

# Social Sector Size Criteria

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## Is this Bedroom Tax?

Social Sector Size Criteria (SSSC) is sometimes referred to as Bedroom Tax.

## I thought Bedroom Tax (SSSC) wasn't coming in.

The legislation for Social Sector Size Criteria was enacted in Northern Ireland on 20 February 2017. However, until 31 March 2020 in Northern Ireland if Housing Benefit is **reduced** because of SSSC/Bedroom Tax a Welfare Supplementary Payment may be payable.

## Who is affected?

The change affects current and future Housing Executive and housing association tenants, aged between 16 and the qualifying age for State Pension credit, who receive Housing Benefit. Pensioners are not affected.

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## What does Social Sector Size Criteria mean for households?

If you live in a Housing Executive or housing association house the criteria allows one bedroom for:

- every adult couple
- anyone else aged 16 or over
- any two children of the same sex aged under 16
- any two children aged under 10
- any other child (other than a foster child or child whose main home is elsewhere)
- adults or child(ren) who *cannot share* because of a disability or medical condition
- a non-resident carer (or team of non-resident carers) providing overnight care
- fostering (provided you have been accepted as a foster carer or are currently or have fostered a child within the last 12 months)

A room **may** also be allowed where there has been a recent bereavement within the household.

## Who is not affected by the changes?

You will not be affected by Social Sector Size Criteria if:

- you are not a tenant of the Housing Executive or a housing association
- you are not in receipt of Housing Benefit

- you are not under-occupying your home according to the Housing Benefit rules
- you or your partner have reached the qualifying age for State Pension credit
- you live in supported exempt accommodation
- you live in a houseboat, caravan or mobile home
- you live in a shared co-ownership scheme
- you live in temporary accommodation

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## How does Social Sector Size Criteria work?

If you live in a Housing Executive or housing association home and you are assessed as having one or more extra bedrooms than is necessary the amount of Housing Benefit you receive will be reduced.

When we calculate Housing Benefit the amount allowed for rent and any eligible service charges will be reduced by:

- 14% for one extra bedroom, or
- 25% for two or more extra bedrooms.

### Example

#### Background

John, aged 37, lives on his own in a 3-bed Housing Executive house at a rent of £100 per week. He is able to claim Housing Benefit as a Job Seekers Allowance claimant and so he receives full Housing Benefit.

#### Pre-SSSC introduction

His payments would have been as follows:

Housing Benefit rent liability	£100
Housing Benefit eligible rent/rates and service charges	£100
<i>Housing Benefit entitlement</i>	<i>= £100</i>

John's Housing Benefit payment covers his rent/service charges in full.

#### Post-SSSC introduction and rules applied

John is now considered to be under-occupying his home by two rooms according to Housing Benefit requirements, therefore the amount allowed for eligible rent and service charges will be reduced by 25% and he will have a reduction in Housing Benefit to mirror this...

Housing Benefit rent liability	£100
Reduction due to SSSC (25% for 2-bedroom under-occupation)	- £25
Maximum eligible rent after SSSC deduction	<u>= £75</u>
Maximum Housing Benefit payable	£75
	<i>Shortfall</i> = £25

John's Housing Benefit payment covers three quarters of his rent. He may be eligible for Welfare Supplementary Payments until 31 March 2020. This will be automatically applied and the Department for Communities will write to John to tell him it is happening.

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## What is an 'eligible service charge'?

Within the Housing Executive 'eligible service charges' are part of the overall rent charge payable for someone who lives in a flat / maisonette and covers things like communal lighting and communal heating. If you are a housing association tenant contact your housing association directly to ask for details of their 'eligible service charges'.

## What happens if my Housing Benefit is reduced?

If you find your Housing Benefit payment is reduced the Northern Ireland Executive has committed to lessen the impact and make a payment for the reduction through a **Welfare Supplementary Payment** until 31 March 2020.

### Example

#### Background

Following on from the example of John who lives on his own in a 3-bed Housing Executive house; where the rent is £100 per week. As a Job Seekers Allowance claimant he receives full Housing Benefit.

#### Welfare Supplementary Payment post SSSC

John is considered to be under-occupying his home by two rooms, therefore the amount allowed for eligible rent and service charges is reduced by 25%. Although his Housing Benefit is reduced a Welfare Supplementary Payment will be paid for £25 to cover the shortfall. The Housing Executive and Department for Communities will work together to make this happen automatically...

Housing Benefit rent liability	£100
Reduction due to SSSC (25% for 2-bedroom under-occupation)	- £25
Maximum eligible rent after SSSC deduction	<u>£75</u>
Maximum Housing Benefit payable	£75
Welfare Supplementary Payment (from DfC) payable	<u>+ £25</u>
Amount paid to rent account	<u>= £100</u>

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## How will I know if I'm eligible for a Welfare Supplementary Payment (WSP)?

