



Welfare Conditionality

SANCTIONS, SUPPORT AND
BEHAVIOUR CHANGE

Conditionality in social housing

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The project

- Five year study on ‘Welfare Conditionality’ – both its ‘*efficacy*’ and ‘*ethicality*’ - being conducted by 6 UK universities (mid point in study)
- National-level key informant interviews; focus groups with front-line practitioners: qualitative interviews with ‘welfare service users’ (n=480 x 3 interviews)
- 8 groups of ‘welfare service users’: unemployed people, lone parents, disabled people, homeless people, individuals/families subject to antisocial behaviour interventions, offenders, migrants and **social tenants**

Social housing and conditionality

- Are we seeing increased levels of conditionality in the social housing sphere? How is this manifesting?
- To what extent is intensifying conditionality intended to bring about behavioural change on the part of tenants?
- What are the prime motivating factors lying behind any such behavioural change agenda?
- Is there a difference emerging between England and Scotland?

Conditionality and tenure security...

“...the whole move away from lifetime tenancies is, to me, one of the most obvious examples of conditionality. I think that takes two forms. One is, there's just a sense of you get this house while you get yourself stable and on your feet [and] once you take away lifetime tenancy there must be an unspoken degree of conditionality that creeps in, that I've only got this for five years and if I don't keep my nose clean it might not be for as long as that.”

(National stakeholder, England)

Probationary and fixed-term tenancies

- Probationary tenancies introduced Housing Act 1996:
 - > c.67% of HA and 64% of LA tenancies offered with probationary period in 2014/15 (CORE)
- Fixed-term tenancies introduced after Localism Act 2011 (minimum of 2 years; usual expectation is 5 years):
 - > Estimated 30% of HAs using FTTs, further 20% considering it (HACT, 2014)
 - > Around 1/6 new HA tenancies were fixed term in 2014/15 (CORE)

1. The ‘Interventionists’

- FTTs part of broader attempt to recalibrate relationship between landlord and tenant
- Carving out broader role in incentivising/‘nudging’ tenants towards healthier, more socially engaged and economically independent lives:

“you're probably seeing ourselves and a small number of organisations occupying a ground... beyond the traditional landlord tenant relationship... that have revisited and recognised that, as part of their responsibilities for providing housing and... enabling sustaining of communities, that there are examples of where that hasn't worked by simply providing more housing and better housing” (Senior housing manager, England)

2. The ‘Utility Maximisers’

- Larger, southern, early adopters of FTTs:
“Very much for housing associations, especially in London, the use of fixed term tenancies was linked to the affordable rent programme. There was an incentive from the GLA, an expectation from the GLA that if you went into the affordable rent programme that you use fixed term tenancies.” (Housing manager, London)
- FTTs not primarily (if at all) designed to to pursue behavioural objectives:
“...it's a crazy assumption, isn't it, that somehow tenure length is going to [laughs] - you're going to link that to getting a job and it's as though people don't want a job or don't want to work, that we've somehow got to force them to work by offering them less of a tenancy?” (Senior housing manager, London)

Disillusioned with FTTs?

- Arguments in favour unconvincing:
 - > Best use of stock? But often nowhere to move under-occupiers to
 - > Social mobility? But potentially undermines work incentives
 - > Social cohesion? But *“if only there for 5 years, less reason to make sure that you get on with your neighbours, improve your property”*.
- Strong arguments against:
 - > Costs, bureaucracy and complexity – reviews and ‘two tier system’
 - > Public law challenges
 - > Financial risks
- In early 2015 there was a strong sense that some of the FTT early adopters would start to abandon them – were awaiting on outcome of election, and to see what the other major housing associations will do; with Government review of ‘lifetime tenancies’, now unlikely

3. The 'Place Makers'

- Smaller, geographically concentrated, lower demand, stock transfer
- Strong antipathy to FTTs
- 'Traditional' social landlords who see themselves as 'place makers' not 'people shapers' (aside from managing ASB and arrears)

Tenant Perspectives

1. The unaware

“As far as I know, I'm on a year's probation and then after that I can rent it for as long as I want to stay there.”

2. The unconcerned

“...they said they'll come back and view you in another five years or something, or another year. I don't know, something like that... I think they just sort of like keep an eye sort of thing... It's just like parents...”

3. The anxious

“...you're always apprehensive because you don't know what is going to happen. You can't really sit back and enjoy the place like - because you always feel like you're on borrowed time, so you're always on edge about - when you get like those who initially had the lifetime, they can relax and see it as their home.”

The Position in Scotland

- Housing (Scotland) Act 2001 introduced short Scottish Secure Tenancies in limited circumstances:
 - > 604 SSSTs granted in 2014/15, 1.3% of all new tenancies
- On-going debate on probationary tenancies, but not introduced in Housing (Scotland) Act 2014
- No appetite for FTTs:

“...it's called the Scottish secure tenancy and somehow that signals a different sense that the house is a home. And once you've been allocated that house who is to come along and say, 'You earn too much to live in that house, go away'.” (National stakeholder, Scotland)

Whereas ‘home for life’ increasingly questioned in England...

“... I'm not convinced that it makes sense to say to someone, 'Because you were in pretty acute need when you were 23, you're entitled to a social-rented home for the rest of your life, and the rest of your children's lives'... private-rented tenants don't have a home for life.” (National stakeholder, England)

“I think if we'd been trying to have this conversation in the 1960s and '70s people would have looked at us a bit confused and said, 'But I thought the purpose of social housing was a long-term investment in the stability of a household that they live in.' ... Now, typically, there's much more engagement with a discussion that is about, 'But is that really what social housing is for, or is it about short-term, time limited targeted intervention of people's lives, that they're then floated off the minute that they don't need it?' So I think there's a competing vision out there now...” (National stakeholder, England)

Conclusions

- Government review of use of the ‘lifetime’ tenancies in England is unsurprising
- The practical arguments against FTTs – as expressed by some of the early adopters, and the ‘anxious’ tenants – are highly germane to this debate/review
- But strong momentum behind shift away from the traditional vision of social housing as a mainstream tenure providing a ‘home for life’ – ‘Pay to Stay’ is likewise reminiscent of a shift towards the North America/Australian ‘welfare’ model of social housing
- Expect strong resistance from some parts of the country/sector... and increasing divergence between England and Scotland