



MONEY AND  
MENTAL HEALTH  
POLICY INSTITUTE



# WHERE THE HEART IS

---

Social housing, rent arrears  
and mental health

Nikki Bond, Katie Evans, Merlyn Holkar

# Contents

<b>Executive summary</b>	<b>4</b>
<b>Introduction</b>	<b>6</b>
<b>Section One: The UK's housing challenges</b>	<b>9</b>
1.1 Specific challenges for social housing	12
<b>Section Two: Who is struggling to pay for housing?</b>	<b>15</b>
2.1 Who experiences the combination of mental health problems and problems paying housing costs?	17
<b>Section Three: Why people experiencing mental health problems fall behind on rent</b>	<b>19</b>
3.1 Income shocks	19
3.2 Employment	20
3.3 Benefits	21
3.4 Personal circumstances	21
3.5 Financial capability and mental health problems	22
<b>Section Four: How people experiencing mental health problems react when they fall behind on rent</b>	<b>24</b>
4.1 Aggravation of mental health problems	25
4.2 Psychological responses to housing arrears	25
4.3 Practical barriers to resolving rent arrears	26
<b>Section Five: The challenges of supporting tenants experiencing mental health problems</b>	<b>28</b>
5.1 What support should people be offered?	29
5.2 Advisers' ability to reach people experiencing mental health problems	30
5.3 The availability of accessible help	31
<b>Section Six: Conclusions and recommendations</b>	<b>33</b>
6.1 Improving uptake of support	33
6.2 Preventing arrears where possible	37

## Publication

The Money and Mental Health Policy Institute,  
April 2018

22 Kingsway, London, WC2B 6LE

© Money and Mental Health Policy Institute, 2018

The moral right of the authors has been asserted. All rights reserved. Without limiting the rights under copyright reserved above, no part of this publication may be reproduced, stored or introduced in a retrieval system, or transmitted, in any form or by any means (electronic, mechanical, photocopying, recording or otherwise), without the prior written permission of both the copyright owner and the publisher of this report.

## Acknowledgements

The Money and Mental Health team would like to thank the following housing associations for their generous sponsorship of this report: Hexagon Housing Association, The Hyde Group, Optivo, Orbit, Origin Housing Ltd and Southern Housing Group. Particular thanks to Maggie Houghton.

We would like to express our sincere gratitude to those members of our Research Community who shared their experiences and time to contribute to this research.

We are grateful to the UK Data Service and the Institute of Social and Economic Research at the University of

Essex for the provision of Understanding Society and British Household Panel Survey data under licence.

Thank you also to the dedicated housing professionals who generously shared their insights for this project.

A special thanks to the rest of the team at Money and Mental Health, in particular to Nic Murray for preliminary work on this project.

## About the authors

Nikki Bond works as a Research Assistant at Money and Mental Health. Nikki's background is in financial services where she worked supporting people with mental health problems to manage their finances. Prior to this she worked in social care advocating for disadvantaged and marginalised groups.

Katie Evans is Head of Research and Policy at Money and Mental Health. Katie joined Money and Mental Health from the Social Market Foundation, where she led a programme of work around financial services and regulated consumer markets. Katie has also worked as an economic consultant.

Merlyn Holkar is a Research Officer at Money and Mental Health. Merlyn holds a BA in Philosophy, Politics and Economics from the University of Warwick. Before joining Money and Mental Health, Merlyn worked in the Policy and Campaigns department at Contact a Family.

Kindly supported by

Hexagon

Hyde



orbit  
building  
communities

origin HOUSING

Southern  
Housing  
Group  
shgroup.org.uk

## Executive summary

- House prices have increased dramatically over the past decade, making getting on the housing ladder harder. Consequently, people are increasingly reliant on rented accommodation. Household incomes have fallen over a ten year period for the first time since the Second World War, leaving household budgets squeezed. While social housing remains one of the most affordable tenure types, costs have increased faster than the incomes of many tenants.
- Social landlords provide affordable homes for people on low incomes, and give 'reasonable preference' to vulnerable groups. Consequently, around half of social rented households house at least one person with a long term disability.
- Policy changes have placed considerable fiscal pressures on social landlords, who are operating within tighter constraints and must be more commercial in their decision making.
- The cognitive and behaviour changes that can accompany a mental health problem can make it extremely difficult to prevent arrears in the first instance, or resolve them once incurred. Many people may temporarily lack the practical capability to resolve their arrears alone. Together, these factors mean people experiencing mental health problems may require significant support to resolve arrears.
- The stress and worry of accruing rent arrears can exacerbate existing mental health problems, and, for some, this can cause a mental health crisis.
- A sense of security is central to a person's wellbeing. Rent arrears can cause feelings of shame and fear of homelessness. These psychological responses can rapidly generate a self perpetuating cycle of disengagement and despair.

### **Mental health problems increase the risk of housing arrears, and make them more difficult to deal with**

- One third (34%) of people struggling with housing payments are experiencing mental health problems.
  - People experiencing mental health problems are one and a half times as likely to report problems paying for housing.
  - The experience of mental health problems can result in changes to income, either through employment, benefit eligibility or personal circumstances. Typically a combination of these factors leads to rent arrears.
- ### **The challenges of supporting tenants experiencing mental health problems**
- Social landlords have a legal obligation to contact tenants who are in arrears, and to offer support. Often, however, these messages don't get through to tenants experiencing mental health problems.
  - When housing staff do succeed in reaching tenants, they have to work within short timeframes, and often face challenges applying for benefits which could sustain a tenancy.
  - Some government policies, including access to Alternative Payment Arrangements (APAs), and restrictions on backdating provision for the housing element of Universal Credit (UC) are causing further difficulties.

This report identifies opportunities to help people experiencing mental health problems avoid income shocks. To ensure this group are not disadvantaged in their access to welfare support, the government should:

- Include social housing rent arrears in the proposed 'Breathing Space' scheme. This will bridge the gap between the offer of support and protection from possession proceedings in the Pre-Action Protocol, providing a concrete incentive for tenants to take up support.
- Automatically offer an APA to claimants in the Employment and Support Allowance (ESA) support group, receiving UC with limited capability for work-related activity, or receiving Personal Independence Payment (PIP).
- Introduce timescales for APA applications to be processed and payments made.
- Amend the Pre-Action Protocol to include APA applications within the list of benefit applications in progress which prevent social landlords from instigating or progressing possession proceedings.
- Make provision in certain circumstances for people to back claim the housing element of UC for up to six months, and for decisions to be revised to ensure compliance with the Equality Act.

To support tenants experiencing mental health problems more effectively through improving arrears procedures and putting preventative support in place, social landlords should:

- Carefully consider the design of standard letters to reduce distress and encourage tenants to engage with support.
- Offer to contact tenants in a variety of ways and allow tenants to register a preferred form of communication.
- Routinely collect emergency contact details from tenants.

# Introduction

A house is not simply a house, but a home; a place of security and safety from which we can build our lives, families, work and relationships that are central to our wellbeing and stability. Paying for housing can however, be challenging. For people experiencing mental health problems, which can lead to a fall in income and make managing money harder, this can be all the more difficult. This report explores the links between experiencing mental health problems and rent arrears, and identifies opportunities for the government and social landlords to reduce arrears and resolve them more effectively.

Over the last decade securing a home of our own has become increasingly difficult. A shortage of housing stock and escalating house prices have increased demand for affordable rented accommodation. To meet increased demand, housing allocation policies have been revised, and priority is given to vulnerable groups. Meanwhile, welfare reform means tenants are routinely responsible for paying rent themselves, which appears to have led to a surge in arrears.<sup>1</sup> Social landlords must increasingly juggle their obligations towards vulnerable tenants with a need to focus on the bottom line.

Rent arrears are problematic for individuals, housing providers and society. Evicting a tenant can cost an estimated £6,900 per tenancy, including recovery action, possession proceedings and void housing costs.<sup>2</sup> Rent arrears can ultimately lead to homelessness, which costs the public sector in excess of £1 billion per year,<sup>3</sup> and makes the situation more difficult to resolve by preventing people from accessing social housing in the future.

This report presents:

- New analysis of Understanding Society, an annual survey of over 40,000 households
- A survey of 213 people with lived experience of mental health problems and housing arrears
- Two focus groups with housing association tenants exploring the pathways into arrears and how social landlords respond
- A workshop with 13 housing staff to understand the challenges they face and gather examples of best practice.

Further details on methodology are provided in Annex A.

## The links between mental health problems and rent arrears

Mental health problems can increase the likelihood of housing arrears, and make them more difficult to deal with. It can be more difficult to work, making earning enough to pay rent a challenge. When you don't have the energy even to wash and dress, keeping up with financial management tasks like remembering to pay bills can be impossible. Reminder letters and warning notices can lead to further anxiety, consolidating the problem rather than resolving it.

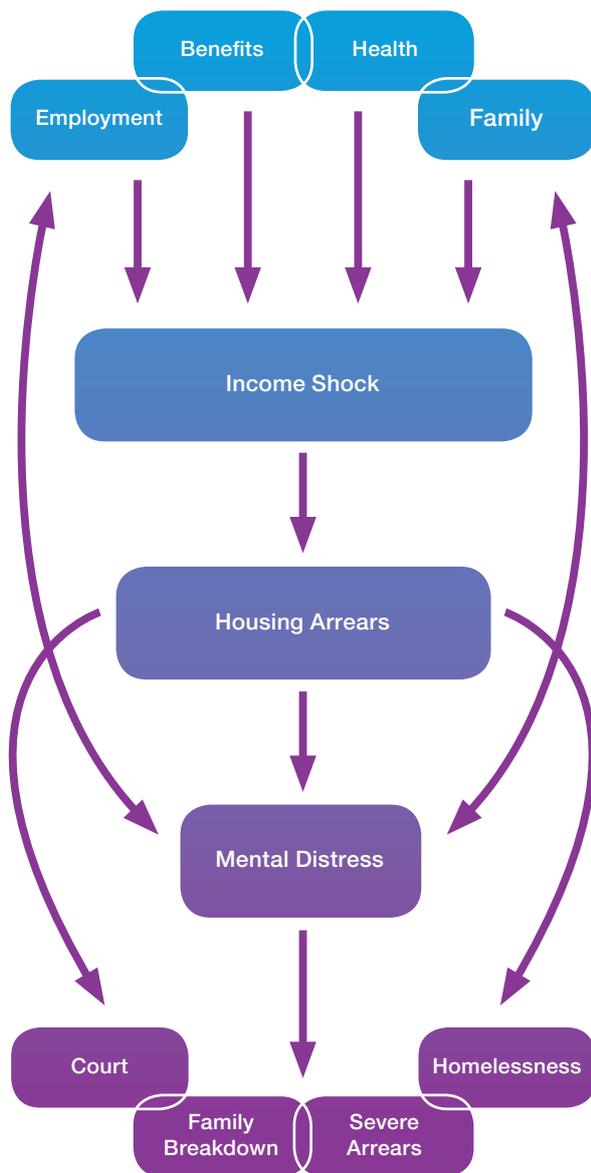
1. Indicative findings from a Freedom of Information exercise carried out by the Observer. Responses from 105 councils indicate that half of tenants receiving UC were in rent arrears compared to fewer than 10% of those receiving housing benefit.

