

Impact Assessments

Tenant Participation Strategy

Consultation document

Section 75 Policy Screening Form

September 2014

Section 75 Policy Screening Form

Part 1: Policy Scoping

The first stage of the screening process involves scoping the policy or policy area. The purpose of policy scoping is to help prepare the background and context and set out the aims and objectives for the policy being screened. At this stage, scoping the policy will help identify potential constraints as well as opportunities and will help the policy maker work through the screening process on a step by step basis.

You should remember that the Section 75 statutory duties apply to internal policies (relating to people who work for the authority), as well as external policies (relating to those who are, or could be, served by the authority).

Information about the policy

Name of the policy or policy area:

DSD Housing Division, Social Housing Reform Programme (SHRP)
Tenant Participation Strategy Consultation document
September 2014

Is this an existing, revised or a new policy/policy area?

Existing	Revised	New
		New

Brief Description

Housing is a universal need and plays a significant role in shaping our lives and our communities. The DSD Minister's vision for housing is that "everyone must have the opportunity to access good quality housing at a reasonable cost". There have been a number of reports which discuss potential for change in the structure for the delivery and management of social housing in NI. The emerging common themes from these reports included the need to:-

- separate the landlord function, to some degree, from the strategic function, potentially transferring stock to another body or other bodies;
- explore innovative ways of sourcing funding to complement that available from the public purse and support both maintenance and build in social housing;
- review rents to ensure they remain affordable to tenants and landlords; and
- **secure greater tenant involvement with social landlords.**

It is against this context that the *Social Housing Reform Programme (SHRP)* was established to explore the potential for reform of social housing structures in Northern Ireland. The areas identified for analysis were:

- regional housing functions;
- NIHE landlord functions;
- Rent;
- Regulation and inspection;
- Departmental functions; and
- **Engagement (Tenant and Local Government)**

DSD would like to consult the citizens of NI on the role tenants can play in shaping the services they receive from social landlords. This consultation document explores two key areas, tenant participation and tenant empowerment.

What is it trying to achieve? (intended aims and outcomes)

In conjunction with other projects within the SHRP, one of the aims for the Policy project is to develop a Tenant Participation Strategy for Northern Ireland. This strategy will set out ways in which the Department for Social Development (DSD) and its partners will develop quality tenant participation services across Northern Ireland and will provide guidance to support the development of landlords and their respective Tenant Participation Strategies. The strategy will further look to introduce tenant empowerment initiatives. 'Empowerment' can be described as advancing on the 'participation' options as it gives tenants rights or opportunities to take more control. The proposals within this consultation document will apply to all social housing landlords in Northern Ireland but not landlords in the private sector.

The proposals are designed to promote respect, equity and trust between the Housing provider and their tenants and not to be detrimental but rather build and develop the relationship they already have.

Are there any Section 75 categories which might be expected to benefit from the intended policy?

YES	NO	N/A
Yes		

If YES, explain how.

The consultation document outlines how the proposed Tenant Participation Strategy will set out ways in which DSD and its partners will develop quality tenant participation services across Northern Ireland. It also outlines how guidance will be provided to support the development of landlords and their respective Tenant Participation Strategies. It further looks to introduce tenant empowerment initiatives. 'Empowerment' can be described as advancing on the 'participation' options as it gives tenants rights or opportunities to take more control. Primarily it is broken down into three areas;

1. The Right to Manage - is when local authority tenants (in the case for Northern Ireland this would be the Northern Ireland Housing Executive) form themselves into a Tenant Management Organisation (TMO). Tenants can take over the landlord's responsibility for managing housing services such as repairs, caretaking, rent collection and security.
2. The Right to Transfer - is when local authority tenants come together as a group to request the transfer of ownership and management of their homes from that local authority to another registered housing provider.
3. Community Cashback Scheme - Tenants or other residents using management and maintenance services from a social landlord can agree with their landlord to provide part of the service. The landlord pays the residents' group what it would otherwise cost to run the service through staff or contractors. If residents make savings they can keep these to use for community purposes

Not all tenants have the same needs, there are tenants with disabilities, literacy problems, or who are members of ethnic groups. Consideration has been factored into the proposals to ensure there are no exclusions and that the rights of everyone have been taken into account.

In light of the above it is envisaged that the consultation document, that proposes the introduction of a Department led Tenant Participation Strategy and also looks to introduce tenant empowerment initiatives, when developed will have a positive impact on all Section 75 categories.

Who initiated or wrote the policy?

Subject to approval of this consultation document the Department for Social Development will have responsibility for writing the Tenant participation strategy. The actual development and drafting will be undertaken by the Policy project, as part of the Social Housing Reform Programme.

Who owns and who implements each element of the policy?

The Department for Social Development will own the strategy, which will be supported by regulation. The actual development, drafting and implementation will continue to be undertaken by the Policy Project, as part of the Social Housing Reform Programme. At a later stage the strategy will be subsumed into 'Business as Usual' within the parameters of DSD Housing Division.

Implementation factors

Are there any factors which could contribute to/detract from the intended aim/outcome of the policy/decision?

YES	NO	N/A
Yes		

If YES, are they

Financial: YES (If YES, please detail)

At this stage of the proposals there are no costs forecast for the Department. The strategy will be developed within the parameters of the SHRP and once established will be maintained under 'Business as Usual' within DSD Housing Division. Research and analysis has shown that there are excellent examples in Northern Ireland of Tenant Participation strategies amongst Housing providers but little evidence of empowerment opportunities as previously described. Although this is inconsistent between Social Landlords there is an assumption that the work required to bring an individual Housing provider up to the required standards that will be proposed within the Tenant Participation Strategy, if not already there, should not be cost prohibitive. Although this may impact on their resources initially it would be a standard expectation for Housing providers to provide these services. At this stage this cost cannot be quantified. However if the proposed Empowerment initiatives and the proposed target areas within the action plan of the strategy are to be realised there will need to be a re-evaluation of this current analysis. Depending on how matters evolve or what initiatives are introduced funding will need to be sourced and this may or may not be from the public purse. Only at the stage of identifying the desired initiatives could proposed expenditure be assessed and evaluated. It would only be then that costs and/ or potential savings to the public purse could be identified.

