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Forms and mechanisms of exclusion in contemporary housing systems

An evidence review

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Executive summary

Introduction

This report details contemporary mechanisms of exclusion in the UK rental housing system. Whilst a number of these mechanisms are new, they are discussed with reference to a broader historical literature relating to housing exclusion. This grounds the report in a wider context and raises awareness of the continuity of exclusionary outcomes for some groups, despite substantial changes in policies, practices, and the housing system as a whole.

Approach to the review

The review was carried out in several stages. Searches were conducted in two bibliographic databases, followed by hand-searching of key journals, and internet searches. Finally, in order to capture emerging exclusion, searches of UK newspaper articles were also carried out. In total 79 pieces of research and 88 newspaper articles were found to be in scope. The research literature was prioritised, with initial evidence synthesis drawing on 38 high priority studies. Additional literature was used to fill gaps in understanding, and to provide historical context for contemporary processes.

Key concepts

Conceptualising exclusion

The following report uses a broader definition of exclusion, which incorporates social, spatial, cultural and financial forms of exclusion from housing, with specific reference to the mechanisms through which exclusion operates. Exclusion results in individuals being unable to access the housing that they seek – this may mean exclusion from adequate housing that meets their needs, exclusion from a particular type of housing (for example, with a more secure tenancy), or exclusion from a particular place (for example, with higher housing costs).

Conceptualising mechanisms

The term mechanism appears frequently within sociological literature that seeks to understand cause and effect. This report seeks to highlight such change and continuities within housing systems. Sociological literature has stressed the interpersonal nature of causal processes and mechanisms, which are evident in the dynamic relationships and interactions that take place between individuals in networks and broader social structures (Wacquant, 2015). Within the context of housing systems, we identify mechanisms of exclusion as part of allocations and lettings policies and processes, local authority nominations systems, credit checking, welfare and immigration policies. Mechanisms of exclusion

Mechanisms of exclusion

A triadic typology of exclusionary mechanisms is used to frame the discussion of literature, drawing on Ginsburg (1988). Whilst structural, institutional and individual mechanisms are discussed separately, it is recognised that these spheres overlap. Individual practices sit within, and are influenced by, broader social structures and institutions.

Structural

Structural exclusion stems from the operation of wider societal forces. There is a significant history of research into race and structural inequalities in UK housing, and the ways in which housing policy can reproduce these structures of disadvantage (Robinson, 2002). Recent research has tended to draw fewer substantive links to the structural roots of marginalisation for particular social groups. In part, this may be due to the embedded and slow-changing nature of structural mechanisms, compared to the shifting institutional sphere.

Individual

Historical and structural exclusion interacts with individual-level bias, which may be conscious or unconscious, intentional or unintentional. Individual mechanisms of exclusion refer to the decisions of individuals, who operate within particular institutional and structural contexts. For example, historic and contemporary research has highlighted the ways in which housing practitioners and landlords draw on subjective judgements about the behaviours, appearance and characteristics of those seeking housing, to the disadvantage of some groups (Reeve et al., 2016, Henderson and Karn, 1987). This is confirmed by large-scale, multi-national correspondence tests, which tend to focus on ethnic discrimination (Flage, 2018). Whilst individual bias is difficult to investigate, given the increasing role of a disparate private sector, and routes into forms of house sharing, it is crucial to improve understandings of individual perceptions.

Institutional

Institutional mechanisms of exclusion are located within the component institutions of the housing system, taking the form of policies, processes, and technologies, that operate at different levels, from the State to organisations. Whilst organisational processes differ and have multiple influences, one driver of change is the legal and policy framework to which organisations must respond.

Legal and policy framework

There have been significant changes to the legal and policy framework in the last ten years, fostering new mechanisms of exclusion, some of which are overt and intentional. However, devolution has resulted in a complex patchwork across the UK, with some legislation applicable only to England, or UK-wide legislation subject to delayed implementation or mitigation by devolved governments.

Local connection tests have long histories (Bevan and Cowan, 2016), but the Localism Act 2011 in England returned the power to exclude non-qualifying persons without a local connection.