<https://www.theguardian.com/society/2017/sep/16/universal-credit-rent-arrears-soar> (accessed 12/03/2018)

2. Wharton D. Tenancy Failure (Financial Difficulties). Orbit Research and Insight Team. 2017

3. National Audit Office. Homelessness. HC 308. 2017.

**Figure 1: A framework for understanding the links between mental health problems and housing arrears**



Source: Money and Mental Health Policy Institute

A change in a person's mental health often coincides with other changes in employment or family circumstances, which can in turn affect benefits eligibility, as illustrated in Figure 1. Such changes typically result in an income shock, which can lead to housing arrears. Where a person struggles to resolve their situation, fears of homelessness and feelings of powerlessness can spiral, driving disengagement and preventing a person from taking the necessary action to mitigate the income shock and resolve arrears.

Expecting people to modify their psychological and emotional responses when in distress and experiencing mental health problems is not realistic. Instead, to disrupt the cycle of mental health problems and housing arrears, we must examine how social landlords and government support people experiencing mental health problems and housing arrears.

After setting out the context (section one), the scale of the problem and the groups most affected (section two), this report works through each stage of the framework above to:

- Explore why people experiencing mental health problems fall behind on their rent (section three)
- Understand how people experiencing mental health problems react when they fall behind on rent (section four)
- Establish how social landlords, as a major provider of housing to people experiencing mental health problems, respond to rent arrears (section five).

We conclude by identifying opportunities for intervention by social landlords and government to reduce the likelihood that people experiencing mental health problems will incur rent arrears (section six).



## Section One: The UK's housing challenges

While homeowners still make up the majority of households in the UK (63%), the proportion of people buying homes with a mortgage has fallen by nine percentage points since 2005/06. The proportion of

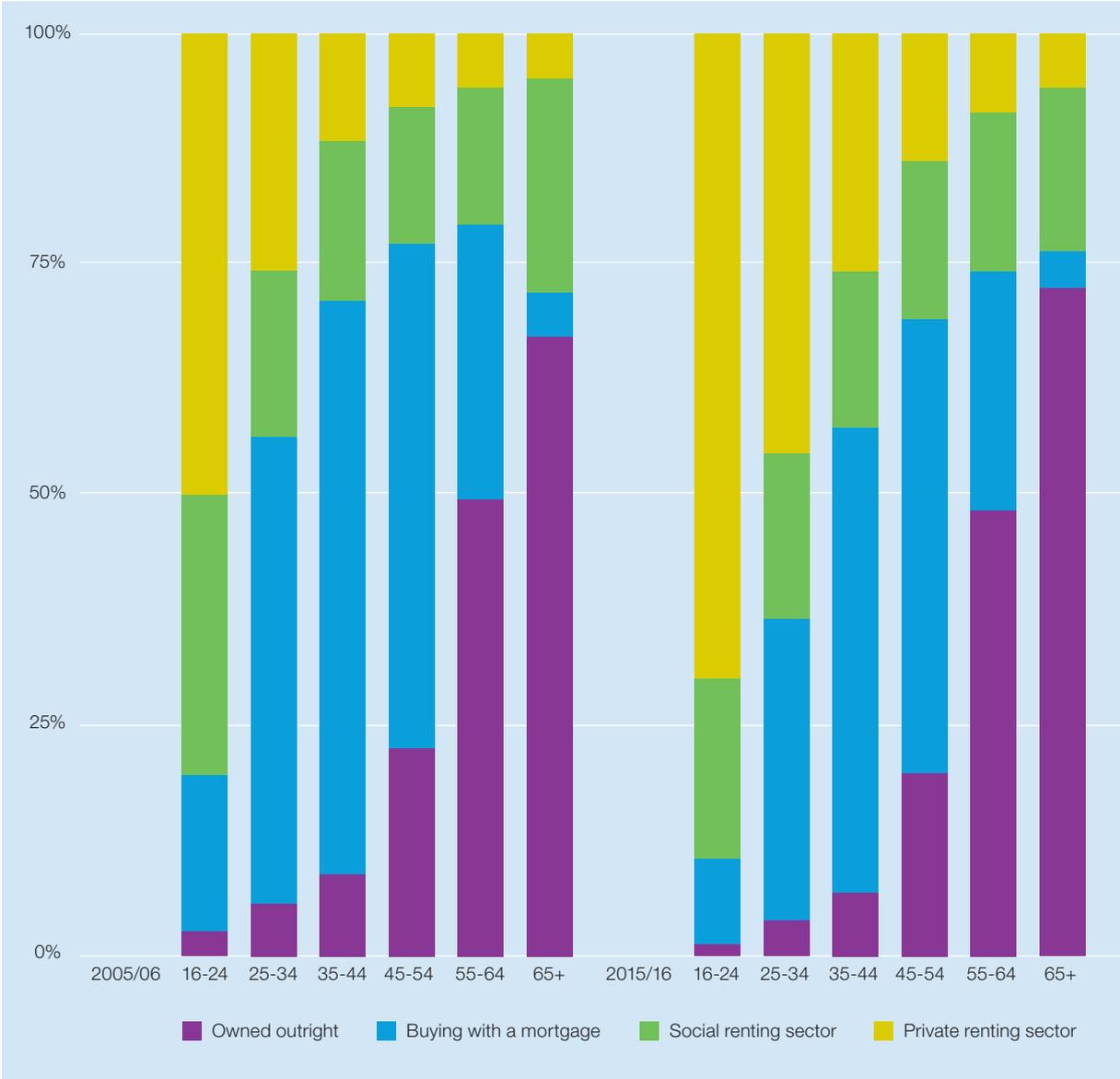
people renting from private landlords has increased by almost the same amount. Home ownership is increasingly out of reach of younger people, as illustrated in Figure 3.

Figure 2: Change in UK housing tenure 2005/06 – 2015/16



Source: Family Resources Survey 2015/16

Figure 3: Change in UK housing tenure by age of head of household 2005/06 – 2015/16



Source: Family Resources Survey 2015/16

For many people, the past decade has been financially difficult. For the first time since the Second World War, incomes are not expected to have risen over a ten year period.<sup>4</sup> Changes to the benefits system, including the introduction of the freeze on working age benefits,<sup>5</sup> the benefit cap and under-occupancy penalty, mean working-age people receiving state support have not been protected from the storm. People experiencing mental health problems are more likely to be in part-time or temporary work,<sup>6</sup> or reliant on benefits, and so have been particularly susceptible to these changes.

Rising house prices have made it more difficult to get onto the housing ladder, although existing owner-occupiers have benefited from low interest rates. In London, private rents have continued to increase, but in other parts of the country private rented housing has become more affordable relative to income growth in recent years.<sup>7</sup>

While social housing remains the most affordable tenure type, costs have increased faster than the incomes of many tenants. Until April 2016, rents typically increased by Retail Price Index (RPI) inflation + 0.5%. With wage growth subdued over the same period, social housing costs as a proportion of income rose substantially up to 2016 for many tenants. The introduction of affordable rents in 2011, which can be up to 80% of market rents, further increased the costs of social housing for some new tenants. Since 2016, the trend has reversed after social housing providers were required to reduce rents by 1% a year.

Many residents, however, will continue to face an income squeeze as a result of the freeze in many working-age benefits.

4. Plunkett J. A call to coders: help vulnerable consumers save money – and turn a profit too. Citizens Advice. 2017.

5. HM Treasury. Summer Budget 2015. House of Commons: HC 264. 2015.

6. Mental Health Taskforce. The Five Year Forward View for Mental Health. NHS England. 2016.

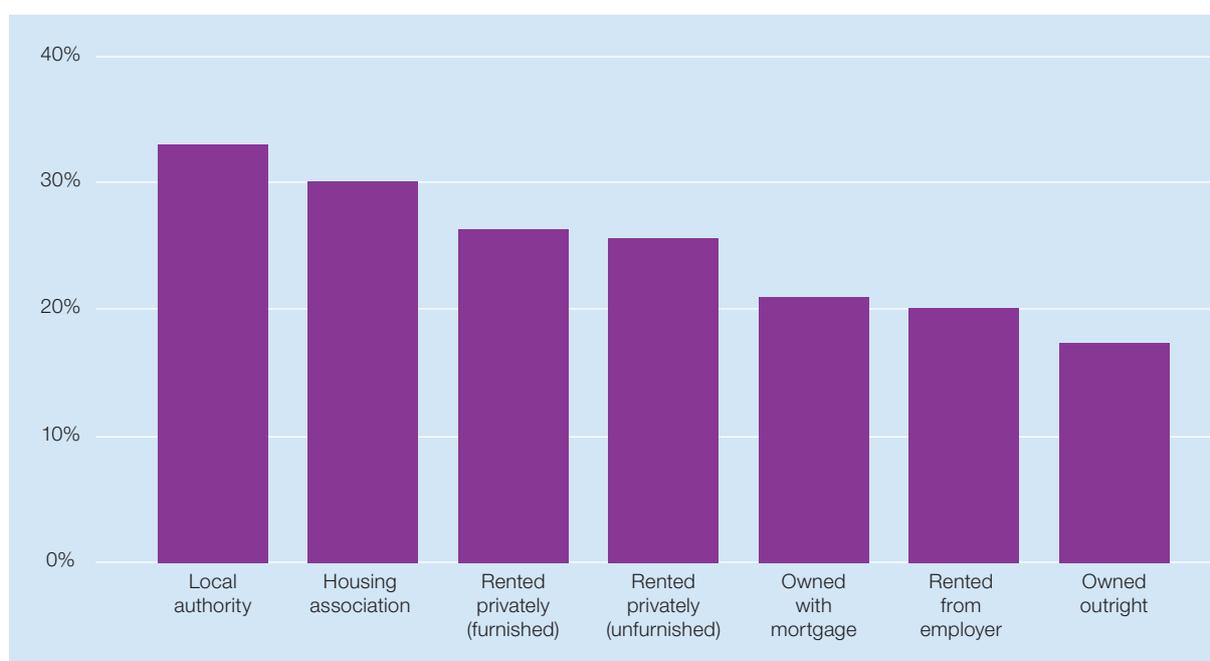
7. National Audit Office. Housing in England: overview. HC 917 session 2016-17. 2017.