Legislative: Y / N (~~If YES, please detail~~)

Subject to approval of this consultation document it is proposed that the Tenant Participation Strategy will be subject to controls contained within the Regulatory Framework for Registered Housing Associations within Northern Ireland and thereafter the Housing Association Guide. The regulatory standards are non statutory and can be changed without amending legislation.

Tenant Empowerment initiatives however, primarily the ***Right to Manage*** and the ***Right to transfer***, are a statutory right in England and Wales. Other initiatives such as community cash-back are contractual in nature. In Scotland and Northern Ireland the focus is on tenant involvement or participation, with a specific drive to incorporate tenant scrutiny within the sector. Subject to approval of the proposed tenant empowerment initiatives the Department will need to introduce legislation where appropriate and potentially provide the tools and training to support the housing sector in order to make any proposed initiatives a success. This will have timing and cost impact which can only be quantified when initiatives are identified.

Other, please specify:

There may be challenges on the proposals contained within the Tenant Participation Strategy and the proposed Empowerment initiatives at consultation stage. This could be from Housing providers / key stakeholders or the Social Development Committee (list not exhaustive). This could take time and investment to explore contrasting views and reach overall consensus. Ultimately the agreement of the Northern Ireland Executive is necessary in order to see this proposed strategy through to a conclusion.

Main stakeholders affected

Who are the internal and external stakeholders (actual or potential) that the policy will impact upon?

Staff:

The proposed introduction of this policy may have an impact on the number and skills of staff required for its implementation, maintenance and monitoring in the future, both in the Department for Social Development and across Social Housing providers. The impact on staff cannot be determined as yet.

Service users:

End users, the tenants, will be the benefactors.

Other public sector organisations:

NIHE, Housing Associations, Departments with interdependencies, and in some case Voluntary and Community organisations will be the service deliverers.

Voluntary/community/trade unions:

Voluntary & Community Sector organisations, including Section 75 consultees, will be indirectly impacted, probably from an information and advice perspective and from responding to any consultation request on behalf of their stakeholders. Trade unions would again be asked to comment on the consultation document

Other, please specify:

Social Housing providers will need to either enhance their current, or introduce a new Tenant Participation strategy for their association, along with proposed Empowerment initiatives. Although this may impact on their resources initially, be that financial, human or logistical, it is a standard expectation that Housing providers provide this service.

Other policies with a bearing on this policy

What are they and who owns them?

- Tenant Guarantee (DOE/DSD)
- As per current DSD Policy evaluation register no further policies would appear to be impacted.
- Empowerment funding and training programmes in England & Wales (Not policies)

Available evidence

Evidence to help inform the screening process may take many forms. Public authorities should ensure that their screening decision is informed by relevant data.

What evidence/information (both qualitative and quantitative) have you gathered to inform this policy? Specify details for relevant Section 75 categories.

Section 75 Category	Details of Evidence/Information															
All categories	<p>Data, both quantitative and qualitative, has been sourced and gathered through desktop research carried out by the department. Workshops took place where issues ranging from identifying the type of tenant participation services required, and how the Department and its partners would develop these, were discussed. Stakeholder feedback through various communication channels was also gathered and engagement meetings held with Housing providers. Although there is evidence of tenant/housing provider engagement already taking place, the general consensus of tenants is that not enough is being done. Tenants believe that more could be done to ensure the tenant voice is listened to, that engagement is meaningful, and that the engagement delivers real benefits for both tenant and landlord. Tenants who are already active within the community and resident groups have expressed a desire to go further, and take a more strategic role such as tenant advisors or tenant board members. Others indicated that more could be done to encourage and improve the confidence and skills of tenants so they feel able to get involved. An ongoing survey, based at this time on 54% of all Social Landlords within Northern Ireland, returned the following answers to 4 questions;</p> <table border="1" data-bbox="288 1272 1406 1503"> <thead> <tr> <th data-bbox="288 1272 1158 1312">Question to Social Landlord</th> <th data-bbox="1158 1272 1289 1312">Yes</th> <th data-bbox="1289 1272 1406 1312">No</th> </tr> </thead> <tbody> <tr> <td data-bbox="288 1312 1158 1352">Do you have a Tenant Participation Strategy</td> <td data-bbox="1158 1312 1289 1352">50%</td> <td data-bbox="1289 1312 1406 1352">50%</td> </tr> <tr> <td data-bbox="288 1352 1158 1393">Do your tenant views shape future priorities</td> <td data-bbox="1158 1352 1289 1393">57%</td> <td data-bbox="1289 1352 1406 1393">43%</td> </tr> <tr> <td data-bbox="288 1393 1158 1464">Do your tenant views shape objectives for the Associations business plan?</td> <td data-bbox="1158 1393 1289 1464">57%</td> <td data-bbox="1289 1393 1406 1464">43%</td> </tr> <tr> <td data-bbox="288 1464 1158 1503">Do you have any tenant scrutiny panels or working groups</td> <td data-bbox="1158 1464 1289 1503">50%</td> <td data-bbox="1289 1464 1406 1503">50%</td> </tr> </tbody> </table> <p>Based on this sample there are issues that when looked at from a broad perspective impact on all tenants and by default those within the Section 75 categories, based on the fact that one is reflective of the other (tenants are represented in all sections of the community). Evidence demonstrates that the best way of ensuring effective and consistent tenant participation is through Government led strategies and supporting regulation, hence the reason for the development of this Department led Tenant Participation Strategy for Northern Ireland. This proposed strategy will ensure consistency and fairness and equality for all with standards built in to ensure Social Landlords comply with Section 75 legislation and accordingly address any shortcomings. The same principle applies to the proposed Tenant Empowerment initiatives. They are not designed to differentiate or discriminate against any section of the community. They will embrace all parties for the greater good and give them</p>	Question to Social Landlord	Yes	No	Do you have a Tenant Participation Strategy	50%	50%	Do your tenant views shape future priorities	57%	43%	Do your tenant views shape objectives for the Associations business plan?	57%	43%	Do you have any tenant scrutiny panels or working groups	50%	50%
Question to Social Landlord	Yes	No														
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all the same opportunity to become involved in any proposals, similar to the objectives of the proposed tenant participation initiatives.