You do not need to apply for this as the Housing Executive will work with the Department for Communities to calculate the amount due and arrange its payment. All current and future Housing Executive and housing association tenants will be considered.

You may already have received or will receive a letter from the Department for Communities if you are eligible for a Social Sector Size Criteria Welfare Supplementary Payment. If you are already receiving a Welfare Supplementary Payment for another benefit affected by Welfare Changes, this will not be affected.

However, if you are currently a tenant of the Housing Executive or a housing association in Northern Ireland and are receiving the Welfare Supplementary Payment for SSSC, or have ever received it, you might not be entitled to another Welfare Supplementary Payment.

## How will I know if I'm impacted?

The Housing Executive wrote in January 2017 to all housing benefit customers likely to be affected by SSSC / Bedroom Tax's introduction on 20 February 2017. This was followed by a '*Housing Benefit notification letter*' confirming the household's situation from 20 February 2017 when SSSC / Bedroom Tax was implemented.

All customers in receipt of housing benefit receive a '*Housing Benefit notification letter*' from the Housing Executive which gives details of the household's housing benefit award. If you live in a Housing Executive or housing association home the impact of Social Sector Size Criteria / Bedroom Tax, if applicable, will be detailed. The '*notes of explanation*' enclosed with the letter give further details.

With regards to [Welfare Supplementary \(mitigation\) Payments](#) being payable; the Department for Communities will send you a letter separately if you are eligible for this payment.

For Housing Benefit enquiries, you can telephone the Housing Executive on 03448 920 902.

If you need more information about how your housing transfer or exchange is affected you should contact your landlord or contact the [Housing Executive](#) if you are an applicant.

For more information read:

[“What does Social Sector Size Criteria \(SSSC\) mean for households?”](#)

## **What happens if my circumstances change?**

If your circumstances change at the property for which you have received or are currently receiving a Welfare Supplementary Payment this payment will increase or decrease to reflect these changes.

### **Examples**

these are not exhaustive; any doubts please contact your current social sector housing provider **and / or** Housing Benefit on 03448 902 902.

### **Change in child’s age**

#### **Background**

The Mays are a working-age family in receipt of Housing Benefit. They live in a 3-bedroom house but under SSSC they are under-occupying their home by one bedroom as their children, a boy (aged 8) and girl (aged 9), are expected to share a room up until the eldest child turns 10.

As they are under-occupying by one bedroom the amount allowed for eligible rent is reduced by 14% resulting in a reduction in their Housing Benefit. The May family will automatically receive a Welfare Supplementary Payment to cover this shortfall.

#### **Outcome from change**

When their daughter turns 10 years of age she becomes entitled to her own room. This will result in the Mays no longer under-occupying their home and therefore no longer requiring a Welfare Supplementary Payment.

### **Birth of a child**

#### **Background**

Janet and John are a working-age couple in receipt of Housing Benefit and living in a 3-bedroom house. According to SSSC rules they are under-occupying by two bedrooms.

As they are under-occupying by two bedrooms the amount allowed for eligible rent is reduced by 25% resulting in a reduction in their Housing Benefit. Janet and John receive a Welfare Supplementary Payment to cover this shortfall.

#### **Outcome from change**

Once a baby is born Janet and John’s family is now under-occupying their home by one bedroom. The Housing Executive would record this as a ‘change of

circumstances' and the Welfare Supplementary Payment would reflect the decrease to 14% of their eligible rent.

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## **Family member leaves the home**

### **Background**

Mike and Sarah are a working-age couple in receipt of Housing Benefit, with a son, Alex aged 22. According to SSSC rules the family is under-occupying their 3 bedroom property by one bedroom.

The amount allowed for eligible rent is reduced by 14% as they are under-occupying by one bedroom resulting in a reduction in their Housing Benefit. The family will automatically receive a Welfare Supplementary Payment to cover this shortfall.

### **Outcome from change**

Alex leaves home which result in Mike and Sarah under-occupying their home by two bedrooms. The Housing Executive would record this as a 'change of circumstances'. The Welfare Supplementary Payment would reflect the increase to 25% of their eligible rent.

Alex returns to the household and the family is now under-occupying by 1 bedroom and the eligible rent reduction returns to 14%. Once again WSP decreases to 14%. Alex subsequently decides to leave again returning Mike and Sarah to under-occupancy by 2 bedrooms with the eligible rent reduction returning to 25% and WSP increasing to cover the reduction

## **Gaining temporary employment**

### **Background**

Paul, aged 34, is under-occupying his home by 1 bedroom. It means the amount allowed for eligible rent is reduced by 14% resulting in a reduction in Paul's Housing Benefit. However, a Welfare Supplementary Payment is made to cover this reduction. Paul becomes employed on a temporary contract for 6 months.