The Immigration Act 2014 and 2016 introduced a number of measures designed to create a 'compliant environment' for irregular migrants, to make it more difficult to rent property (UK Parliament, 2013). The Right to Rent scheme requires landlords to seek to establish whether tenants have a right to rent, shifting greater responsibility for immigration control onto landlords. Whilst the policy intentionally seeks to exclude some groups from housing, it also has broader unintended exclusionary outcomes, impacting more widely on minority groups and those without a British passport (Patel and Peel, 2017, Mykkanen and Simcock, 2018). However, due to lack of monitoring it is difficult to identify discrimination, and therefore to understand the scale of exclusion (Bolt, 2018).

The Welfare Reform Act 2012 has more significant implications in England due to mitigation and delayed implementation in devolved nations. As well as impacting on access to some forms of housing, the combined impact of welfare reforms can also have a particular spatial form, resulting in exclusion from areas with higher and mid-rent housing costs (Hamnett, 2014). Local Housing Allowance restrictions, for example, intentionally exclude households from some forms of housing (Powell, 2015b), restricting the lettings to which individuals would previously have had access (Cole et al., 2016).

Meanwhile, reforms to legal aid in England under the Legal Aid, Sentencing and Punishment of Offenders Act 2012 make it more difficult for individuals to access justice when their rights have been breached (Equalities and Human Rights Commission, 2016).

Housing design and provision

States must ensure the development of housing that is suitable for all groups in the population, or risk indirect discrimination (Flage, 2018). However, a number of groups with specific housing needs are not well served by current approaches to the design and delivery of homes. In England, local authorities are no longer legally required to carry out accommodation needs assessments for gypsies and travellers with concern that this will compound existing poor provision (Runnymede Trust, 2016). More broadly, lack of monitoring of housing outcomes and experiences of exclusion means that there are gaps in the evidence that decision-makers use to set priorities and shape services (Equalities and Human Rights Commission, 2016).

Research into LGBT housing exclusion has particularly focused on housing options for ageing populations. Whilst older LGBT individuals have similar concerns about their future housing and support needs as the wider population, they may have additional concerns about the extent to which their needs will be met by mainstream providers (Musingarimi, 2008, Shelley, 2016). Furthermore, if landlords do not routinely record information about the sexual and gender identities of residents, it is not possible to understand housing needs, experiences, and outcomes for different groups (Matthews and Poyner, 2017).

There has also been research into the provision of housing for individuals with disabilities, which demonstrates limitations in the ways in which designers and builders consider the bodily capabilities of individuals, for example in relation to threshold access but not dexterity or other actions (Bhakta and Pickerill, 2016). Lack of accommodation that meets specific needs, proximity to family and caring networks (Mackie, 2012), and limitations in funding for adaptations (Mackintosh and Heywood, 2015), have also been highlighted as key issues.

Communication and provision of information

Restricting the information that people have access to in order to make housing decisions is one mechanism through which exclusion operates. For example, lack of information about housing options could exclude people from forms of housing that they do not know they are entitled to access (Mackie, 2012). Access to information is not just an issue for individuals, but exclusion can also result from misunderstanding of housing law and policies by landlords (Patel and Peel, 2017). There is potential to address this through improved access to information and training.

Allocations processes

Whilst it is clear that governmental and institutional arrangements have shaped the access that individuals and groups have to housing, one of the gaps in research is to demonstrate exactly how housing staff and organisations have contributed to housing exclusion (Tunstall and Pleace, 2018). Academic attention has turned to the ways that Coalition and Conservative-led reforms to welfare and social housing finance have restricted access to social housing. Fixed Term Tenancies (FTTs) represent efforts to end so-called lifetime tenancies by considering employment, debt, under-occupancy and behaviour when assigning or reviewing those tenancies. Whilst it is clear that some landlords have rationalised FTTs as a way of managing financial risk, FTTs are part of a broader range of assessment and screening methods being operationalised within social housing allocations (Hickman et al., 2018).