Needs, experiences and priorities

Taking into account the information referred to above, what are the different needs, experiences and priorities of each of the following categories, in relation to the particular policy/decision? Specify details for each of the Section 75 categories

Section 75 Category	Details of Needs/Experiences/Priorities
All categories	<p>Tenants are representative of all of the Section 75 categories and as such there will be tenants with different needs, experiences and priorities, for example there may be tenants with a disability or those with a difficulty understanding the English Language. However, there is a range of mechanisms already operating throughout Northern Ireland that recognise and deal with the diverse nature of tenants needs. Some of these range from the provision of translation and interpretative services to assist people whose first language is not English to Resident Community Assistants, employed by the Social Housing provider, living on site and helping all tenants, particularly those who may be vulnerable. Other measures include signposting services for those who need community assistance and advice and adaptations being carried out on properties where people with limited mobility reside. These and other mechanisms such as communal areas help to provide activities and to involve tenants at the level that they feel comfortable with, and encourage them to give their views on the services provided by the landlord. Many tenants bring very positive experiences of how their landlords involve them as individuals and within resident groups in identifying the needs of the community they live in and in the services they provide, irrespective of any issues they may have as individuals. Everyone has their own individual story as to how they may have been treated in the past or how they feel services could be improved. For example some tenants relayed experiences of poor maintenance repairs and then lack of interest thereafter from their landlords when it came to addressing their complaints. Others spoke about not being given an opportunity to become involved in the decision making process on matters that affected their tenancies (e.g. planned maintenance contracts, rent increases, new scheme developments). The priority has been to provide a support mechanism to address any past shortcomings. This proposed strategy fully addresses and highlights to the Social Landlords the responsibilities they have under Section 75. The strategy provides consistency across the Social Housing sector, thus ensuring commonality between all Housing providers so that the services provided are the same for all. The same principle will apply to the proposed Tenant Empowerment initiatives. The</p>

	<p>proposed initiatives are not designed to differentiate or discriminate against any section of the community. They will embrace all parties for the greater good and give them all the same opportunity to become involved, influence and shape the direction of any proposals.</p>
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Part 2: Screening Questions

Introduction

1. If the conclusion is **none** in respect of all of the Section 75 categories, then you may decide to screen the policy **out**. If a policy is 'screened out' you should give details of the reasons for the decision taken.
2. If the conclusion is **major** in respect of one or more of the Section 75 categories, then consideration should be given to subjecting the policy to an EQIA.
3. If the conclusion is **minor** in respect of one or more of the Section 75 categories, then consideration should **still** be given to proceeding with an EQIA, or to measures to mitigate the adverse impact; or an alternative policy.

In favour of a 'major' impact

- a) The policy is significant in terms of its strategic importance;
- b) Potential equality impacts are unknown, because, for example, there is insufficient data upon which to make an assessment or because they are complex, and hence it would be appropriate to conduct an EQIA;
- c) Potential equality and/or good relations impacts are likely to be adverse or are likely to be experienced disproportionately by groups of people including those who are marginalised or disadvantaged;
- d) Further assessment offers a valuable way to examine the evidence and develop recommendations in respect of a policy about which there are concerns among affected individuals and representative groups, for example in respect of multiple identities;
- e) The policy is likely to be challenged by way of judicial review;
- f) The policy is significant in terms of expenditure.

In favour of 'minor' impact

- a) The policy is not unlawfully discriminatory and any residual potential impacts on people are judged to be negligible;
- b) The policy, or certain proposals within it, are potentially unlawfully discriminatory, but this possibility can readily and easily be eliminated by making appropriate changes to the policy or by adopting appropriate mitigating measures;
- c) Any asymmetrical equality impacts caused by the policy are intentional because they are specifically designed to promote equality of opportunity for particular groups of disadvantaged people;
- d) By amending the policy there are better opportunities to better promote equality of opportunity and/or good relations.

In favour of none

- a) The policy has no relevance to equality of opportunity or good relations.
- b) The policy is purely technical in nature and will have no bearing in terms of its likely impact on equality of opportunity or good relations for people within the equality and good relations categories.

Taking into account the earlier evidence, consider and comment on the likely impact on equality of opportunity / good relations for those affected by this policy, by applying the following screening questions and the impact on the group i.e. minor, major or none.

Screening questions

1 What is the likely impact on equality of opportunity for those affected by this policy, for each of the Section 75 grounds? **Minor/Major/None**

Section 75 Category	Details of Policy Impact	Level of Impact? Minor/Major/None
Religious belief	Subject to approval the introduction of a Tenant Participation strategy, and the potential for associated tenant empowerment initiatives, led by and regulated by the Department, is expected to have a positive impact, both for Social Housing providers and social tenants alike. It will provide for consistency, fairness and opportunities for all Social Housing Providers and their tenants to fully engage with each other about decisions and initiatives that will impact on them.	None
Political opinion		
Racial / ethnic group		
Age		
Marital status		
Sexual orientation		
Men and women generally		
Disability		
Dependants		

2 Are there opportunities to better promote equality of opportunity for people within any of the Section 75 categories?		
Section 75 Category	If Yes, provide details	If No, provide reasons
All categories	Long term the expectation would be that the proposed tenant participation and empowerment initiatives will promote equality of opportunity. Although there is no evidence available as yet it is the expectation that there will be a positive impact on all Section 75 categories. The proposals, if approved, will deliver a common and consistent approach as well as opportunity for all social tenants. However the impact can only be measured after a period of time has elapsed and the initiatives have had time to mature, and then only after further monitoring and evaluation.	