### **Outcome of the temporary employment**

Paul is not entitled to Housing Benefit while he is working and Welfare Supplementary Payment also stops.

However, when his employment contract ends Paul is entitled to Job Seekers Allowance and is once again awarded full Housing Benefit. He is still under-occupying by 1-bedroom and as a result WSP is reinstated to cover the 14% reduction due to SSSC.

## **Housing Benefit entitlement changes**

### **Background**

Lyndsey, aged 49, lives alone in a 2 bedroom house with a gross rent of £85. She is working but receives partial Housing Benefit of £8.30 per week.

When SSSC is applied, she is found to be under occupying her home by 1 bedroom. When her Housing Benefit is recalculated with a 14% reduction for under occupancy, her entitlement is nil as the reduction is more than the amount of benefit she was receiving so her Housing Benefit payments cease. However, Lyndsey is entitled to Welfare Supplementary Payment of £8.30 which is equal to the amount of benefit she was receiving before the SSSC reduction was applied. Lyndsey's Housing Benefit claim has ended, but she continues to receive a WSP.

### **Outcome of a change in Housing Benefit entitlement level**

Lyndsey is subsequently made redundant from her job and she is entitled to Job Seekers Allowance and Housing Benefit. This is treated as a new Housing Benefit claim. As she is under occupying her home by 1 bedroom, she is entitled to Housing Benefit of £73.10 (£85 gross rent less 14%). She will now receive Welfare Supplementary Payment of £11.90 to make up the shortfall.

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### **I am a parent with overnight access, am I exempt?**

No you are not exempt from the SSSC regulations.

If the property was allocated to you through the Housing Selection Scheme policy it has more flexibility and currently allows an additional bedroom for such requirements. However, under the SSSC rules there is no provision for an additional bedroom for these circumstances.

### **Am I exempt if the home I currently live in has been adapted for me?**

If an extension or adaptation was required for you as a Housing Executive tenant then the rent for the extra room is not charged, this is called 'abatement'. If you are of working-age, and receive Housing Benefit, this room will not be taken into account for SSSC, as this room is not included in the rental charge.

Should a succession of tenancy occur, the abatement of the rent charges in relation to the adaptation will continue to apply so long as at the person who succeeds the tenancy is either the disabled tenant or a disabled member of the tenant's household. If your household for which the adaptation was carried out no longer requires the adapted bedroom the rent for this room will continue to be abated until your tenancy is terminated.

### **My home has been adapted (or is going to be adapted) with a vertical (through-floor) lift. What will happen?**

If a household requires a vertical lift a bedroom is sometimes used to facilitate this. The rental charge for the property will not change following the installation of the



lift. However, if the bedroom is no longer usable it will be 'disregarded' [omitted] when housing benefit calculates SSSC.

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## What happens if someone in my household dies?

If someone in the household dies a 52 week 'protection' is applied to the household's circumstances. Therefore if the rules of Social Sector Size Criteria are applied and show the household is under-occupying the under-occupancy will not take effect until a year after the person has died.

Once this year has concluded, if this is the first time your household has been impacted by SSSC you may receive a [Welfare Supplementary Payment](#) to make up the shortfall.

If it is the case your household's under-occupancy has increased from 1 bedroom to two or more and you were in already in receipt of WSP the level of WSP payment should also increase.

### Example

#### Background

The Heyland's are a working-age family in receipt of Housing Benefit. They live in a 3-bedroom house with Mrs Heyland's mother and twin boys (aged 8) who share a room.

#### Outcome from a death

Mrs Heyland's mother dies which means the Heyland's are now deemed to be under-occupying their home by 1-bedroom. However, there is 52 week protection which means the under-occupancy will not take effect until a year after Mrs Heyland's mother's death.

Once the 52 weeks have concluded the family is now deemed to be under-occupying by one bedroom as the two boys are expected to share until they are 16 years.

They are entitled to a Welfare Supplementary Payment (available until 31 March 2020) as this is the first time SSSC has affected the family. [Further information](#)

## If I am affected by the Social Sector Size Criteria, can I register / be considered for a smaller house / accommodation?

If you are already a tenant of the Housing Executive or a housing association and you want to move, you can apply for a transfer. You will need to complete a housing/transfer application form. You can contact your local office or get more information on the Housing Executive website [nihe.gov.uk](http://nihe.gov.uk).

You may also want to consider exchanging homes with another social housing tenant. You can register to swap online at [HomeSwapper](#) - this is free for any Housing Executive tenant and most housing association tenants in Northern Ireland.

