst Northern Ireland Housing Executive stock
Theme 1, Action Point 10	Develop and implement a new strategic approach to support repair and improvement in private sector housing. (Policy 1 Review of support for repair and improvement in the private housing sector)
Theme 1, Action Point 10 (Policy 2)	Review of support for repair and improvement in the private housing sector: Loans Pilot Scheme
Theme 1, Action Point 12	Review the Warm Homes Scheme and further develop our work on energy efficiency <ul style="list-style-type: none"> a) The Boiler Replacement Scheme b) Improving energy efficiency in low income

	private sector households
Theme 2: Action Point 13	Work with others to implement the NIHE Homelessness Strategy for Northern Ireland 2012-2017
Theme 2: Action Point 15	Provide a private rented sector access scheme
Theme 2: Action Point 17	Consider additional form of social housing tenancy for adapted social dwellings, and require social landlords to develop an accessible housing register and set targets for better use of this stock in the future.
Theme 4, Action Point 24	Housing (Amendment) Bill: Information Sharing Clause – Empty Homes
Theme 4, Action Point 25	Building Successful Communities Pilots (Screening in progress)
Theme 4, Action Point 26.	Review Living over the Shops (LOTS) as part of a broader package of town and city centre regeneration
Theme 4, Action Point 29	Develop a shared community programme (The Establishment of a Belfast City Centre Waiting List – screened by Northern Ireland Housing Executive April 2010)
Theme 4; Action Point 30	Housing (Amendment) Bill: injunctions (powers of exclusion and arrest)
Theme 4; Action Point 30	Housing (Amendment) Bill: information sharing (anti-social behaviour)

Theme 4; Action Point 30	Housing (Anti-social Behaviour) Bill
Theme 4; Action Point 30	The Secure Tenancies (Notice) Regulations (Northern Ireland) 2014
Theme 5; Action Point 32	Transfer agreed responsibility for: regulation of Houses in Multiple Occupation and the Statutory Housing Fitness Standard to district councils as part of the programme of local government reform
Theme 5, Action Point 33	Social Housing Reform Programme: Proposed Structural and Policy Framework: Overall Programme
Theme 5, Action Point 33	Social Housing Reform Programme: Proposed Structural and Policy Framework: Tenant Participation Strategy Consultation document
Theme 5, Action Point 33	Proposal for a New Regulatory Framework for Social Housing Providers in Northern Ireland