3 To what extent is the policy likely to impact on good relations between people of different religious belief, political opinion or racial group? Minor/Major/None		
Good Relations Category	Details of policy impact	Level of impact Minor/Major/None
Religious belief	The desired outcome from this consultation document is to seek approval to develop and publish a Tenant Participation strategy and to explore Empowerment initiatives. The primary aim of both will be to set out ways in which DSD and its partners will develop quality tenant participation and empowerment services for all users as outlined in Section 75 categories. These services/opportunities/mechanisms will encompass all of Northern Ireland and include both Rural and Urban areas. Some of the mechanisms suggested include recommendations for Social landlords to set up tenant working groups and to get tenants involved with decision making for the broader good of the organisation. Key principles are also suggested that include the rights for all	None
Political opinion		
Racial group		

	<p>parties to become involved in the tenant participation and empowerment process. It is not the intention that there will be any detrimental effect on good relations. On this basis there is the potential for the proposed policy and subsequent initiatives to have a very positive impact on not only the relationships between those of a different religious, racial or political belief but all Section 75 categories. The primary aim as previously outlined is to set out ways in which DSD and its partners will develop quality tenant participation and empowerment services for all users. Only when these services have been introduced and given a period of time to bed in and mature would we be able to fully assess their impact.</p>	
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4 Are there opportunities to better promote good relations between people of different religious belief, political opinion or racial group?		
Good relations category	If Yes , provide details	If No , provide reasons
	<p>Once fully implemented and operational it is anticipated that as a result of the implementation of this policy there will be opportunities for people of different religious beliefs, political opinions or racial groups to engage as a group in a formal setting through various communication mechanisms.</p>	

Additional considerations

Multiple identity

Generally speaking, people can fall into more than one Section 75 category. Taking this into consideration, are there any potential impacts of the policy/decision on people with multiple identities?

(For example; disabled minority ethnic people; disabled women; young Protestant men; and young lesbians, gay and bisexual people).

It is not envisaged that these proposals on tenant participation and empowerment will have any adverse impact on people with multiple identity.

Provide details of data on the impact of the policy on people with multiple identities. Specify relevant Section 75 categories concerned.

None

Part 3: Screening Decision

In light of your answers to the previous questions, do you feel that the policy should: (please underline one):

- 1. Not be subject to an EQIA (with no mitigating measures required)
- 2. Not be subject to an EQIA (with mitigating measures /alternative policies)
- 3. Not be subject to an EQIA at this time
- 4. Be subject to an EQIA

If 1. or 2. (i.e. not be subject to an EQIA), please provide details of the reasons why:

As a result of this screening it is anticipated that the proposed Tenant Participation Strategy will have positive impacts on all Section 75 groups. However this decision can and will be reconsidered if any issues are brought to the attention of the Department.

If 2. (i.e. not be subject to an EQIA), in what ways can identified adverse impacts attaching to the policy be mitigated or an alternative policy be introduced?

In light of these revisions, is there a need to re-screen the revised/alternative policy at a future date? YES / NO

If 3. or 4. (i.e. to conduct an EQIA), please provide details of the reasons:

Timetabling and Prioritising EQIA

If 3. or 4., is the policy affected by timetables established by other relevant public authorities? YES / NO

If YES, please provide details:

Please answer the following questions to determine priority for timetabling the EQIA. On a scale of 1-3, with 1 being the lowest priority and 3 being the highest, assess the policy in terms of its priority for EQIA.

Priority criterion	Rating (1-3)
Effect on equality of opportunity and good relations	
Social need	
Effect on people's daily lives	
Relevance to a public authority's functions	

Note: The Total Rating Score should be used to prioritise the policy in rank order with other policies screened in for EQIA. This list of priorities will assist you in timetabling the EQIA. Details of your EQIA timetable should be included in the quarterly Section 75 report.

Proposed date for commencing EQIA: _____

Any further comments on the screening process and any subsequent actions?

Not at this time.

Part 4: Monitoring

Effective monitoring will help identify any future adverse impacts arising from the policy which may lead you to conduct an EQIA, as well as help with future planning and policy development. You should consider the guidance contained in the Commission's Monitoring Guidance for Use by Public Authorities (July 2007). The Commission recommends that where the policy has been amended or an alternative policy introduced, then you should monitor more broadly than for adverse impact (See Benefits, P.9-10, paras 2.13 – 2.20 of the Monitoring Guidance).

Please detail proposed monitoring arrangements below:

The proposed Tenant Participation Strategy and Empowerment initiatives have timeline provisions built into the document in order to regularly review, highlight and update accordingly. Any issues identified will be utilised to further assess the equality impact of these proposals on all Section 75 categories and further screening will be carried out if necessary at this time.

Part 5: Approval and Authorisation

Screened by:	Position/Job Title	Date
Kevin McCarney	SO Policy Project	23 rd September 2014
Approved by:		
Shane Clements	Grade 7 Project Manager	29 th September 2014

Note: A copy of the Screening Template, for each policy screened should be 'signed off' and approved by a senior manager responsible for the policy, made easily accessible on your website as soon as possible following completion and made available on request.

Rural Impact Assessment

September 2014

Policy stage	Tenant Empowerment and Participation Consultation document
<p>Design</p>	<ul style="list-style-type: none"> • Have you identified what the context is for rural? <p>Housing is a universal need and plays a significant role in shaping our lives and our communities. The DSD Minister’s vision for housing is that “everyone must have the opportunity to access good quality housing at a reasonable cost”. There have been a number of reports which discuss potential for change in the structure for the delivery and management of social housing in NI. The emerging common themes from these reports included the need to:-</p> <ul style="list-style-type: none"> • separate the landlord function, to some degree, from the strategic function, potentially transferring stock to another body or other bodies; • explore innovative ways of sourcing funding to complement that available from the public purse and support both maintenance and build in social housing; • review rents to ensure they remain affordable to tenants and landlords; and • <u>secure greater tenant involvement with social landlords.</u> <p>It is against this context that the Social Housing Reform Programme was established to explore the potential for reform of social housing structures in Northern Ireland. The areas identified for analysis were:</p> <ul style="list-style-type: none"> • regional housing functions; • NIHE landlord functions; • Rent; • Regulation and inspection; • Departmental functions; and • <u>Engagement (Tenant and Local Government)</u> <ul style="list-style-type: none"> • Identify what are the policy objectives in terms of problem / outcome. <p>In conjunction with other projects within the SHRP, one of the aims for the Policy project is to develop a Tenant Participation Strategy and associated tenant empowerment initiatives for Northern Ireland. This will set out ways in which the Department for Social Development (DSD) and its partners will develop quality tenant participation services across all of Northern Ireland, both Rural and Urban, and will provide guidance to support the development of landlords and their respective Tenant Participation Strategies. The strategy will further look to explore tenant empowerment initiatives. ‘Empowerment’ can be described as advancing on the ‘participation’ options as it gives tenants rights or opportunities to take more control. The proposals within this consultation document will apply to all social housing landlords in Northern Ireland but not landlords in the private sector</p> <p>The proposed policy will be all encompassing and will positively impact on all Section 75 categories.</p>