### 1.1 Specific challenges for social housing

Social landlords provide affordable stable housing to people on low incomes and give 'reasonable preference' to vulnerable groups.<sup>8</sup> Around half of households in the social rented sector contain at least one person with a long-term illness or disability.<sup>9</sup> A third

of people renting from their local authority (33%) or from a housing association (30%) are experiencing a mental health problem, compared to around a quarter (26%) of those renting privately, and fewer than one in five (18%) of those who own their own homes outright.

Figure 4: Proportion of people experiencing mental distress by housing tenure type



Source: Money and Mental Health analysis of Understanding Society Wave seven.

With 1.2 million households currently on the waiting list for social housing,<sup>10</sup> social landlords must strike a delicate balance between meeting the needs of their tenants, and sustaining income recovery to invest in new stock. Over the last decade, changes to social policy, detailed in Table 1, have placed considerable

fiscal pressures on social landlords and arguably made their position more precarious. Social landlords are having to be more commercial in their decision making, operating within tighter constraints while supporting growing numbers of tenants with more complex needs.<sup>11</sup>

8. Department for Communities and Local Government. Allocation of accommodation: guidance for local housing authorities in England. 2012.

9. Department for Communities and Local Government. English Housing Survey: Social rented sector, 2015-16. 2017.

10. National Audit Office. Housing in England: overview. HC 917 session 2016-17. 2017.

11. National Housing Federation, Welfare Reform Impact Assessment. 2015.

**Table 1: Policy changes affecting social landlords**

<p><b>2011</b></p>	<p><b>Localism Act</b> – Gave councils greater powers to restrict access to social housing and introduced fixed-term five year tenancies.</p> <p><b>Laying the Foundations: A Housing strategy for England</b> – Introduced affordable rent, where registered housing providers charge 80% of local market rent for new affordable homes.</p>
<p><b>2012</b></p>	<p><b>Welfare Reform Act</b> – Wide ranging changes to the benefits system including:</p> <ul style="list-style-type: none"> <li>• <b>Universal Credit (UC)</b> – Six benefits, including Housing Benefit, replaced by one single monthly payment. Housing costs made to tenants, rather than directly to landlords.</li> <li>• <b>Claimant Commitment</b> – Tightening of benefit conditionality.</li> <li>• <b>Personal Independence Payment (PIP)</b> – Introduced to replace Disability Living Allowance (DLA).</li> <li>• <b>Under-occupancy penalty</b> – Reduced the Housing Benefit entitlement for working-age tenants deemed to have a spare bedroom.</li> </ul> <p><b>Council Tax Reduction</b> – Replaced Council Tax Benefit. Local Authorities in England became responsible for running a local scheme to award a sum towards Council Tax to households meeting eligibility criteria.</p>
<p><b>2013</b></p>	<p><b>Benefit Cap</b> – Limited the total amount of benefits a working-age household can receive. Exemptions exist for people in receipt of Working Tax Credit and disability benefits.</p> <p><b>Universal Credit</b> – Roll out commenced on a staged programme.</p>
<p><b>2016</b></p>	<p><b>Housing and Planning Act</b> – Push to promote home ownership and boost housebuilding in England.</p> <p><b>Welfare Reform and Work Act</b></p> <ul style="list-style-type: none"> <li>• <b>Social housing rents</b> – Registered housing providers in England required to reduce rents by 1% each year for four years.</li> <li>• <b>Benefit freeze</b> – Freeze on certain working age benefits for four years</li> </ul> <p><b>Housing benefit backdated claims limited</b> – Reduced from six months to one for working-age claimants.</p> <p><b>Universal Credit</b> – National rollout began, to be completed by December 2018. Managed migration of those left on legacy benefits expected to be completed by 2021.</p>
<p><b>2017</b></p>	<p><b>Homelessness Reduction Act</b> – Obligates Local Authorities to provide meaningful assistance when assessing homelessness applications. Likely to mean housing associations are expected to implement strategies to prevent homelessness of tenants.</p>

### Section one summary

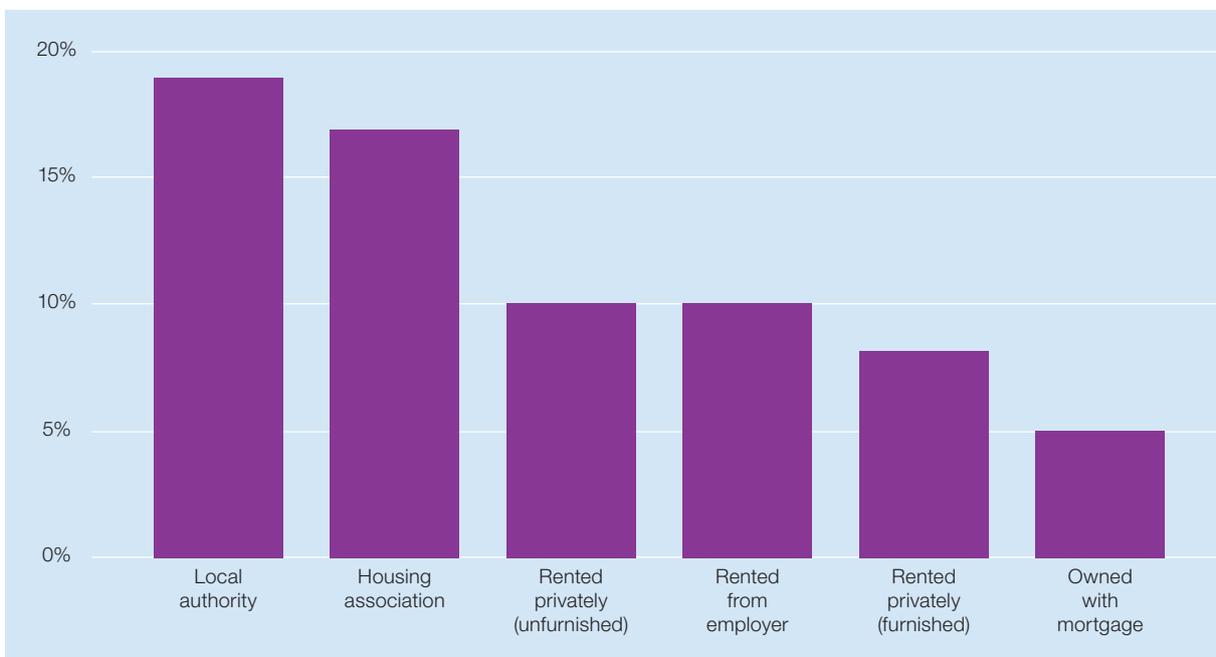
- Dramatic house price increases over the past decade make getting on the housing ladder harder. Consequently, people are increasingly reliant on rented accommodation.
- Private rents have continued to increase in London, whereas private rented housing has become more affordable elsewhere.
- Social housing rents have increased faster than income.
- Social landlords provide affordable homes for people on low incomes, and give 'reasonable preference' to vulnerable groups. Around half of social rented households house at least one person with a long-term disability.
- Benefit system changes and less reliable employment have meant low income households experienced a squeeze in living standards. These income changes are particularly difficult to navigate for people experiencing mental health problems.
- Changes to the economy and social policy have placed considerable fiscal pressures on social landlords during the last decade. Social landlords are operating within tighter constraints and are having to be more commercial in their decision making.

## Section Two: Who is struggling to pay for housing?

One in ten people (10%) across the UK experienced difficulties paying for housing in 2015/16. As Figure 5 shows, people renting from a housing association or local authority are nearly twice as likely to struggle with

housing payments as those who rent privately, and almost four times more likely than people who own their home with a mortgage.

**Figure 5: Proportion of people struggling with housing costs, by tenure type**



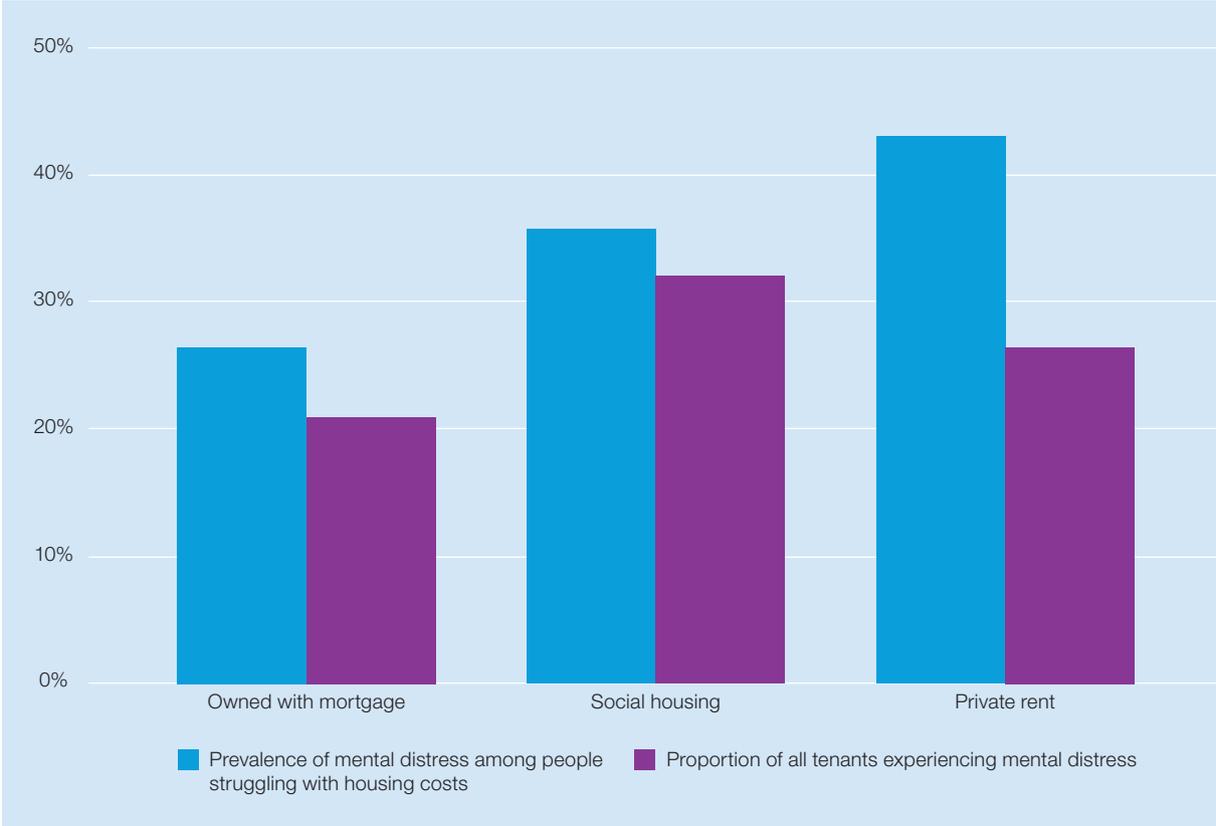
Source: Money and Mental Health Policy Institute analysis of Understanding Society Wave seven.