Whilst housing exclusion holds particular contemporary relevance, socio-legal and housing scholarship has shown how exclusionary practices have historically enabled local and central government to govern according to sanctioned behavioural norms (Damer, 2000, Flint and Pawson, 2009, Bevan and Cowan, 2016, Cowan et al., 2009). For example, in 1993, 92% local authorities were found to exclude households from their waiting lists for rent arrears, being aged under 35, and for anti-social behaviour (Bevan and Cowan, 2016: 81). Local authority nominations systems and housing duties in England have also resulted in conflict with housing associations, who have rejected out of work households on the basis of neighbourhood sustainability (Cowan et al., 2009).

Homelessness legislation and assessments represent enduring forms of individual and institutional exclusion, where individual officer discretion, resource pressures and subsequent discrimination has been reinforced by definitions of deserving and intentionality within legislation (Alden, 2015, Dwyer et al., 2015). Whilst the Housing (Wales) Act and the Homelessness Reduction Act (England) has extended the duty of local authorities to provide housing advice and assistance to people outside of priority need groups, in the absence of greater resources or monitoring there is a risk that extended duties may mask systemic problems within housing allocations systems through a continuation of 'gatekeeping' practices (Cowan, 2019).

Pre-tenancy assessments

There is evidence of a growing range of pre-tenancy checks and conditions in the private and social rented sector. Discrimination against those receiving Housing Benefit in the private rented sector – so called 'no DSS' restrictions (Shelter, 2018b) – and restrictions to Local Housing Allowance, especially for those under 35 (Reeve et al., 2016) have clear exclusionary impacts. The role of institutions in setting restrictive mortgage and insurance conditions for buy-to-let landlords, which can prohibit letting to those in receipt of Housing Benefit, has compounded this exclusion (Walmsley, 2017).

There is also evidence that in England access to social rented tenancies is becoming more conditional for those in receipt of some benefits, which may result in exclusion from forms of 'affordable' housing for tenants deemed to be a higher 'risk' (Hickman et al., 2018). The use of pre-tenancy assessments is now widespread in the social rented sector, with affordability a key issue (Greaves, 2019). Other research has highlighted the use of tenancy ready training, which may be a particular issue for young people seeking to move onto settled accommodation (Stewart, 2018).

Technologies

Exclusion from housing has been enabled through commercial technologies that restrict housing to particular groups of people. In doing so, discrimination against particular groups has been further institutionalised and embedded within both social and private housing. Big Data, algorithms and social media have been utilised by landlords and financial services to mitigate against risk by excluding individuals considered to present financial or other behavioural issues. As part of a growing body of scholarship around the financialisation of housing, credit scoring provides an example of instruments that have extended beyond commercial settings and into rented housing (Ronas Tas, 2017). Whilst much of this scholarship is US-based, anecdotal evidence shows that social landlords use credit scoring services to screen tenants for financial risk (Hickman et al., 2018). Whilst credit scoring is presented as a neutral, technical intervention, its ability to stigmatise and exclude individuals demonstrates how data and algorithms that operate behind such scores are embedded in human and wider societal judgement and discrimination (Kear, 2017). The ways that algorithms and social media have been used to target advertisements for housing services, and even to support the screening of tenants for lifestyle characteristics in the commercial sector, also demonstrates the potential for AI to become embedded within everyday transactions (Unwin, 2018).