	<ul style="list-style-type: none"> • What are the rural specific impacts of the policy- in terms of access, transport requirements, potential delivery mechanisms and economic impacts? <p>This consultation document proposes to deliver effective Tenant participation and empowerment services to everyone in Northern Ireland, both Rural and Urban, and does not set out to disadvantage one against the other. Although the issues highlighted above are not specifically addressed, the proposals do not set out to have any detrimental effect on the areas highlighted. This will be a Department led Strategy which will have a positive impact on all Section 75 categories. Different challenges may be faced by those in a rural environment as opposed to those living in an Urban area but the proposals aim for consistency for everyone and do not discriminate. The primary aim of the proposals is to set out ways in which DSD and its partners will develop quality tenant participation and empowerment services for all users. Only when these services have been introduced and given a period of time to bed in and mature would we be able to fully assess their impact. The proposals are designed to promote respect, equity and trust between the Housing provider and their tenants, both rural and urban, and not to sour their relationship.</p> <ul style="list-style-type: none"> • Are there any potential local impacts different from the regional impact? <p>See above.</p> <ul style="list-style-type: none"> • Have the most likely negative and positive impacts been identified - is there a need for a pre-consultation to inform your design? <p>Full stakeholder engagement has been ongoing and a full consultation process will be undertaken before final sign off. All views have been and will continue to be taken on board and will be considered accordingly.</p> <ul style="list-style-type: none"> • Is there a need for refinements or safeguards? <p>Whilst developing the consultation document all Section 75 categories have been considered and impact assessments carried out in accordance with current guidance. Due regard has been given to the needs of all participants in these proposals, not just rural tenants.</p> <ul style="list-style-type: none"> • What are the wider policy drivers/ context? <p>Answer to Questions 1 – 3 refer.</p>
<p>Evidence</p>	<ul style="list-style-type: none"> • Have these predicted impacts been informed by evidence? <p>There are no predicted impacts other than positives. The proposals have been informed and developed based on research, evidence gathered from stakeholders and industry experts.</p>

	<ul style="list-style-type: none"> • Are there any areas of uncertainty, where further evidence would be useful? <p>None identified at this stage.</p> <ul style="list-style-type: none"> • Have you already put in place any design features as a result of the evidence considered? <p>These proposals are led by the Department. They have been informed and developed based on research, evidence gathered from stakeholders, and industry experts and have been equality screened. Screening did not identify any issues. The proposals will have a positive impact on all Section 75 categories, and will encompass all areas of Northern Ireland, both Rural and Urban.</p>
<p>Consulting</p>	<ul style="list-style-type: none"> • Has the consultation clearly identified any potentially different impacts in terms of rural areas/communities? <p>Participation and consultations have been ongoing throughout the development of these proposals. The objectives are to develop a Department led Strategy and empowerment initiatives that are suited to everyone, both rural and urban. All views have been and will continue to be acted upon where appropriate and where possible adjustments made to address any needs identified.</p> <ul style="list-style-type: none"> • Can you demonstrate how you have targeted and fully engaged with rural stakeholders? <p>Data, both quantitative and qualitative, has been sourced and gathered through desktop research carried out by the Department. Workshops have been held throughout Northern Ireland where issues ranging from identifying the type of tenant participations services required, and how the Department and its partners would develop these, were discussed. Stakeholder feedback through various communication channels was also gathered and engagement meetings held with Housing providers. Although there is evidence of tenant/housing provider engagement already taking place, the general consensus of tenants is that not enough is being done. Tenants believe that more could be done to ensure the tenant voice is listened to, that engagement is meaningful, and that the engagement delivers real benefits for both tenant and landlord. Tenants who are already active within the community and resident groups have expressed a desire to go further, and take a more strategic role such as tenant advisors or tenant board members. Others indicated that more could be done to encourage and improve the confidence and skills of tenants so they feel able to get involved.</p> <ul style="list-style-type: none"> • Can you identify rural responses by nature of their concerns and issues - do they reflect your own predictions? <p>Concerns and issues are the same for urban and rural although rural tenants would have more concerns about being isolated from localised services. The proposals aim to deliver consistency, fairness and equality for all with standards built in to ensure Social Landlords comply with Section 75 legislation.</p>

<p>Monitoring and outcomes</p>	<ul style="list-style-type: none"> • Have you identified a need for any rural specific monitoring or developed any separate rural indicators? <p>The proposals do not anticipate a need for any rural specific monitoring. Review dates will be built into any policy document and Social Housing providers will be asked to review their processes and services regularly in order to ensure effective performance. DSD Regulation and Inspection Unit also have safeguards to monitor performance of Social Housing providers. Through these processes and controls any issues highlighted or weaknesses should be dealt with accordingly.</p> <ul style="list-style-type: none"> • Will the outcomes of the policy meet your set objectives in rural areas? <p>Our ultimate objective is to deliver a Northern Ireland Tenant Participation strategy and to explore empowerment initiatives which will embrace all tenants, both rural and urban, and all sections of society, irrespective of race, colour or creed, and will fully comply with Section 75 guidance. It does not intend to differentiate between rural and urban areas.</p>
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It is the opinion of the project that no Rural Impact Assessment is appropriate at this time. However this decision can and will be reconsidered if any issues are brought to the attention of the Department.