The relationship between difficulty paying housing costs and experiencing a mental health problem is complex, and untangling causality using statistical analysis is difficult, but the data clearly suggests strong links between the two problems.

In 2015/2016, 22% of adults across the UK experienced a level of mental distress indicative of a

mental health problem. This rises to one third (34%) for people experiencing difficulties paying for their housing - making them 10 percentage points more likely to be experiencing mental distress than those who are not struggling with housing costs. People who rent privately are particularly likely to experience distress while in arrears.

**Figure 6: Prevalence of mental distress among people struggling with housing costs, and proportion of all tenants experiencing mental distress, by tenure type**



Source: Money and Mental Health analysis of Understanding Society Wave seven.

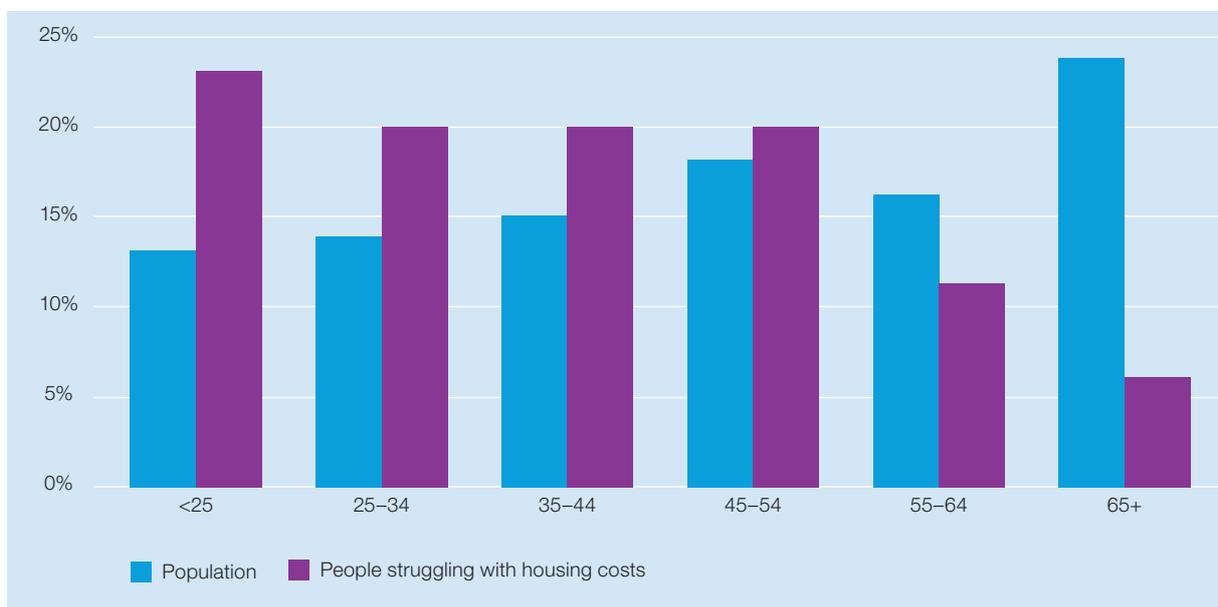
Across the population, people experiencing mental health problems are approximately one and a half times as likely to report problems paying for housing. One in eight (13%) people showing signs of a mental health problem say they were struggling with housing costs,

compared to 8% of people not experiencing signs of a mental health problem. This rate is even higher amongst renters, with a fifth of renters who experience mental health problems (19%) reporting they struggle with housing costs.

## 2.1 Who experiences the combination of mental health problems and problems paying housing costs?

- **Women** are more likely to experience both mental distress and problems paying for housing. In social housing, women make up 65% of the people experiencing the combination of mental health problems and difficulties with housing costs, despite accounting for just over half of social housing tenants (55%).
- Nearly half (46%) of people who were struggling to pay for housing while also experiencing mental health problems were **receiving housing benefit**.
- People struggling with housing costs tend to be **younger**. Four in ten (43%) of those struggling with housing costs are under 35. We see the same pattern when looking specifically at social housing tenants. Whilst fewer than half (47%) of all social housing tenants are under the age of 45, two thirds (63%) of those struggling with housing costs are 44 or younger.

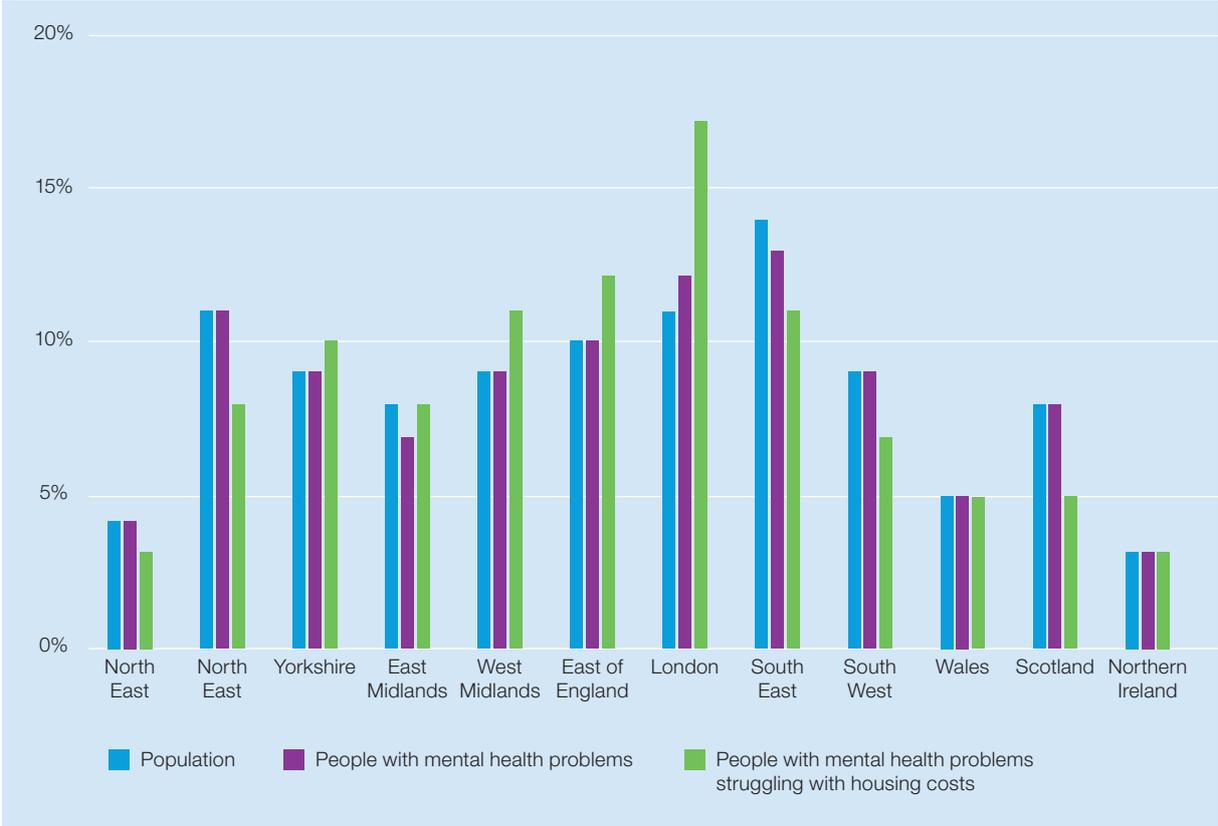
Figure 7: Distribution of people struggling with housing costs, by age



Source: Money and Mental Health analysis of Understanding Society Wave seven.

- Across the UK, people experiencing both rent arrears and mental health problems are comparably more likely to live in **London and the East of England**, and less likely to live in the North West and Scotland.

**Figure 8: Distribution of people with mental health problems struggling with housing costs, by region**



Source: Money and Mental Health analysis of Understanding Society Wave seven.

**Section two summary**

- One third (34%) of people struggling with housing payments are experiencing mental health problems, compared to one in five (22%) of the wider population.
- People experiencing mental health problems are one and a half times as likely to report problems paying for housing.
- People struggling with housing costs are also more likely to be younger, social housing tenants, female and living in London or the East of England.

## Section Three: Why people experiencing mental health problems fall behind on rent

In the following three sections, we set out the results of thematic analysis from: a survey of 213 people with lived experience of mental health problems and housing arrears; two focus groups with housing association tenants; and a workshop with 13 housing staff. We explore, in turn:

- The reasons why people fall behind on rent when experiencing mental health problems
- How mental health problems can make resolving arrears more difficult
- The difficulties housing staff can face in supporting tenants experiencing arrears.