Research gaps

- Whilst there is substantial anecdotal evidence of exclusion in contemporary housing systems, robust monitoring data is lacking, which makes it challenging to evidence the scale of problems for different social groups, across different geographies.
- Research has been more focused on institutional (including State-level) mechanisms of exclusion than on understanding the human dimension of some of the contemporary processes that are associated with the neoliberalisation of housing systems. There are opportunities to expand on research into 'street level bureaucrats', to consider the role of individuals across housing systems more broadly.
- For those with specific housing needs the supply and design of houses has a significant impact in structuring housing pathways; understanding the precise needs of different groups, and geographies of provision of housing types, is therefore crucial.
- Alongside these gaps in data, there is also potential for a better understanding of the extent to which individuals can challenge decisions, and access the legal (housing) rights to which they are entitled. The impact of changes to legal aid provision, and the decline of specialist advice services, on housing outcomes has yet to be subject to robust research.
- Research is required to explore the ways in which local authorities are managing local housing duties, alongside housing associations and other partners.
- As the Homelessness Reduction Act takes effect in England, there is a need to monitor how homelessness duties are being interpreted by local authority housing options services, as they manage extended duties alongside substantial budget cuts.
- There is a lack of evidence in relation to the rationales underpinning the exclusion of those in receipt of welfare benefits. The fragmented and anecdotal nature of some of the evidence around emerging mechanisms of exclusion means that this can be explained by organisations and actors in the housing system as unintentional or accidental, yet there is value in critically situating practices and processes within a wider framework of exclusion.
- The role of institutions such as mortgage lenders and insurance companies in forcing or facilitating private sector landlords to act in an exclusionary way, by attaching conditions about the characteristics of tenants to their lending, is an area that would benefit from more research.
- Given the likely growth of 'stranger shares' among individuals renting in the private sector, we know little about the exclusion some groups may face as a result of stigma and individual bias from other residents, for example, against those with mental health issues.

- Whilst there is evidence that changes to the welfare system and housing finance has resulted in practices of assessment and screening in the social housing sector, there is no adequate data against which to assess potential exclusion, or around the housing outcomes and pathways of those who are not seen as eligible for properties.
- The use of credit scoring services in pre-tenancy assessments in the social housing sector, and the ways that risk assessments might be used in strategic decision-making, has not been subject to research.
- Research is required to understand how risk indicators, algorithmic assessments and artificial intelligence are being used as a way of indicating potential risk or predicting particular behaviours among prospective residents, and the influence these assessments have on access to housing.
- It is also important to consider the potential for technologies as a tool for social good. For example, in modelling households at-risk of arrears by using payment data, landlords may promote financial inclusion. This highlights the need for more in-depth research with organisations and practitioners who are using such technologies, to understand different rationales, motivations, and outcomes.

Introduction

This report details emerging and contemporary mechanisms of exclusion in the UK housing system. It focuses on rental housing, both in the social and private rented sectors. Whilst there is a long history of research into housing exclusion, some of the mechanisms through which exclusion operates are both new and far-reaching in terms of social consequences. This is not to ignore that some changes within the housing system have undoubtedly acted to reduce exclusion for some groups, however this is not the subject of the current report. Rather, the report re-engages with some of the historical literatures to raise awareness of the continuity of exclusionary outcomes for some groups, despite substantial changes in policies, practices, and the housing system as a whole. The substantive focus of the discussion that follows is on those mechanisms that are emerging, but yet to be fully explored through research.

The chapters that follow are based on an evidence review that draws on a triadic conceptualisation of exclusionary mechanisms, comprising structural, institutional and individual factors. Literature searches were carried out in two bibliographic databases and through hand-searching for relevant research publications. These were combined with searches of newspaper reporting, to capture any emerging mechanisms of exclusion.

In order to frame the literature, a brief discussion of the key concepts of exclusion and mechanisms is presented. The main evidence review then details the typology of structural, individual and institutional mechanisms. Whilst these represent overlapping domains, the overwhelming majority of research evidence into contemporary mechanisms of housing exclusion relates to institutional mechanisms, at different scales, from the State to the organisation. Reflecting on this, the report finishes with the identification of a number of gaps in research evidence, and a brief conclusion.

Approach to the review

This report addresses the following research question: what are the emerging and contemporary forms and mechanisms of exclusion in the UK rental housing system, both in the social and private sector? The approach to gathering evidence was carried out in several stages:

- A search protocol was developed, based on identifying of a number of mechanisms of (housing-related) exclusion
- Searches were carried out in Web of Science and SCOPUS
- Second stage hand searching of key journals and 'grey literature' was also undertaken
- Finally, as much evidence of contemporary and emerging mechanisms of exclusion appears to be anecdotal, searches of UK newspaper articles were also carried out in Lexis Nexis

Search protocol

The search protocol for bibliographic databases was based on a working typology of three different mechanisms of exclusion. This was devised at a meeting of the project team, and drew upon the expertise of team members across a range of research areas. These were:

- Structural mechanisms – wider societal formations of disadvantage, particularly related to protected characteristics
- Institutional mechanisms – the largest category
 - o Legal and policy framework (Localism Act; Immigration Act 2014 and the Right to Rent; Welfare Reform Act)
 - o Allocations and nominations processes (local authority nominations agreements, Housing Association allocations processes, waiting lists)
 - o Pre-tenancy checks ('no DSS' clauses, buy-to-let mortgage clauses, affordability checks in social rented sector, conditionality and behavioural expectations)
 - o Technological mechanisms (credit checks; credit scores; risk ranking prospective tenants)
 - o Design and provision of housing 'types' (housing and neighbourhood design; disabilities)
- Individual mechanisms – the conscious and unconscious bias and discretion of practitioners

Searches combined each mechanism with dimensions of exclusion (exclusion, discrimination, barrier, prevent, access) and dimensions of housing (house, housing, home). Boolean strings for searches can be found in the supplementary material. Searches were limited to post-2008 research articles published in English, and were carried out in Web of Science and SCOPUS.

Initial inclusion criteria prioritised UK research, however this decision was amended after literature on the key mechanisms had been synthesised. Highly relevant but non-UK literature had been assigned a code to enable this research to expand discussions where needed – for example, there is an absence of UK research on some of the technological mechanisms, yet there is some US research that can help inform understandings in the UK context.

Results

Initial database searches in Web of Science and SCOPUS returned 1389 references. These were screened for country and thematic fit. Those with high thematic fit but outside the UK were given a specific code to enable them to be considered strategically in relation to particular mechanisms of exclusion.

168 articles were taken forward to abstract screening, after which 51 remained to be combined with hand-searched literature. Hand-searching in key journals and for 'grey' literature resulted in an additional 32 pieces of research. This left a total of 83 references, which was further reduced to 79 due to the application of exclusion criteria that were not initially apparent.

Prioritisation

The 79 publications were prioritised on a three-point scale according to: strength of fit with the precise focus of the research (new mechanisms of exclusion in housing systems), robustness of empirical approach, and novelty. From this prioritisation exercise:

- 38 were categorised as priority one
- 34 were categorised as priority two
- 7 were categorised as priority three

Initial evidence synthesis drew on the 38 priority one studies based in a UK context. Following initial synthesis, a further sub-set of priority two studies, as well as some highly relevant international research, was utilised strategically to fill gaps in understanding where there was a lack of robust research in the UK.

Data was extracted across a number of categories: research question(s), method and sample, headline findings, and research gaps and priorities. Each study was coded according the relevant mechanism of exclusion and, where relevant, whether any specific group was the focus of the research.

Capturing emerging exclusion

Searches were carried out in Lexis Nexis for post-2008 UK news articles including keywords for housing and discrimination or exclusion. A total of 958 articles were returned in the search of which 88 were retained following title screening. Rejections were made almost exclusively on the grounds of fit with the research topic. Whilst a number of news articles were based on research reports that have already been considered in the evidence review, where relevant, newspaper reports are referred to in order to illustrate anecdotal evidence of emerging mechanisms of housing exclusion. The publications used in this instance are widely seen as reliable sources and governed by editorial codes of practice setting out expectations for professional practice. In addition, such reports have been used to illustrate a wider point that contemporary evidence in some areas is largely anecdotal and journalistic, rather than sociologically interrogated. Whilst this is not to denigrate other forms of knowledge, there is potential for critical investigation of some of the processes highlighted by the print media.

Key concepts

Conceptualising exclusion

The term exclusion has a long tradition within social policy and academic literature, and has a variety of different applications. In European policy and sociological studies in particular, it refers to complex and multi-dimensional processes that can be defined as:

The lack or denial of resources, rights, goods and services, and the inability to participate in the normal relationships and activities, available to the majority of people in a society, whether in economic, social, cultural or political arenas (Levitas et al., 2007, p.81)

In the UK, the term was popularised through New Labour's Social Exclusion Unit (2004: 3), which presented social exclusion as 'a combination of linked problems such as unemployment, poor skills, low incomes, poor housing, high crime, poor health and family breakdown'.