Completed by: Kevin McCarney, SO, Policy Project

Authorised by: Shane Clements, Grade 7 Project Manager,

29th September 2014

Regulatory Impact Assessment

September 2014

Title of Proposal

Tenant Participation Strategy Consultation document

Purpose and Intended Effect of Measure

Housing is a universal need and plays a significant role in shaping our lives and our communities. The DSD Minister's vision for housing is that "everyone must have the opportunity to access good quality housing at a reasonable cost". There have been a number of reports which discuss potential for change in the structure for the delivery and management of social housing in NI. The emerging common themes from these reports included the need to:-

- separate the landlord function, to some degree, from the strategic function, potentially transferring stock to another body or other bodies;
- explore innovative ways of sourcing funding to complement that available from the public purse and support both maintenance and build in social housing;
- review rents to ensure they remain affordable to tenants and landlords; and
- secure greater tenant involvement with social landlords.

It is against this context that the Social Housing Reform Programme (SHRP) was established to explore the potential for reform of social housing structures in Northern Ireland. The areas identified for analysis were:

- regional housing functions;
- NIHE landlord functions;
- Rent;
- Regulation and inspection;
- Departmental functions; and
- Engagement (Tenant and Local Government)

In conjunction with other projects within the SHRP, one of the aims for the Policy project is to develop a Tenant Participation Strategy and to explore associated tenant empowerment initiatives for Northern Ireland. This strategy will set out ways in which the Department for Social Development (DSD) and its partners will develop quality tenant participation services across all of Northern Ireland, both Rural and Urban, and will provide guidance to support the development of landlords and their respective Tenant Participation Strategies. The strategy will further look to introduce tenant empowerment initiatives. 'Empowerment' can be described as advancing on the 'participation' options as it gives tenants rights or opportunities to take more control. The proposals within this consultation document will apply to all social housing landlords in Northern Ireland but not landlords in the private sector. The proposed policy will be all encompassing and will positively impact on all Section 75 categories.

Options for addressing the issue

Throughout the development of this consultation document data has been sourced and gathered through desktop research, both quantitative and qualitative, workshops, stakeholder feedback through various communication channels, and engagement meetings with Housing providers and industry experts. Evidence indicates that the best way of ensuring effective tenant participation is through Government led strategies and supporting regulation. Data gathering is an ongoing process and subject to approval and

subsequent consultation the project will continue to utilise this information to inform and shape the structure of a final strategy.

Benefits

This consultation document outlines how we propose to deliver effective Tenant participation and empowerment services to everyone in Northern Ireland, both Rural and Urban, and does not set out to disadvantage one against the other. The primary aim of the proposed Tenant Participation Strategy is to set out ways in which DSD and its partners will develop quality tenant participation services across Northern Ireland and to provide guidance to support the development of landlords and their respective Tenant Participation Strategies.

It further looks to explore tenant empowerment initiatives. 'Empowerment' can be described as advancing on the 'participation' options as it gives tenants rights or opportunities to take more control. Primarily it is broken down into three areas;

1. The Right to Manage - is when local authority tenants (in the case for Northern Ireland this would be the Northern Ireland Housing Executive) form themselves into a Tenant Management Organisation (TMO). Tenants can take over the landlord's responsibility for managing housing services such as repairs, caretaking, rent collection and security.
2. The Right to Transfer - is when local authority tenants come together as a group to request the transfer of ownership and management of their homes from that local authority to another registered housing provider.
3. Community Cashback Scheme - Tenants or other residents using management and maintenance services from a social landlord can agree with their landlord to provide part of the service. The landlord pays the residents' group what it would otherwise cost to run the service through staff or contractors. If residents make savings they can keep these to use for community purposes

Not all tenants have the same needs, there are tenants with disabilities, literacy problems, or are members of ethnic groups. Consideration has been given when developing the proposals to ensure that there are no exclusions and that the rights of everyone have been taken into account.

Northern Ireland has many good examples of tenant involvement and engagement within the social housing sector. There is a range of mechanisms already operating throughout Northern Ireland that recognise the diverse nature of tenants needs, provides activities to involve tenants at the level that tenants feel comfortable with, and encourage tenants to give their views on the services provided by their landlords. Many tenants bring very positive experiences of how their landlords involve them as individuals and within resident groups in identifying the needs of the community they live in and in the services they provide. Others put forward a view that more could be done to ensure the tenants' voice is listened to, that engagement is meaningful and that it delivers real benefits for both tenants and landlords. The priority will be to provide a support mechanism to realise these ambitions, namely and subject to approval and consultation this will be the Tenant Participation strategy. This will provide structures to allow for consistency and commonality between all Housing providers and thus ensure that the services they provide are the same for all their tenants.

The same principles apply to the Tenant Empowerment initiatives that are being proposed. They are not designed to differentiate or discriminate against any section of the community. They will embrace all parties for the greater good and give them all the same opportunity to become involved and participate at a level they feel comfortable with, similar to the objectives of the proposed tenant participation initiatives.

These services/opportunities/mechanisms will encompass all of Northern Ireland and include both Rural and Urban areas. An example of some of the mechanisms suggested include recommendations for Social landlords to set up tenant working groups and to get tenants involved with decision making for the broader good of the organisation. Key principles are also suggested that include the rights for all parties to become involved in the tenant participation and empowerment process. It is not the intention that there will be any detrimental effect on good relations. On this basis there is the potential for the proposed policy and subsequent initiatives to have a very positive impact on not only the relationships between those of a different religious, racial or political belief but all Section 75 categories. The primary aim as previously outlined is to set out ways in which DSD and its partners will develop quality tenant participation and empowerment services for all users. Only when these services have been introduced and given a period of time to bed in and mature would we be able to fully assess their impact, including any financial benefits. The proposals are designed to promote respect, equity and trust between the Housing provider and their tenants and not to be detrimental but rather build and develop the relationship they already have.