### 3.1 Income shocks

Anyone can experience difficulties paying for housing if their health changes, family breaks down or they lose

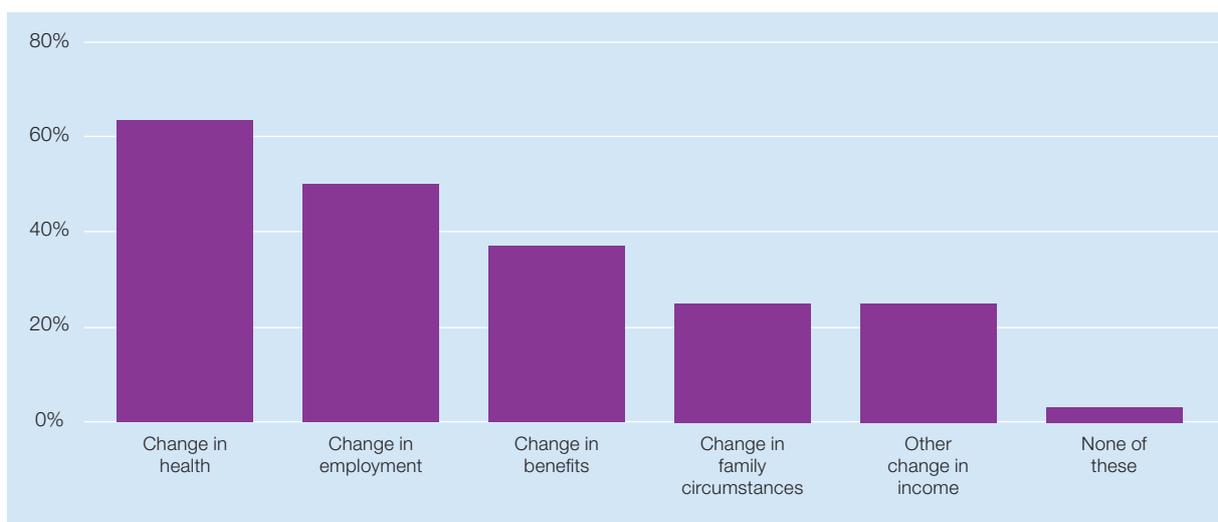
their job. Sadly, people experiencing mental health problems are more likely to experience one of these income shocks.

The most common causes of problems cited in our survey were changes in:

- Health (63%)
- Employment (50%)
- Benefits (37%)
- Family circumstances (25%).<sup>12</sup>

Most respondents identified more than one reason for their rent arrears. It is the combination of income shocks which make it particularly difficult for people experiencing mental health problems to avoid incurring, and to resolve, arrears.

**Figure 9: Factors which played a role in falling behind on housing payments**



Source: Money and Mental Health survey of people with lived experience of mental health problems and housing arrears, base for this question: 189

<sup>12</sup> Money and Mental Health survey of people with lived experience of mental health problems. Base for this question: 189

### 3.2 Employment

Most people rely on paid employment to cover some or all of their housing costs. Some people depend on wages to pay for their rent in its entirety, while those on low earnings can receive help towards housing cost through Housing Benefit and UC.

"I have had 18 jobs in six years due to mental health issues. Some, I have been fired for not being able to keep up the work pace, or left due to [my] mental health. I tried to end my life because we had so much arrears that we were at risk of being evicted."

*Expert by experience*

Many people with enduring mental health problems will find their mental health fluctuates and they may periodically be too unwell to work. This can mean people are reliant on occupational or statutory sick pay, which is often significantly less than a person's normal wage. Many respondents described how they lost jobs due to their poor mental health. For some in precarious employment, such as zero hours and temporary contracts, people were phased out of work or contracts not renewed. For others with more stable employment, they described losing their jobs and being medically retired.

"I had a episode with my bipolar and my boss was not understanding, shortly after I was finished from work."

*Expert by experience*

The practical, financial and emotional impact of a sudden job loss is profound for anyone. Work often forms part of a person's identity and can be a source of supportive social relationships and routine. These impacts can be felt all the more acutely for people experiencing a mental health problem, where a sense of isolation can exacerbate their condition.

The intermittent nature of employment due to their mental health means people are frequently required to switch between wages and benefits, or adjust the balance between the two. When a person's financial capability is already reduced due to their mental health problems, notifying the Department for Work and Pensions (DWP) of changes in circumstances and completing forms in a timely manner can be problematic.

"I'm never quite sure how long my work is going to last for in reality... It's the changes in the system, delays in benefits, that cause the problems for me, because my circumstances were forever changing."

*Expert by experience*

### 3.3 Benefits

The welfare system is intended to support people in times of need, but some recent changes to entitlements under welfare reform have presented challenges for claimants experiencing mental health problems. Reductions in benefit entitlements, including under-occupancy penalties and council tax benefit reform, have reduced payments for housing costs. Tenants are required to cover any shortfall between benefit payments and their rent.

“Unfortunately my benefits were cut to the lowest possible, which has been a big struggle. Now it is very hard to pay any arrears off my rent.”

*Expert by experience*

A significant change with the introduction of UC is paying the housing element directly to tenants, rather than social landlords, as was previously the case. For people experiencing mental health problems – which might include issues with memory, increased impulsivity and difficulties planning<sup>13</sup> – being able to manage paying the rent themselves can be particularly problematic, both during the transition to UC and on an ongoing basis.

Some people are also incurring rent arrears due to a reduction in the period for which claims for housing costs can be backdated from six months to just one. For people who have been too unwell to make timely benefit applications, entitlements are lost and arrears are accrued unless support is well-timed.

Failing to meet conditionality requirements, such as attending appointments and recording efforts to seek work, can result in sanctions being applied to work-related benefits. Experiencing mental health problems may impact upon a person’s ability to meet conditionality requirements, for example, by leaving them feeling hopeless, reducing motivation, or sapping planning skills needed to execute a work search. The appeals system is complex and can be difficult for people with mental health problems to navigate.

“I had to leave my job... I signed on to apply for JSA but due to me making a mistake on the form had to wait ages to hear from DWP only to learn I had been turned down... I endured 12 weeks with no income.”

*Expert by experience*

### 3.4 Personal circumstances

Change in family composition or personal circumstances are another common cause of income shocks. A relationship breakdown can quickly result in a substantial income shock. When families are managing on precarious budgets to begin with, managing this reduction in household income is incredibly difficult.

“My son went to live with his father. I lost a third of my monthly income. I had other debts such as water, gas and electric. I ended up spending housing benefit rent money to exist.”

*Expert by experience*

<sup>13</sup> Holkar M. Seeing Through the Fog. Money and Mental Health Policy Institute. 2017.

### 3.5 Financial capability and mental health problems

Many mental health conditions are associated with certain cognitive and behavioural difficulties: memory and ability to retain and recall information can be compromised and difficulties with attention span, judgement, impulsivity and clarity of perception can make tasks such as budgeting, form filling and prioritising payments incredibly difficult. When an income shock hits, a person experiencing mental health problems may find it substantially more difficult to put a plan in place to avoid accruing or to resolve rent arrears.

"I think mental health [problems] can cloud your ability to do anything. Once depressed enough it impacts on one's ability to do anything at all. I buried my head in the sand out of terror for too long."

*Expert by experience*

Trying to complete lengthy benefit forms can be difficult at the best of times. For someone experiencing poor mental health, this difficulty is compounded. Without timely support to complete forms, sanctions are applied, entitlements lost, rent goes unpaid, and anxiety increases.

"I was mentally ill, experiencing memory problems and very low motivation, and I forgot about filling in the annual form for housing benefit. As a result my rent wasn't paid and accrued an outstanding debt."

*Expert by experience*

#### Section three summary

- The experience of mental health problems can result in changes to income, either through employment, benefit eligibility or personal circumstances. Typically a combination of these factors leads to rent arrears.
- The cognitive and behaviour changes that may accompany mental health problems can make it difficult to prevent arrears in the first instance, or to resolve them once incurred.



## Section Four: How people experiencing mental health problems react when they fall behind on rent

If a person is able to respond to rent arrears with sound problem solving skills and clarity of thought, they will often be able to resolve the problem. For people experiencing mental health problems who may lack the capability or mindset to act in this way, the outcomes are likely to be much worse.

Most people would worry if they fell behind with housing payments. For people experiencing mental health problems this can be particularly pronounced. Among people experiencing mental health problems and housing arrears, 76% of respondents regard the repayment of arrears as a heavy burden.<sup>15</sup>

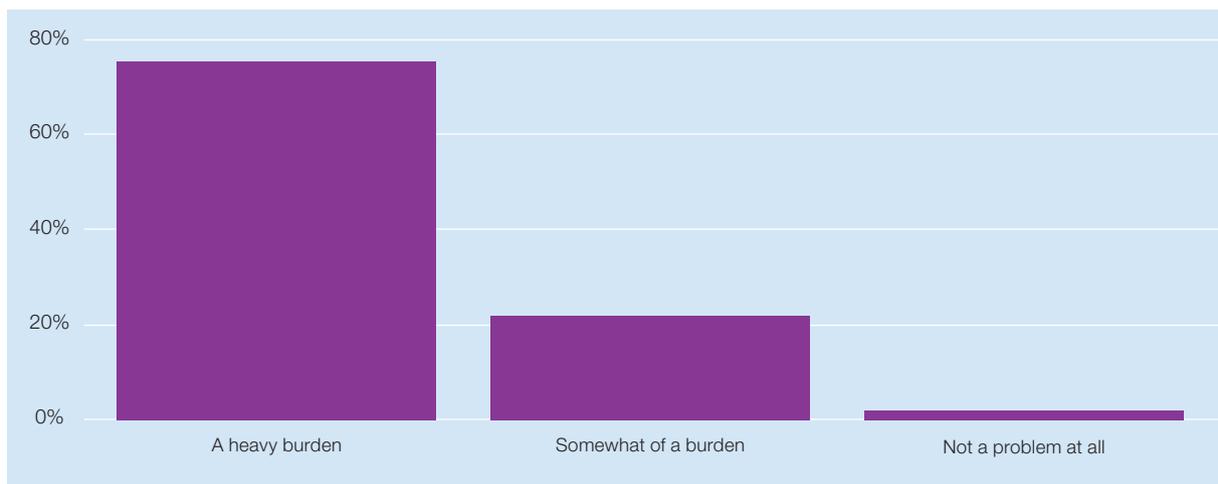
In consumer credit, a different study found that half of all consumers (49%) find their debt is not a problem at all, and only 16% find it a heavy burden.<sup>16, 17</sup>

Our research identified three specific challenges people experiencing mental health problems must overcome to resolve the problem:

1. Aggravation of mental health problems
2. Psychological responses to rent arrears
3. Practical barriers to resolving rent arrears

Each can make the situation more difficult to resolve. Understanding these responses is crucial if providers are to offer appropriate support to tenants in arrears.

**Figure 10: Extent to which keeping up with the repayment of housing arrears is viewed as a financial burden**



Source: Money and Mental Health survey of people with lived experience of mental health problems and housing arrears, base for this question: 188

15. Money and Mental Health survey of people with lived experience of mental health problems. Base for this question: 188.

