We're Housing Scotland

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House of Lords
London
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Dear Lord XXX,

Support Lord Best's amendment to Clause 11 of the Welfare Reform Bill

Next week, you will have the opportunity to vote on an issue that will affect the lives of millions of people across the country. The Welfare Reform Bill commences its Report Stage in the House of Lords on 12th December.

We hope that you will make every effort to attend the second day of the Report Stage of the Welfare Reform Bill on 14th December and support Lord Best's amendment to ensure that 'under-occupation' in social housing is redefined to reflect the reality of people's everyday lives. This amendment has cross-party support and is backed by a wide range of organisations across the UK.

The Scottish Federation of Housing Associations (SFHA) has been working in close collaboration with our sister organisations, the National Housing Federation, Community Housing Cymru and the Northern Ireland Federation of Housing Associations on a number of shared concerns we have regarding the Welfare Reform Bill.

According to our own independent research, in Scotland, just under a third of working-age tenants under-occupy their tenancies by at least one bedroom. These households will lose an average of £11 a week in Housing Benefit according to DWP estimates. The number of tenants affected is likely to be somewhere between 31,500 and 42,900 tenants. This could cost housing association and co-operative tenants between £18 million and £24.5 million in lost benefits over a year. Households in the housing association sector will be hit by an average £670 penalty every year because they are deemed to have a spare bedroom. But that room often isn't 'spare'. It is where their child returns home to while studying, the place a family carer stays when a parent is ill, or the space a teenage child needs for privacy and study. It is part of normal life.

We believe that penalising some families for living the lives most people lead is unfair and unjust. Yet that is what is going to happen in April 2013 if the Welfare Reform Bill goes through unamended.

Lord Best is tabling an amendment to the Bill that will ensure that under-occupation is defined in line with existing Communities and Local Government guidance, which provides more flexibility and better reflects the reality of family life. The guidance, endorsed by the Housing Minister, states that a household is under-occupying only where it has "two or more bedrooms above the Bedroom Standard" – in other words, where more than one bedroom is deemed to be 'spare'.

Yet the Department for Work and Pensions is currently proposing to use a much tougher definition that will force an estimated 670,000 households – two thirds of whom have a disability – to move home or pay an average penalty of £670 every year.

These households will have to make a horrible decision: stay put and live in hardship, or move out of their home and attempt to find a cheaper place to live, away from their support networks, their family and their children's school. With so few smaller homes available, they may not even have that choice. They may be able to find a smaller property in the private rented sector, but this is likely to be more expensive that the home they are deemed tobe under occupying. This will have implications for both the Housing Benefit bill and the household's ability to move into work. If they struggle to find alternative accommodation they could become homeless.

The lack of mobility in the sector is not a product of tenants' needlessly under-occupying larger homes, but rather of the log-jam created by a national shortage of affordable homes, and in particular one and two bedroom properties. Penalising people for under-occupying when they have nowhere to move to is unfair and unjust.

Lord Best's amendment will ensure that households are not financially penalised for having:

- A bedroom used by a disabled child who needs care during the night and cannot share with a sibling
- A bedroom to permit overnight 'access' visits by children following marital breakdown
- Separate bedrooms where needed by couples below pension age for health reasons
- Separate bedrooms for teenagers of the same sex who, for example, may be studying for important exams
- An additional bedroom to enable families to foster children.
- Modest additional space enabling older parents to provide informal childcare to their grandchildren to enable their own children to work

The amendment is likely to be debated on the afternoon of 14th December, the second day of Report, and pushed to a vote. Please support Lord Best's amendment to Clause 11 to ensure that the Government redefines 'under-occupation' to reflect the reality of people's everyday lives.

For further information please contact David Ogilvie, Policy & Strategy Manager on 07887 888344 or via email to dogilvie@sfha.co.uk or alternatively Claire Munro, Press & Public Affairs Manager by telephone on 07771926778 or via email cmunro@sfha.co.uk

Yours sincerely,

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