Costs

At this stage there is no costs forecast for the Department in relation to the proposed initial participation initiatives. This strategy has been developed within the parameters of the SHRP and once established will be maintained under 'Business as Usual' within DSD Housing Division. Research and analysis has already shown that there are excellent examples in Northern Ireland of Tenant Participation strategies amongst Housing providers. Although this level is not consistent there is an assumption that the work required to bring an individual Housing provider up to the expected level as outlined in the strategy should not be cost prohibitive. Social Housing providers will need to either enhance their current, or introduce a new Tenant Participation strategy for their association. Although this may impact on their resources initially, be that financial, human or logistical, it is a standard expectation that Housing providers provide this service. At this stage this cost cannot be quantified. If however some providers do encounter exceptional costs this should be the exception rather than the rule.

However depending on the exploration of Empowerment initiatives, and if the proposed target areas within the action plan of the strategy are to be realised, there will need to be a re-evaluation of this current analysis. Depending on how matters evolve or what initiatives are introduced funding will need to be sourced that may or may not be from the public purse. Only at the stage of identifying the desired initiatives could proposed expenditure be assessed and evaluated. It would only be then that costs and/ or potential savings to the public purse could be identified, depending on where finance is sourced.

Consultation with Small Business: The Small Business Impact Test

It is not anticipated that the proposals for a Tenant Participation Strategy and associated empowerment initiatives will have any impact on Small Businesses at this time. However further research will be undertaken if required to inform the Small Business Impact Test.

The Department would welcome feedback on this issue from interested parties in the consultation process to inform this assessment.

Enforcement and Sanctions

The proposed Tenant Participation Strategy will be regulated by a set of standards which in turn will be governed by the inclusion of a new regulatory standard into the Regulatory Framework. This in turn feeds into the Housing Association Guide. Standards and outcomes are contained within this framework which allows the Departments Regulation and Inspection team to oversee the performance of a Housing provider and act accordingly should issues arise.

Depending on what Tenant Empowerment initiatives are introduced legislation will be required for some but not for all (Right to Manage and Right to Transfer require legislation whilst Community cash back schemes are contractual in nature). Further controls will need to be developed but will be dependent on the empowerment initiative that is introduced.

Monitoring and Review

Changes to Legislation are not required for the proposed Tenant Participation Strategy but will be required for some tenant empowerment initiatives. Provision is built in to the strategy for timely reviews, both by the Department and the Housing provider.

Consultation

It would be the intention to go out to consultation with the proposals contained within this document. Any views and comments will be considered and impacted where possible.

Summary and Recommendation

Based on the evidence available at this time it is the project view that this Tenant Participation Strategy Consultation document does not need to undergo a Regulatory Impact Assessment. This is based on the evidence as presented along with the fact that at this stage costs that could be incurred are not quantifiable. It is the view that any costs that could be incurred by the Housing provider in order to meet the required standards would be negligible.

Declaration

In accordance with the guidance you do not need to do an RIA for '*Proposals which impose no cost or no savings, or negligible costs or savings on business, charities, social economy enterprises or the voluntary sector*'. It is the opinion of the project that as costs are not quantifiable at this time, and nor are they foreseen to be significant in the event of expenditure being occurred, a Regulatory Impact Assessment is not appropriate. However this decision can and will be reconsidered if any issues are brought to the attention of the Department.

Prepared by: Kevin McCarney, SO, SHRP Policy Project

Authorised by: Shane Clements, Grade 7 Project Manager

29th September 2014

Social Impact Assessment

September 2014

Assessment Of Impacts			Consideration Of: <ul style="list-style-type: none"> • Mitigating Measures; and • Alternative Policies
Positive Negative None	Qualitative (Detail Evidence)	Quantitative (Detail Evidence)	

Will the policy involve the spending of public monies, the allocation of non-financial resources or the delivery of a service?

Have decisions in relation to the allocation of resources and effort taken account of the principles of Targeting Social Need (TSN/Anti-Poverty)	Positive	<p>This Tenant Participation Strategy Consultation document presents and outlines the Departments desire to deliver effective Tenant participation services to everyone in Northern Ireland, both Rural and Urban, and does not set out to disadvantage one against the other, irrespective of their social standing. It further looks to explore tenant empowerment initiatives. ‘Empowerment’ can be described as advancing on the ‘participation’ options as it gives tenants rights or opportunities to take more control. The proposal is that this will be a Department led Strategy which will have a positive impact on all Section 75 categories and not just selective areas.</p> <p>There will be no differentiation between who will benefit greater than the other, resources will be targeted equally. The primary aim as previously outlined is to set out ways in which DSD and its partners will develop quality tenant participation and empowerment services for all users. Only when these services have been introduced and given a period of time to bed in and mature would we be able to assess their full impact. The proposals are designed to promote respect, equity and trust between the Housing provider and their tenants and not to be detrimental but rather build and develop the relationship they already have.</p>	Not required
Is there an opportunity to target resources (whether capital, financial or other) and efforts towards those in greatest objective need in order to positively address poverty and exclusion?	Positive		

Social Inclusion

	Assessment Of Impacts		Consideration Of: <ul style="list-style-type: none"> • Mitigating Measures; and • Alternative Policies
	Positive Negative None	Qualitative (Detail Evidence)	
		<p>At this stage of the proposals there are no costs forecast for the Department. The proposed strategy will be developed within the parameters of the Social Housing Reform Programme and once established will be maintained under 'Business as Usual' within DSD Housing Division. Research and analysis has shown that there are excellent examples in Northern Ireland of Tenant Participation strategies amongst Housing providers but little evidence of empowerment opportunities as previously described. Although this is inconsistent between Social Landlords there is an assumption that the work required to bring an individual Housing provider up to the required standards that will be proposed within the Tenant Participation Strategy, if not already there, should not be cost prohibitive. Although this may impact on their resources initially it would be a standard expectation for Housing providers to provide these services. At this stage this cost cannot be quantified. However depending on the exploration of Empowerment initiatives, and if the proposed target areas within the action plan of the strategy are to be realised, there will need to be a re-evaluation of this current analysis. Depending on how matters evolve or what initiatives are introduced funding will need to be sourced and this may or may not be from the public purse. Only at the stage of identifying the desired initiatives and subsequent services that may be delivered could proposed expenditure be assessed and evaluated. It would only be then that costs and/ or potential savings to the public purse could be identified.</p>	

Social Inclusion

Assessment Of Impacts			Consideration Of: <ul style="list-style-type: none"> • Mitigating Measures; and • Alternative Policies
Positive Negative None	Qualitative (Detail Evidence)	Quantitative (Detail Evidence)	

Will the policy impact on socially excluded or vulnerable groups or involve the delivery of a service within or to socially excluded areas?