16. Gathergood J and Guttman-Kenney B. Occasional Paper 20: Can we predict which consumer credit users will suffer financial distress? Financial Conduct Authority. 2016.

17. It is not possible to draw a direct comparison between these figures, as the proportion of consumers with mental health problems who find consumer credit debts or the repayment of consumer credit arrears a heavy burden is not available.

#### 4.1 Aggravation of mental health problems

When a tenant experiencing mental health problems falls behind with their rent, they may already be feeling overwhelmed and have reduced mental and emotional resources. The stress of accruing arrears can act as a precursor to or exacerbate existing mental health problems.

“The whole stress of having to sort out my rent also impacted poorly upon my mental health.”

*Expert by experience*

Rent arrears can have far reaching consequences which make overcoming these challenges even more difficult. The stress and anxiety can impact upon performance at work, or cause a strain on personal relationships. People often feel ashamed and isolate themselves from their support networks.

“It’s a vicious circle, because the deeper they get in debt the worse their mental health gets... it’s trying to break that and find solutions.”

*Housing professional*

For some people, incurring arrears at a time when they lack the capability, understanding or skill to resolve them, can have such a profound impact that it triggers a mental health crisis. This can leave people unable to undertake basic self-care or keep themselves safe, and possibly requiring intensive psychiatric support.

“I became extremely stressed having never had arrears before. I received the first notice of eviction and was hospitalised. I had to try and resolve everything from hospital.”

*Expert by experience*

#### 4.2 Psychological responses to housing arrears

For people experiencing mental health problems, a stable and secure home can feed directly into recovery and staying well.<sup>18</sup> People described how maintaining their home was fundamental to their sense of self and identity, and when they were unable to keep up with housing payments they described feeling as though they’d let their family down.

“I nearly took my own life due to arrears as we were threatened with eviction, and I couldn’t face putting my children or wife through [that]... I felt I had let them down.”

*Expert by experience*

Feeling powerless is a common response to housing arrears among people experiencing mental health problems. Many participants reported feeling completely unable to put together a plan to resolve the arrears, feeling frozen by fears of homelessness. These emotional responses can be self-perpetuating, reducing responsiveness and driving disengagement, which increases the likelihood of the feared outcome of losing a tenancy.

“It all spirals and sets up a feedback loop with my bipolar. The financial stress makes the bipolar worse, which makes the financial stress even less likely to be resolved... The terror of being evicted, of knowing your reaching that point and it really isn’t your fault, is something else. It’s all beyond your control as your world has been turned upside down.”

*Expert by experience*

18. Diggie J et al. Brick by Brick: A review of mental health and housing. Mind. 2017.

### 4.3 Practical barriers to resolving rent arrears

The people we spoke to prioritised rent arrears over other debts, and had an acute understanding of the need to resume payments and clear their arrears. However, mental health problems can make resolving arrears extremely difficult. Some people were too unwell to apply for work, too confused to navigate the benefit system and claim entitlements, and too frightened to call their housing provider. People described doing the only thing they had control over and reducing spending on essentials.

“It was extremely stressful and made me guilty even buying basic necessities like food, although there were times I couldn't afford to eat.”

*Expert by experience*

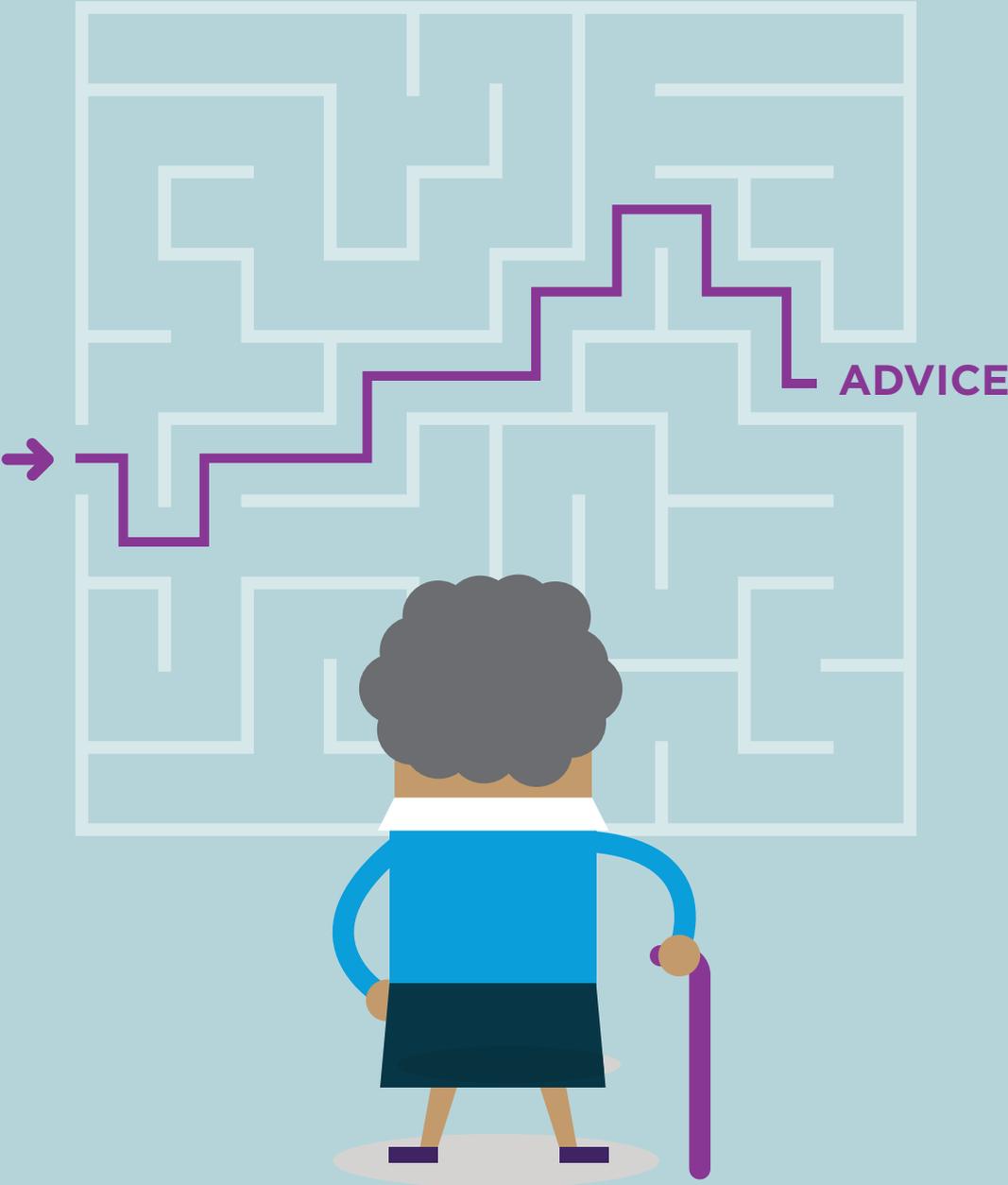
Compounded by shame, fear, powerlessness and reduced problem solving skills, people may disengage from those trying to assist them. The unopened letters and unanswered calls escalate to not answering the door to housing staff and further isolation. If support doesn't reach tenants, arrears continue to grow, possession proceedings loom and mental health problems spiral. Even where social landlords or advice agencies try to intervene to resolve arrears, cognitive and psychological symptoms often mean offers of support provided at this stage are perceived as threatening and frightening.

“I couldn't see the help was there when it was offered as I only read the part about arrears and shut off to the rest.”

*Expert by experience*

#### Section four summary

- The stress of accruing rent arrears can exacerbate existing mental health problems, and, for some, this can cause a mental health crisis.
- A sense of security is central to a person's wellbeing. When rent arrears threaten this, people feel shame and fear homelessness. These psychological responses can rapidly generate a self-perpetuating cycle of disengagement and despair.
- The cognitive and behavioural changes that accompany many mental health problems mean people temporarily lack the practical capability to resolve their arrears alone. Together, these factors mean people experiencing mental health problems may require significant support to resolve rent arrears.



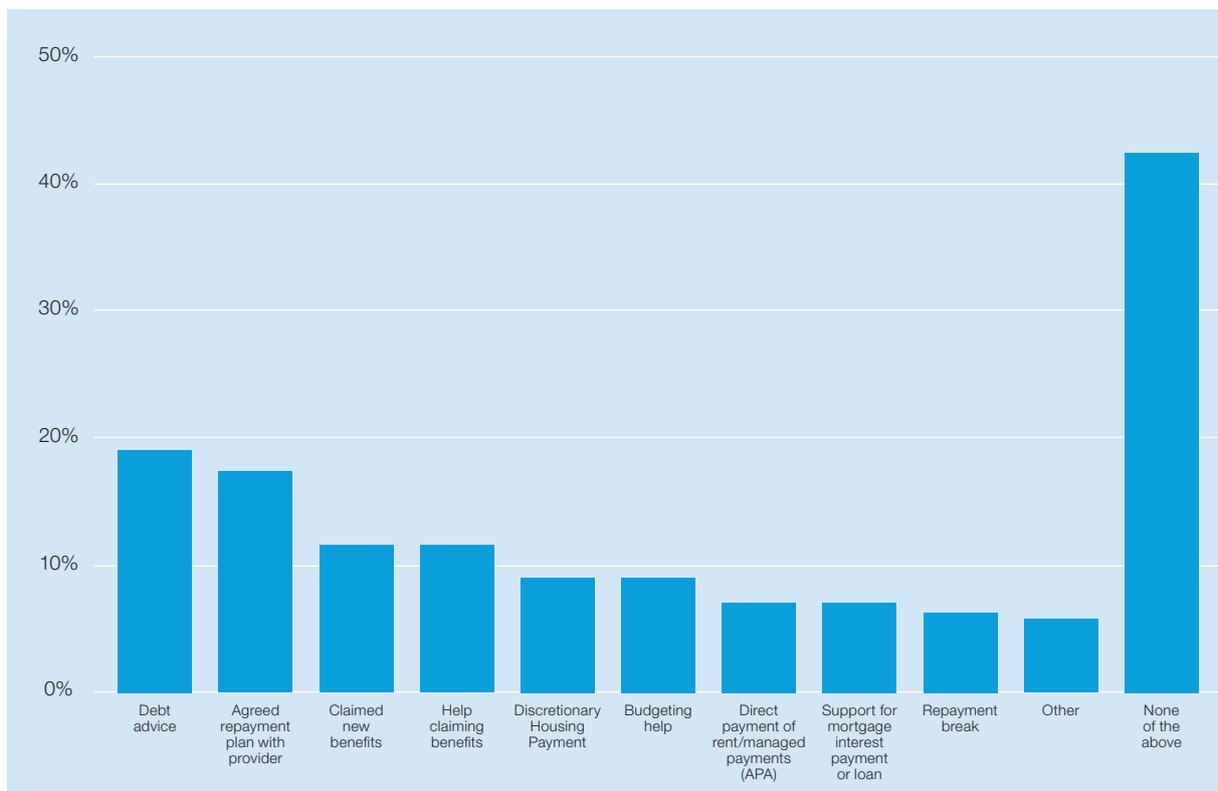
## Section Five: The challenges of supporting tenants experiencing mental health problems

Often the immediate cause of rent arrears is beyond a person's control - either their health changes, or their job does, or a relationship breaks down. Combined with the cognitive and psychological impacts of a mental health problem, people can quickly fall into a self-perpetuating spiral of despair. The actions of social landlords at this point can be pivotal in framing how people respond. People experiencing mental health problems are less likely to be able to resolve problems themselves,<sup>19</sup> and so access to appropriate support is essential.