You can also find potential home swaps by word of mouth, advertising in newspapers, advertising online or postcards in shop windows. If you find a suitable swap, you both need to contact your landlord(s) and complete the application forms and get your landlord(s) permission to exchange.

For Housing Benefit enquiries, telephone the Housing Executive on 03448 920 902.

## **What if I move under ‘management transfer’?**

If you are a Housing Executive or housing association tenant who has been awarded ‘management transfer’ status under the rules of the Housing Selection Scheme and you move to another property in the social rented sector you will retain your entitlement to a Welfare Supplementary Payment no matter the size of property you move to.

## **What if I transfer or exchange to a smaller property?**

If you are receiving a Welfare Supplementary Payment and then transfer to another property in the social rented sector where you are under-occupying at a lesser level, you will continue to receive a Welfare Supplementary Payment. If you move and are no longer under-occupying the Welfare Supplementary Payment will end.

### **Example**

#### **Background**

The Nuttalls are a working-age couple who live in a 3 bedroom social housing home and receive Housing Benefit.

When SSSC is applied they are deemed to be under-occupying by 2 bedrooms and as a result, the eligible rent used to calculate Housing Benefit is reduced by 25%.

However, they are entitled to Welfare Supplementary Payment to cover the reduction. The couple apply for a transfer or exchange and are offered a 2 bedroom house.

#### **Post transfer**

After they move and SSSC is applied the Nuttalls are deemed to be under-occupying by 1 bedroom. As a result, eligible rent used to calculate Housing Benefit is reduced by 14%.

As they reduced their level of under occupancy by moving, they are entitled to Welfare Supplementary Payment until March 2020 to cover the reduction in eligible rent.

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## **What if I transfer or exchange to a same sized or larger property?**

If you currently under-occupy and receive a Welfare Supplementary Payment but choose to transfer or exchange (and you do not have [management transfer](#) status) to another property in the social rented sector where you continue to under-occupy to the same level or perhaps greater, you will no longer receive a Welfare Supplementary Payment.

### **Example**

#### **Background**

The Spencer's are a couple of working age who live in a 3 bedroom family with their two boys, aged 6 and 8 years.

When SSSC is applied the family is under-occupying by 1 bedroom and the amount allowed for rent and any eligible service charges used for Housing Benefit is reduced by 14%. They receive Welfare Supplementary Payment to cover this reduction.

#### **Post transfer**

The Spencer family applies for a transfer and are offered a 3 bedroom house. They accept the move but as the family has not reduced the level of under-occupancy at the new address they are not entitled to Welfare Supplementary Payment. It will therefore stop.

Once the Spencer's lost entitlement to Welfare Supplementary Payment they will never be eligible to receive the payment again.

## **What if I am not under-occupying and transfer or exchange to larger property?**

If you do not under-occupy your social sector home you therefore would not require a Welfare Supplementary Payment.

If you choose to transfer or exchange to another property in the social rented sector which results in your household under-occupying, you may be entitled to Welfare Supplementary Payment (WSP).

WSP will only be paid if this is the first time your household has been impacted by bedroom tax and you have not previously lost entitlement to WSP.

## **What if I under-occupy then move into the Private Rented Sector but back to the social sector and still under-occupy?**

If you receive a Welfare Supplementary Payment because you under-occupy your social sector home and choose to move to a property in the private rented sector this Welfare Supplementary Payment will stop. Entitlement to this payment is not lost; it is not available for those living in the private rented sector.

If you are then offered a house back in the social sector which you wish to take but it means you are under-occupying you should be entitled to receive a Welfare Supplementary Payment.

## **Can I appeal the non-payment of a Welfare Supplementary Payment (WSP)?**

If you disagree with the decision you can ask for it to be reviewed. A person nominated by the Department for Communities will carry out the review and you will be notified of the outcome.

You can request a review by either phoning Welfare Supplementary Payments on:

Telephone Number 0300 123 3382

Text Phone Number 0300 123 3383

or in writing at the address below within one month of the date on your notification letter:

Welfare Supplementary Payments  
Department for Communities  
Castle Court  
Royal Avenue  
Belfast, BT1 1HR

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## **Is there a helpline or advice service I can contact for help?**

Independent advice on changes to the welfare system is available to affected customers by contacting the Independent Welfare Changes Helpline on 0808 802 0020.

The helpline is available Monday to Friday from 9am to 5pm and is free to call from any mobile or landline within the UK.

The helpline is operated by the Welfare Reform Advice Services Consortium (Citizen's Advice, Advice NI and the Law Centre NI). Further information is available at [nidirect](#).

If you need more information about how your housing transfer or exchange is affected, you should contact your landlord or contact the Housing Executive if you are an applicant.

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