Social exclusion encompasses a broad range of issues, but Levitas (1998) argues that as part of a broader political language of social cohesion, social exclusion masks significant social inequalities whilst also disavowing society of responsibility for that exclusion. Social exclusion is a collective phenomenon and a form of relation based on producing, reproducing and transforming the network of positions between groups in society (Wacquant, 2015). It is, therefore, imperative that exclusion is discussed with reference to relations between actors, institutions, systems and structures that cause and effect particular forms of exclusion. Primarily, this report considers the ways in which individuals are excluded from forms of rental housing in the UK (both social and private). Whilst housing services are a key point at which exclusion is operationalised, those services are significantly shaped by political, economic and technological systems that are deeply embedded within institutional systems, and vice versa. It is these interactions that determine unequal access to housing and forms of exclusion for individuals, as well as for social groups at a structural level.

Interpretations of social exclusion may be defined as economic or behavioural in the way that the problem is framed. Moral underclass discourse (MUD) which attributes exclusion to cultural characteristics and social integrationist discourse (SID), which positions employment as the primary intervention, both locate the problem of poverty and the solution with the individual (Levitas et al., 2007). These positions are evident in political discourse and policy mechanisms under New Labour and subsequent Conservative-led governments which have restricted welfare based on notions of deservingness, and which seek to activate individuals through work-based welfare provision. The outcomes of economic inequalities that have been exacerbated through successive welfare reforms are also manifest in spatial segregation and unequal access to resources such as housing.

A focus on financial exclusion also emerged from poverty and social exclusion studies during the 1990s and concerned barriers to mainstream financial services and the associated economic consequences of having limited access to bank accounts, affordable loans, credit, pensions and other services (Goodwin et al., 1999). Post-2012 welfare reforms have been linked to financial and social exclusion through 'digital-by-default' benefit administration, and the move towards online management of benefits has resulted in social and spatial inequalities in access to benefits and housing services (Hodkinson et al., 2016).

The following report uses a broader definition of exclusion, which incorporates social, spatial, cultural and financial forms of exclusion from housing, with specific reference to the mechanisms through which exclusion operates. Exclusion results in individuals being unable to access the housing that they seek – this may mean exclusion from adequate housing that meets their needs, exclusion from a particular type of housing (for example, with a more secure tenancy), or exclusion from a particular place (for example, with higher housing costs). As discussed

at the end of the report, our understanding of exclusion within housing systems is limited by the nature of the available evidence, in particular lack of robust data on housing outcomes. Monitoring of housing services and housing outcomes is inconsistent, with data collection dependent upon individual housing providers and, in some instances, central government. The majority of data around housing access or exclusion relates to social rented housing and public housing duties. Yet, following successive changes in the regulatory environment for housing in England (Homes and Communities Agency, 2012) the data available to understand housing exclusion in England is even more limited, due to a reduced emphasis on collecting and analysing data on indicators outside of financial viability and complaints management. This is even more of an issue in the private rented sector, where there is emerging – albeit small-scale and anecdotal – evidence of exclusion, but a more limited regulatory framework. It should be noted here that this represents an area of divergence across the UK, as Scotland, Wales and Northern Ireland have introduced national landlord registration and licensing schemes.