Unfortunately, four in ten (43%) people experiencing mental health problems do not receive any help at all when struggling with housing costs, as illustrated in Figure 11. Other types of support received included:

- Debt advice (19%)
- Agreed an alternative repayment plan with their provider (17%)
- Help claiming benefits (12%).<sup>20</sup>

**Figure 11: Types of support received whilst in housing arrears**



Source: Money and Mental Health survey of people with lived experience of mental health problems and housing arrears, base for this question: 175

19. Balmer N, Pleasence P and Buck A. Psychiatric morbidity and people's experience of and response to social problems involving rights. *Health & Social Care in the Community*. 18: 588–597. 2010.

20. Money and Mental Health survey of people with lived experience of mental health problems. Base for this question: 175

## 5.1 What support should people be offered?

Social landlords have clear policies and procedures for managing rent arrears, framed around the rent arrears Pre-Action Protocol.<sup>21</sup> Social landlords are expected to:

- Contact the tenant as soon as reasonably possible once a tenant falls into arrears
- Offer to assist tenants with any claim for housing benefit, Discretionary Housing Payment (DHP) or UC (housing element)
- Advise tenants to seek assistance from Citizens Advice or other debt advice agencies.

The Protocol also places a duty on social landlords that possession proceedings should not be instigated where certain benefit claims have been submitted and there is a reasonable expectation of eligibility.<sup>22</sup>

Some social landlords go beyond these legal requirements and have specific vulnerable customer policies.

Too often, however, people experiencing mental health problems find the help offered by social landlords impossible to access, or it comes too late. Social landlords face two main challenges in providing support to this group:

- Advisers' ability to reach tenants experiencing mental health problems
- The availability of accessible support.

<sup>21</sup>. Ministry of Justice. Pre-Action Protocol for Possession Claims by Social Landlords. 2017.

<sup>22</sup>. Ibid.

## 5.2 Advisers' ability to reach people experiencing mental health problems

One of the most difficult situations for social landlords is when tenants disengage and do not respond to letters, calls or visits. Initial attempts to tell tenants about rent arrears frequently fail to receive a response. The offers of help and support these letters contain, as required by the Pre-Action Protocol, also fail to reach tenants.

Traditional letters are often symbolic of something negative: bills and complex forms requiring attention which may be beyond people's capabilities. Ignoring post is a common behaviour among people experiencing mental health problems.<sup>23</sup> Many people will also experience telephone phobia, both avoiding incoming calls and being unable to proactively telephone others.<sup>24</sup>

"I became so afraid of answering my phone that I simply never did just in case it was the housing office."

*Expert by experience*

People experiencing mental health problems often feel powerless to resolve their situation, and are fearful of engaging with housing staff. Disengagement becomes a coping strategy, but in the long-term it exacerbates the problem by blocking the route to help.

"The reason they have me on their doorstep is because they've ignored everything else. They've ignored letters and phone calls, and all of a sudden they're up to eight or nine weeks [of arrears]. At that point they don't know or understand what's going on. They don't realise that if they speak to me, the realm of access we have to extra benefits."

*Housing professional*

The short timeframe of arrears processes, which can take as little as eight weeks from the first notice to a court date, means that if people are not able to engage with help promptly, their situation can quickly spiral out of control.

Social landlords have limited capacity to target additional support at tenants experiencing mental health problems. Firstly, a significant proportion of tenants in arrears – between a third and a half<sup>25</sup> – are likely to be experiencing mental health problems. Often people will not feel comfortable disclosing this information, either due to stigma around mental health or because they do not believe it will make any difference. Combined with the financial pressures on social landlords, this creates a significant operational challenge to the sector.

A lack of understanding of mental health problems among housing staff, and pressure to meet targets, can lead to poor communication with tenants, which reinforces negative emotional responses and reduces the likelihood of a positive outcome.

"I received no support, the arrears officer was particularly horrible and advised me to stop paying some of my other bills instead, as she said there was no point in having water or a telly license if I wasn't going to have a house to use them in."

*Expert by experience*

<sup>23</sup> Holkar M. Seeing through the Fog. Money and Mental Health Policy Institute. 2017.

<sup>24</sup> Ibid.

<sup>25</sup> Money and Mental Health analysis of Understanding Society Wave 7 (see Section 2) suggests that 34% of people struggling to pay for housing are experiencing mental distress. Previous analysis of the Adult Psychiatric Morbidity Survey (Jenkins et al, 2009) suggests that 51% of people in rent arrears are experiencing a mental health problem.

### 5.3 The availability of accessible help

Even if messages of support do reach tenants experiencing mental health problems, they may find engaging with this help difficult. Social landlords routinely signpost people to sources of advice and support but many people with mental health problems struggle to access these services.

Services often operate a tiered system of support where complex issues require multiple, lengthy appointments. Most advice services expect clients to take some steps independently, for example providing information for an income and expenditure form. For people experiencing mental health problems, remembering appointments or having the capability on a given day to attend and engage can be difficult.

“There was a time I would be too unwell to go down to our local Citizens Advice... I just needed someone to complete the forms for me, it would have been really really helpful.”

*Expert by experience*

In response to welfare reform, social landlords have invested heavily in supporting tenants. However, the volume of tenants requiring support means many services are struggling to keep up. By the time support teams reach tenants, they often have several weeks of arrears and are careering towards possession proceedings. Staff are then working within strict timescales to intervene before the case progresses through stages of possession proceedings.

When support services manage to engage tenants, much of their time is spent applying for benefits, and requesting Alternative Payment Arrangement (APA), through which a tenant’s housing element of UC can be paid directly to their social landlord. Delays in offering tenants support with benefits applications can cause problems, particularly as the period for which UC housing element or Housing Benefit can be backdated has been reduced from six months to just one. Often whilst the immediate risk is stabilised, tenants are left with significant arrears to repay from a limited budget.

“I’ve come across residents, and they actually didn’t know they were £3k in arrears. Because they don’t open the letters, they don’t take private calls. And they’re completely overwhelmed and scared.”

*Housing professional*

#### Section five summary

- Social landlords have a legal obligation to contact tenants who are in arrears and offer support. Often, however, these messages don’t get through to tenants experiencing mental health problems.
- Psychological symptoms of mental health problems can mean tenants struggle to engage with support offered, and may require additional help when they do engage.
- When housing staff do succeed in reaching tenants, they have to work within tight timeframes, and often face challenges applying for relevant benefits which could sustain a tenancy.



## Section Six: Conclusions and recommendations

Our research has identified two specific links between mental health problems and rent arrears.

### **1. Offers of help with arrears fail to reach tenants experiencing mental health problems**

When people experiencing mental health problems fall behind on rent payments, a cycle of distress and disengagement often results. While social landlords offer help to all tenants in arrears, too often this offer goes unheard by those in difficulty, and the situation escalates at enormous cost to all those involved. We set out two opportunities to disrupt this cycle and resolve arrears more efficiently.

### **2. People experiencing mental health problems are more likely to experience income shocks leaving them more vulnerable to arrears**

Even if arrears processes are improved, people with mental health problems will remain more vulnerable to income shocks. As a long-term solution, we present ideas on ways the government could support people experiencing mental health problems to prevent a greater proportion of housing arrears.

### **6.1 Improving uptake of support**

Our research identified several barriers to greater uptake of the support that social landlords are expected to provide under the Pre-Action Protocol:

- 1.** Messages of support are initially contained in arrears letters, which often go unopened
- 2.** Arrears processes move quickly, but it can take time for housing staff to engage with tenants, develop a relationship, and put necessary steps in place.

Both experts by experience and housing staff emphasised the benefits of face-to-face contact. However, this personalised contact is expensive, and financial constraints on social landlords mean this is impractical. While tightly targeted in-person interventions will remain valuable for some social landlords, a significant proportion of tenants in arrears will be experiencing mental health difficulties, and will be unlikely to disclose this. This means we must focus on improving core processes with the needs of this group in mind, to improve the likelihood that they can access and engage with support.

To do this, we propose two specific changes:

- a.** Ensure social housing tenants in arrears are offered Breathing Space, stopping the clock on court proceedings
- b.** Improve communications from social landlords so offers of help are easier to find and trust.

## a. Stopping the clock on court proceedings

Supporting tenants to deal with income shocks is an important way to sustain tenancies. Under the Pre-Action Protocol social landlords are already obliged to offer tenants protection from possession proceedings if they are awaiting the outcome of certain benefit claims. However, tenants experiencing mental health problems can struggle to make claims themselves and can become stuck in a cycle of disengagement. The speed of arrears processes means they can quickly lose their home.

The Government are working to introduce a statutory measure to support people overwhelmed by debt. The proposed 'Breathing Space' scheme would encourage people to seek debt advice in a timely way and arrange a workable solution by freezing interest, charges and enforcement action for up to six weeks. Including social housing debts in the scheme could ensure these benefits are also available to tenants struggling with rent arrears.<sup>26</sup> Specifically, social landlords should be required to pause progress on possession claims while a person receives support.

While social landlords do not impose fees and charges on tenants in rent arrears until court proceedings commence, our research demonstrates existing collections activity is often unhelpful, and undermines the messages of support that are also sent to tenants. Offering to pause collections activity while tenants engage with advice and support would help encourage people to engage early on in the arrears process, and could provide an opportunity for social landlords to focus messages in their initial arrears letters towards support. To maximise effectiveness, housing staff should be able to activate Breathing Space, even where the social landlord is not a registered provider of debt advice. In these cases, tenants must be referred on to registered debt advice providers.

