

Response to Consultation Document: Policy Review of Warm Homes Scheme

Issued by Department of Social Development

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Introduction

Housing Rights Service was established in 1964 and is the leading provider of independent specialist housing advice services in Northern Ireland. We believe everyone has the right to a decent safe affordable home. Our services include:

- Providing a housing advice line
- Undertaking advocacy and legal representation o behalf of people with housing problems
- Providing online advice through our award winning website www.housingadviceNI.org and an email advice service
- Providing a specialist housing advice service within the prisons
- Delivering a skills and knowledge based training programme
- Producing information resources materials
- Supporting (In partnership with Citizens Advice and AdviceNI) generalist advice agencies to deliver high quality housing in their local communities
- Providing client based commitment to influence the development of relevant public policy and legislation

Overall, we work to achieve positive change by protecting and promoting the rights of people who are in housing need in Northern Ireland. Our policy work is based on the experience of our clients and our work actively supports current government policy commitments in the broader areas of:

- Tackling Poverty and Promoting Social Inclusion
- Promoting Access to Social Justice
- Preventing Homelessness and Meeting Housing Need
- Promoting Equality and Better Relations
- Working in Partnership with the Voluntary Sector

Core services are funded by the Housing Division of the Department of Social Development.

General Comments

Human Rights and Equality

Housing Rights Service welcomes the publication of the policy review on the Warm Homes Scheme by DSD which will go some way to eliminating fuel poverty. We believe everyone has the right to live in a warm home and that the policy should identify the relevant sources of these principles in Human Rights Law. The relevant provision for this Scheme is Article 11 (1) of the International Covenant of Economic Social and

Cultural Rights (ICESCR) which "...recognises the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing and to the continuous improvement of living conditions."¹ Housing Rights Service believes that although the ICESCR Treaty has been signed and ratified by the UK Government², devolved institutions should endeavour where possible, to assist the UK Government comply with its obligations under International Human Rights Law. We believe that the Department of Social Development, along with other Departments in the devolved institutions, should treat fuel poverty as a Human Rights issue and should encourage the highest possible human rights standards in the discharge of its functions and refer to specific relevant Human Rights provisions in policy documents.

Housing Rights Service notes the decision of the Department not to conduct an Equality Impact Assessment (EQIA) following an initial screening exercise. We would ask the Department to provide the information on which the decision was based not to conduct an EQIA.

Private Rented Sector

Housing Rights Service wishes to highlight concerns about the relationship between fuel poverty and persons living in the private rented sector (PRS). In 2006, the Northern Ireland Housing Executive indicated that 44% of households in the Private Rented Sector were in fuel poverty (in comparison to 34% overall) "reflecting the characteristics of the stock and the concentration of low income households in the sector."³

We would remind DSD that fitness standards in the PRS do not cover thermal comfort. Statutory fitness standards in relation to heating is set out in the Housing (NI) Order 1981 as amended by the Housing (NI) 1992 and states that a house is fit for human habitation if it has adequate provision for heating.⁴ In effect, a house will meet fitness standards if there is provision of a socket for an electrical fire. Housing Rights Service believes that the Department should direct resources to tackle fuel poverty in the PRS such as requiring Landlords to install central heating; however we recognise that this Scheme may not be the appropriate policy area to address these issues. We would therefore urge the Department to undertake to consider this issue in its forthcoming Strategy on the Private Rented Sector in April 2009 and to take a joined up approach concerning the forthcoming Private Rented Sector Strategy and the Warm Homes Scheme.

¹ The text of the Treaty can be found at the following link:

http://www.unhchr.ch/html/menu3/b/a_ceschr.htm

² The UK Government signed and ratified the Treaty in 1976.

³ Northern Ireland Housing Executive "Northern Ireland Housing Market Review and Perspectives, 2008-2011." Pg 78.

⁴ Housing (NI) Order 1981, ART 46(1)(d)

Eligibility Criteria

Housing Rights Service appreciates the Northern Ireland Audit Office's view that as Disability Living Allowance (DLA) is not means tested, it may not alone be a reliable indicator of fuel poverty. However, we would like to remind the DSD that people in receipt of disability benefits normally have serious mobility problems and often spend a significant amount of time housebound leading to higher fuel costs. It is indicated on page 7 of the document that "Applicants in receipt of a disability benefit only will qualify for the heating element of the scheme if the Benefit Entitlement Check results in a successful claim to a means tested benefit". We have concerns that this requirement could exclude people from the heating element of the scheme if they do not claim their benefit entitlement. The DSD needs to bear in mind that some households do not want to claim entitlements to social security benefits for a variety of reasons and, in particular, this can be more prevalent amongst older households. We therefore recommend that in cases where an applicant is in receipt of a disability benefit, entitlement to means tested benefit should be a sufficient indication of fuel poverty rather than the outcome of a successful claim.