Conceptualising mechanisms

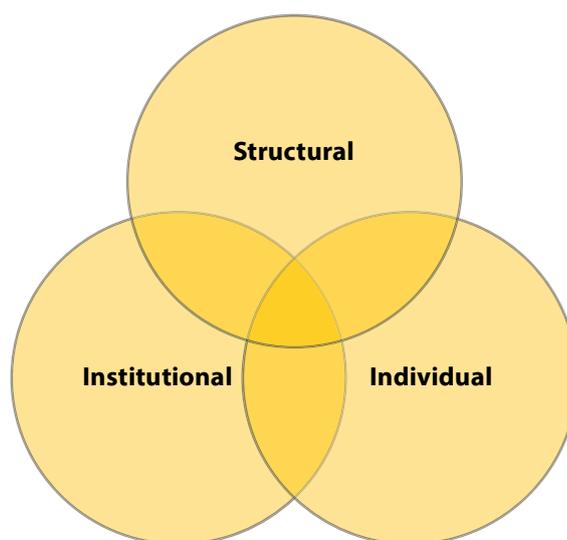
The term mechanism appears frequently within sociological literature that seeks to understand cause and effect. This report seeks to highlight such change and continuities within housing systems. In ‘realist’ frameworks, generative mechanisms explain causal relationships in social phenomena by ‘describing the “powers” inherent within a system’, either through agents, structures, institutions or technologies (Pawson, 2002:23). Those mechanisms operate within particular social contexts or conditions, in which relationships between individuals, institutions, social structures and technologies also determine social outcomes. For example, the shift towards digitalised benefit administrative services highlights a number of interrelated mechanisms, or ‘powers’, of exclusion. Access to advice and support is mediated through an online service, which has demonstrated the potential to exclude people with limited access to the internet, or who otherwise struggle to engage with those services. Furthermore, where people require face-to-face support for online benefit systems from job centre staff, access to job centres due to physical distance, public transport or physical mobility issues may create additional barriers (Hodkinson et al., 2016).

Other sociological literature has stressed the interpersonal nature of causal processes and mechanisms, which are evident in the dynamic relationships and interactions that take place between individuals in networks and broader social structures (Wacquant, 2015). Within the context of housing systems, we identify mechanisms of exclusion as part of allocations and lettings policies and processes, local authority nominations systems, credit checking, welfare and immigration policies. These mechanisms operate at the level of individual operatives but are also embedded within institutions, or are becoming institutionalised, as well as being part of broader political and economic structures. Similarly, governance scholarship has highlighted the role of actors and institutions within local networks, where decentered governance comprises complex and multi-directional configurations of power (Bevir, 2013), which are often in conflict (Newman, 2013). Local housing duties are a particularly relevant example in this regard, and will be discussed throughout this report.

Mechanisms of exclusion

A typology of exclusionary mechanisms

This report focuses on identifying new mechanisms of exclusion. It draws on a triadic typology of exclusionary mechanisms, following Ginsburg (1988), comprising: structural, institutional and individual. Structural exclusion stems from the operation of wider societal forces. Institutional exclusion operates within components of the housing system. Individual exclusion refers to the implementation of decisions by individuals, who operate within particular institutional and structural contexts. Exclusion stemming from social structures and individual bias are arguably less subject to change, although these structural and subjective spheres overlap and intersect with the institutional in most contexts, including in housing systems (Ginsburg, 1988, p.6). Because individual practices sit within, and are influenced by, broader social structures and institutions it is difficult to identify any one fundamental source of oppression and discrimination. Therefore, whilst the sections that follow discuss different mechanisms in isolation, it is clear that exclusion takes place through multiple interacting social processes, which operate in relation to other processes, systems and structures.



Structural mechanisms

Exploring concepts of racism, Ginsburg (1988) noted the centrality of debates around the relative roles of socio-economic structure, personnel of the State, and private institutions in producing and sustaining racial inequalities. Indeed, the housing circumstances of Black and Minority Ethnic (BME) groups continue to be less favourable than for whites, demonstrating the ways in which legislation, and statutory and regulatory codes from the 1960s onwards have failed to systematically and adequately confront racial disadvantage and discrimination in housing (BME National, 2017, p.9). National housing policies have tended to reward more economically advantaged households, with Robinson (2002) presenting the Right to Buy programme as a prime example of the way in which the legacy of past racist practices can be reproduced by a seemingly non-discriminatory policy. Racism, prejudice and stereotypes have underpinned the provision of opportunities and allocation of resources; in housing, the steering of BME applicants to particular areas meant that these households were less likely to be able to take advantage of the Right to Buy. This removed a crucial source of capital accumulation, demonstrating the ways in which – through institutional mechanisms – structural inequalities become embedded.