In practice, this would extend the protection already offered by the Pre-Action Protocol to those who have not yet made a benefits application, and who may need support to do so. The proposed six week period of respite will afford people time to engage with welfare benefit advice and submit applications for entitlements. As UC is paid in arrears, claims are unlikely to be applied for, processed and paid within the six week Breathing Space time-frame. However, tenants who have applied for an appropriate benefit would then be protected from further possession proceedings. This measure would fill a gap in the existing Pre-Action Protocol between offering support and protecting people from possession proceedings.

Discussions about whether housing payments should be included within Breathing Space are expected to continue through 2018. Including social housing debts within the Breathing Space proposals offers protection, acting as an incentive to engage with and seek support, and offering tenants a clear way out of their difficulties, helping to avoid the cycle of distress and disengagement.

### Recommendation

Government should include social housing debts in their proposed 'Breathing Space' scheme. This will bridge the gap between the offer of support and protection from possession proceedings in the Pre-Action Protocol, providing a concrete incentive for tenants to take up offers of support.

<sup>26</sup> The inclusion of housing arrears in the Breathing Space scheme should not necessitate their inclusion in any statutory repayment plan, and we believe that flexibility over their inclusion would be beneficial, learning from the Scottish Debt Arrangement Scheme.

## **b. Improve communications to increase uptake of support**

Social landlords have invested heavily in the support they offer to vulnerable tenants. However, at times, this support does not go far enough to meet the needs of tenants experiencing mental health problems. Our research suggests the initial stages of income recovery processes frequently scare people experiencing mental health problems, creating barriers to engagement, and in some cases actively worsening the problem.

Identifying tenants experiencing mental health problems is one way of ensuring they can receive appropriate support to overcome the additional challenges they may face in resolving rent arrears. However not everyone experiencing mental health problems will know they are unwell, or be seeking medical help. As a substantial proportion of people in rent arrears are likely to be experiencing problems with their mental health, and cognitive and psychological challenges as a result, income recovery and support processes should be designed to support the needs of those least able to engage. While many staff go out of their way to support tenants experiencing difficulties, more could be done to embed this best practice and ensure all tenants can benefit.

Annex B provides a new best practice guide for social landlords, offering suggestions on how to support tenants experiencing mental health problems. Below, we pick out some key changes.

## **Reframe standardised letters**

Our research provides ample evidence that standardised letters to tenants in rent arrears often spark a counterproductive cycle of fear and disengagement. For tenants experiencing mental health problems these letters are often perceived as threatening, and although messages of support are included, they are not heard.

“The standard letter is full of negativity, which is all you can take out of it. When you’re in a bad place you only see the worst bits.”

*Expert by experience*

Social landlords must notify tenants that if they do not keep up with their rent payments they risk losing their home. However the tone of this communication must be carefully considered to avoid causing unnecessary distress and to encourage tenants to engage. Specifically, tenants should always see an offer of help to maintain a tenancy before a warning that their home is at risk. Introducing Breathing Space could help to reinforce this change, establishing an obvious way for tenants to ask for help and promising immediate respite, unlike the more general offers of support which often go unheard. Supportive communications should also continue throughout the Breathing Space period, encouraging tenants to engage with the breadth of support available. To be effective, all communications, not just those from support teams, must be improved.

### **Recommendation**

Social landlords should carefully consider the design of standard letters to reduce distress and encourage tenants to engage with support.

### Offer a choice of communication channels, and respect preferences

Many people experiencing mental health problems find it difficult to open post, or to answer the telephone. They may, however, be able to communicate effectively in other ways - for example, by email, text message or webchat. If social landlords only attempt to communicate with residents in ways they struggle to engage with, this embeds unhelpful avoidance behaviours and increases the likelihood of cases escalating to possession proceedings.

Offering a range of communication channels, particularly those that tenants have expressed a personal preference for, can create an opportunity to disrupt the cycle of anxiety and disengagement, and ensure support reaches a tenant. Some staff are already innovating in the ways they contact tenants, for example using Whatsapp and email. Ensuring all tenants are able to communicate with staff in a variety of ways, and to register a preference which is respected by housing staff, will increase the likelihood that tenants - particularly those experiencing mental health problems - engage with communications. In particular, staff should be empowered to mirror the communication choice of a customer. Refreshing consent around communications to ensure compliance with GDPR offers a timely opportunity to gather information about communication channel preferences.

#### Recommendation

Social landlords should offer to contact tenants in a variety of ways, not just by post or telephone, and should allow tenants to register a preferred form of communication.

### Make it easier for friends and family to help

Some people experiencing mental health problems will, at times, be too unwell to manage their own finances. Financial difficulties are particularly likely during periods of acute poor mental health, and can form a serious barrier to recovery.<sup>27</sup> Often at these times, however, people will be too unwell to delegate decision-making powers to a friend or relative, or doing so will take too long to prevent arrears. To ensure they can help in this difficult situation, social landlords should routinely collect emergency contact details from tenants, in the same way an employer or gym would. These would need to be routinely refreshed to check the relationship is still relevant, but other consents will also need to be refreshed under GDPR, and this relatively small amount of additional administration could prevent both significant distress and substantial costs. This would also help identify tenants without social support networks, who may require additional support.

"When I'm in decline, don't write to me or call me; it will make it worse. Call my care coordinator."

*Expert by experience*

#### Recommendation

Social landlords should routinely collect emergency contact details from tenants, along with consent to contact them if rent payments are missed.

27. Bond N, Braverman R and Clarke T. Recovery Space. Money and Mental Health Policy Institute. 2018.

## 6.2 Preventing arrears where possible

The recommendations above should help to reduce the number of arrears cases which end in possession claims and possible homelessness. However more could be done to reduce the incidence of housing arrears following income shocks, particularly those related to poor mental health and its effects on financial capability.

We respect the intention of the Welfare Reform Act 2012 to foster responsibility and promote independence. However, mental health problems can make managing money substantially more difficult. Evidence from social landlords suggests the changes have left tenants experiencing mental health problems at greater risk of arrears.

Through our research we have uncovered two specific problems with recent changes to benefit payments, which appear to be placing people experiencing mental health problems at a significant disadvantage:

- a.** Difficulties managing housing payments
- b.** Limitations on backdating.

### **a. Difficulties managing housing payments**

The Welfare Reform Act stipulated that claimants should be responsible for their own budgets and paying rent to their social landlord. Recognising some people may struggle with this responsibility, the government introduced APAs, which can include the housing element of UC being paid directly to the landlord. APAs can be requested by tenants, JobCentre Plus staff or social landlords. Mental health conditions are recognised as making it likely that a claimant would benefit from an APA.<sup>28</sup>

JobCentre Plus staff can identify the need for an APA at the onset of a claim and proactively offer it. However, housing staff told us that this is not routinely happening in practice. Social landlords, with less information on the health and circumstances of tenants, only become aware of the need for an APA when arrears have started to accumulate and tenancies are already at risk. In his Autumn 2017 Budget, the Chancellor committed to making it easier for UC claimants to have the housing element of their award paid directly to their landlord.<sup>29</sup>

Further targeting would improve the success rate of this policy. Some benefit claimants, including people receiving PIP, the support group of ESA, and UC claimants with limited capability for work-related

<sup>28</sup>. Universal Credit: Personal Budgeting Support and Alternative Payment Arrangements. Guidance. V.8 2018. [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/689677/personal-budgeting-support-and-alternative-payment-arrangements.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/689677/personal-budgeting-support-and-alternative-payment-arrangements.pdf)

<sup>29</sup>. HM Treasury. Autumn Budget 2017. House of Commons: HC587. 2017.

activity, have been assessed as having a health condition which impacts upon their ability to function or work. It's highly likely that the conditions which gave rise to meeting the criteria for these benefits would also meet the criteria for an APA.<sup>30</sup> In the spirit of UC, this would still be 'claimant centric' by tailoring the approach to a claimant's specific needs; the claimant should maintain the ability to opt out of an APA, but shifting the default could significantly reduce the number of vulnerable people accruing rent arrears. Offering an APA could also be considered an adaptation under the Equality Act 2010.

"The direct payment of housing benefit did help because I had no access to the money so could not use it when not in the best mind."

*Expert by experience*

Housing staff have shared how delays in APAs being paid have led to rent arrears escalating and placing some of the most vulnerable residents' tenancies at risk. As well as improving access to APAs, DWP should establish a reasonable timeframe for APA decisions. The Pre-Action Protocol should also be amended to protect tenants awaiting the outcome of an APA request.

## **b. Backdating housing element of Universal Credit and revision to decisions**

Under the old system, provision existed for new Housing Benefit claims to be backdated for six months, and to up to 13 months after the date of decision in certain circumstances.<sup>31</sup> The transition to UC and changes to Housing Benefit regulations in April 2016 saw backdating provision limited to one month, even when a person can demonstrate a good reason for not claiming earlier. When the amount of award is revised upwards due to a change in circumstances, the additional payment will only be made from the month the change was reported, even if the person was affected by a mental health condition which prevented them from updating DWP on their circumstances. Housing staff frequently encounter tenants in arrears and facing eviction who, due to their mental health, were unable to engage promptly and as a result have missed out on months of housing payments.

Limiting backdated payments to one month and removing the ability to revise UC claim decisions makes it substantially more difficult for people to resolve arrears. This could fuel disengagement, ultimately increasing homelessness or causing mental health crisis, both of which are immensely costly to government and society. Backdating claims where a person was too unwell to act due to a serious mental health condition may also be a reasonable adjustment under the Equality Act 2010.

### **Recommendation**

The government should make provision in certain circumstances for people to have the housing element of UC backdated for up to six months, and for decisions to be revised to ensure compliance with the Equality Act.

<sup>30</sup> Universal Credit: Personal Budgeting Support and Alternative Payment Arrangements. Guidance. V.8 2018. [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/689677/personal-budgeting-support-and-alternative-payment-arrangements.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/689677/personal-budgeting-support-and-alternative-payment-arrangements.pdf)

<sup>31</sup> The Housing Benefit and Council Tax Benefit (Decisions and Appeals) Regulations 2001.





MONEY AND  
MENTAL HEALTH  
POLICY INSTITUTE

Kindly supported by

Hexagon



building  
communities

origin HOUSING

Southern  
Housing  
Group   
shgroup.org.uk