How does the policy address/impact on the particular needs of socially excluded groups?	Positive	<p>Not all tenants have the same needs, there are tenants with disabilities, literacy problems, or are members of ethnic groups. Consideration has been given when developing the proposed strategy to ensure that there are no exclusions and that the rights of everyone have been taken into account in accordance with Section 75 equality legislation. Throughout the entire process of developing this document data has been sourced and gathered through desktop research, both quantitative and qualitative, workshops, stakeholder feedback through various communication channels, and engagement meetings with Housing providers and industry experts. Participation and pre - consultation events have been ongoing throughout and all views have been and will continue to be acted upon where appropriate. The Strategy will serve all social landlords and their tenants and not just socially excluded or hard to reach groups. The introduction of any new services will be of benefit to all Social tenants and not just vulnerable groups or those deemed to be living in Socially excluded areas.</p>	<p>Not required</p>
How will the policy be delivered to or within socially disadvantaged communities to ensure engagement and positive outcomes?	Positive		
Will the policy impact on access to information or social networks?	Positive		
Will the policy improve or otherwise impact on social, economic and environmental conditions in the most deprived areas?	Positive (long term)		
Will the policy improve or otherwise impact on access to and use of basic goods services and amenities within deprived communities?	Positive		

Social Inclusion

	Assessment Of Impacts		Consideration Of: <ul style="list-style-type: none"> • Mitigating Measures; and • Alternative Policies
	Positive Negative None	Qualitative (Detail Evidence)	
Does the policy address the need to minimise the isolation of vulnerable people?	Indirectly		
Will the policy promote user and community involvement in policy development and service delivery?	Positive		
Will the policy address or impact on measures to promote employment or employability among the most disadvantaged?			
Will the policy address recognised barriers to employability and/or employment?	Positive	This Tenant Participation strategy Consultation document presents and outlines the Departments desire to introduce and deliver effective Tenant participation and Empowerment services to everyone in Northern Ireland. The long term goal would be for the services that are developed to have a local impact across all of Northern Ireland. Depending on the uptake of any proposed initiatives there could be for example an opportunity for employment through Community cash-back schemes or Right to Manage initiatives developed through empowerment opportunities. Positive engagement between Social	Not required
Will the policy impact on the employment needs and aspirations of local communities?			

	Assessment Of Impacts		Consideration Of: <ul style="list-style-type: none"> • Mitigating Measures; and • Alternative Policies
	Positive Negative None	Qualitative (Detail Evidence)	
Will the policy impact on the development and operation of social enterprises?		<p>landlords and their tenants will also go a long way towards meeting and hopefully exceeding the aspirations of local communities. We would also hope that Community development and Social enterprises opportunities may also arise.</p> <p>However the goals and aspirations of the proposed strategy will need time to develop and the full benefit and impact across all areas, not just amongst the most disadvantaged, may take a while to evaluate.</p>	

Social Inclusion

	Assessment Of Impacts		Consideration Of: <ul style="list-style-type: none"> • Mitigating Measures; and • Alternative Policies
	Positive Negative None	Qualitative (Detail Evidence)	
Will the policy address or impact on other areas of inequality and disadvantage such as health, education and housing?			
Will the policy help to dispel negative stereotypes?	None	<p>This Tenant Participation strategy consultation document presents and outlines the Departments desire to introduce and deliver effective Tenant participation and Empowerment services to everyone in Northern Ireland. The primary focus is on tenants and how Social landlords engage with them and also on exploring tenant empowerment opportunities. The strategy when developed will expect Social Housing providers, amongst other initiatives, to create opportunities and mechanisms for tenants to influence decision making through membership of boards, on matters that affect their tenancies, and on the services that their landlord provides. Through these examples alone training could well be required for tenants to achieve the appropriate skill levels required to carry out their responsibilities, depending on the level of engagement they are involved at. This in turn could present opportunities to enhance their knowledge and skills and through active hands on participation develop confidence and personal development skills that may help open up employment opportunities if required. However although this is one example it would be wrong to say that these proposals will have a direct impact on the specific areas of health, education and housing as outlined. By the same token they will not have a negative impact either. The proposals are designed to promote respect, equity and trust between the Social Housing provider and their tenants and not to be detrimental but rather build and develop the</p>	Not required
How will the policy impact on health inequalities among disadvantaged or vulnerable groups?			
How will the policy impact on inequalities among different groups in educational attainment?			
Will the policy impact on access to and/or take-up of adult education, particularly in the most deprived communities?			
Does the policy provide an opportunity to improve numeracy and literacy levels, particularly in the most			

Social Inclusion

	Assessment Of Impacts		Consideration Of: <ul style="list-style-type: none"> • Mitigating Measures; and • Alternative Policies
	Positive Negative None	Qualitative (Detail Evidence)	
deprived communities?		relationship they already have. This applies to all individuals classified within the Section 75 categories There is potential, once the strategy has had time to develop and mature, for a positive influence on these specific areas. That however will need to be evaluated at a later stage and most likely after a period of 3 – 5 years.	
Will the policy ensure that the housing stock meets the housing needs of all parts of the community?	None	See above	Not required
Will the policy impact differentially on people who are of no fixed address, homeless or residing in temporary accommodation?			

On the basis of the findings in this assessment it is the opinion of the project that a Social Impact Assessment is not appropriate at this time. However this decision can and will be reconsidered if any issues are brought to the attention of the Department.

Prepared by: Kevin McCarney, SO, Policy Project

Authorised by: Shane Clements, Grade 7 Project Manager, 29th September 2014