Specific comments on questions for consideration

Q1 – Do you agree with continuation of the division of the scheme between insulation and heating measures?

Housing Rights Service has no particular views on this issue.

Q2 – Do you agree that the removal of the age restriction on the heating element of the scheme will help better target families with children and lone parents?

Housing Rights Service agrees that the over 60 age restriction should be removed. This will open up the heating element of the scheme to poorer families with children and lone parents. Research has shown that "fuel poverty rates amongst children in Northern Ireland are more than twice the UK average."⁵ The effects of fuel poverty on children and young people include respiratory problems, poorer weight gain and nutritional intake and adolescents in particular are at a greater risk of mental health problems.⁶ Research has also

⁵ Liddell C (2008) "The Impact of Fuel Poverty on Children-A Policy Briefing"- Commissioned by Save the Children, Pg 2.

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shown that lone parents also experienced the highest increase of fuel poverty rates between 2004 and 2006.⁷

Q3 – Do you agree that opening the heating element of the scheme to the working fuel poor targets the scheme better at those in most need?

Housing Rights Service agrees with this view. The proposed changes to the Scheme will enable working fuel poor families to access the heating element of the scheme. Research has identified that employment does not eliminate the risk of fuel poverty. For example, the NI Housing Condition Survey 2006 has shown a direct relationship between low income and fuel poverty and figures indicate that 75% of households with an annual of £7000 per annum were in fuel poverty.⁸

Research has also indicated that 17% of families with one or more working full time were in fuel poverty, and 29% of families with one or more working part time were in fuel poverty. In relation to lone parents, research shows that in 2006, 30% of lone parents working full time are in fuel poverty, with 60% lone parents working part time in fuel poverty.⁹

Housing Rights Service notes proposals to provide applicants to the Scheme with a benefits entitlement check. We welcome this proposal, as a report by the Northern Ireland Audit Office in 2008 has identified that estimates for benefits take up of Pension Credits, Income Support and Jobseekers Allowance indicate high level of unclaimed benefits.¹⁰ Housing Rights Service would urge that Benefit Entitlement Checks are dealt with as expeditiously as possible in order to process applications.

Q4 – Do you agree that it is better to remove those measures from the Scheme as indicated so as to make better use of resources?

The document has indicated proposals for the removal of measures such as draught proofing, energy saving light bulbs and repairs and upgrades to heating systems. Housing Rights Service would ideally prefer to see a Strategy that promotes energy efficiency as well as tackling the issue of fuel poverty;

⁷ Ibid.

⁸ Northern Ireland House Condition Survey 2006, Pg 106

http://www.nihe.gov.uk/housing_conditions_survey_2006.pdf

⁹ Liddell C (2008) "The Impact of Fuel Poverty on Children-A Policy Briefing"- Commissioned by Save the Children, Pg 5.

¹⁰ http://www.niauditoffice.gov.uk/pubs/warmhomes/Warm_homes_final.pdf

however we acknowledge the need to make resources available to target a wider number of potential beneficiaries to the Scheme who are in most need.

Q5 – Do you agree that there should be particular attention paid to “hard to treat” properties, particularly in those rural areas?

Housing Rights Service has no objection to attention being paid to “hard to treat” properties, as it has been identified that the use of solar energy has been piloted particularly in rural areas which are some distance from a gas network.¹¹

Q6 – Do you agree that the Department should investigate renewable technologies where appropriate?

The proposals indicate that the Department is currently piloting a number of renewable technologies such as Wood Pellet Boilers, Solar Panels and Photovoltaics. The Department has not provided any information as to the results of these pilots in terms of efficiency and cost effectiveness within the document, therefore it is difficult for Housing Rights Service to comment. Given the urgent need to tackle the problem of fuel poverty as Winter is already upon us, there may be a danger that this more long term ambition may detract from the need to tackle the present crisis. Housing Rights Service would therefore ask the Department for clarification on the policy objective behind this proposal and would ask the question whether it is best placed within this Scheme.

Q7 – Do you agree that it is fair to target resources at applicants who are in receipt of an income related benefit or working tax credit?

We agree with this proposal, as receipt of such benefits is a good potential indicator of fuel poverty.

For further information contact:

Fiona O’Connell-Policy Officer (Financial Inclusion)

Tel: 028267920 (direct) email fionao@housingrights.org.uk

Or Nicola McCrudden – Policy and Communications Manager

Tel: 028 90267919 (direct) email nicola@housingrights.org.uk

¹¹ http://www.niauditoffice.gov.uk/pubs/warmhomes/Warm_homes_final.pdf