In general, whilst there is acknowledgement of the stigma faced by some groups in society, the longer structural origins that contribute to these processes are less prominent in the research literature. For example, Maestri (2014) highlights the ways in which the outcomes of Roma throughout Europe stem from historical, political and economic factors that have fostered this group's marginalisation and stigmatisation. Their discursive positioning as a burden on welfare and a threat to public order feeds into hostile movements around these groups, whilst largely ignoring the historical exclusion that they have faced (Maestri, 2014). As Smith (1987) argues, tackling the inequalities faced by some groups requires more than a focus on anti-discrimination, but necessitates social and economic policies that actively combat structural disadvantages.

Although there has been a focus on racial discrimination in housing systems, particularly in England in the 1980s, other groups also face structural exclusion. For example, Mackie (2012) highlights that much research into the housing choices of disabled young people has focused on the structural constraints and barriers that negatively influence people's housing experiences. The most frequently identified barrier is the design of buildings and the surrounding environment, which restricts the housing options open to individuals. Mackintosh and Heywood (2015) link this failure to meet the needs of individuals with disabilities to system inertia or 'status quo bias', in which lack of diversity in governing bodies of housing providers and regulatory bodies results in a failure of diverse housing supply. This, they argue, 'is the perniciousness of institutional discrimination – it is oblivious to its own choices and the exclusion that results' (Mackintosh and Heywood, 2015, p.785).

Individual mechanisms

This historical and structural exclusion interacts with individual-level bias, which may be conscious or unconscious, intentional or unintentional. It is difficult to separate individuals and their biases from the systems and institutions that they are a part of. Goffman (1990) highlights that stigma is generated within a particular social context, resulting in the rejection of individuals from society. The structural roots of stigmatising discourses can be seen in the ways in which successive governments have targeted benefit claimants as part of welfare reforms (Garthwaite, 2011, Patrick, 2016), especially in relation to social housing (Crossley, 2017). Just as there is a growing body of contemporary research that demonstrates that private landlords discriminate against potential tenants on the basis of behaviours and appearances (Reeve et al., 2016), so too are there historical examples of the same behaviours. For example, Henderson and Karn (1987) noted that local authority allocations systems were dependent on subjective judgements of the 'type' of person an applicant for housing was, which were drawn from the presence or absence of different codes with negative connotations in applicants' files. This meant that processes of allocations 'operated to the disadvantage of racial minorities, women, and less "respectable" working class people generally' (Henderson and Karn, 1987, p.273).

Numerous correspondence tests have also shown that there is considerable discrimination in housing systems. This research has tended to focus on ethnicity, finding discrimination in private rental markets against Arabic-sounding names, particularly Arabic-sounding male names (Oblom and Antfolk, 2017). A meta-analysis of correspondence tests across a number of EU countries (though none from the UK) between 2006 and 2017 found evidence of significant discrimination against ethnic minority groups in the rental housing market (Flage, 2018). At the initial contact stage, those with majority names were almost twice as likely to receive a positive response from estate agents or private landlords compared to those with minority group names, although agents were found to discriminate significantly less than private landlords (Flage, 2018). Whilst the mechanism of discrimination is not identified, the study noted that although providing more information in the applications increased positive responses, the effect was the same for both groups and had no impact on the difference in responses between them (Flage, 2018). This may be indicative of the role of conscious or unconscious individual bias. However, there is generally a lack of evidence in relation to individual bias in UK housing systems. Issues such as social desirability bias make this a difficult area to research directly (Tuffin and Clark, 2016, Stier and Hinshaw, 2007), but given the increasing role of a disparate private sector, and access to housing via forms of sharing, it is crucial to investigate individual perceptions.

Institutional mechanisms

Mechanisms of exclusion within housing systems take the form of policies, practices and technologies, which are enacted by individuals and institutions, including the institution of the State. This section considers the changing institutional context at different levels, from the State to organisations. Given the embedded nature of discrimination and exclusion in housing systems, it is important to take a historically informed view. Ginsburg (1988) explored the concept of institutional racism through local authority practices, in response to the first policy attempt to recognise and tackle racism within British council housing allocation. Ginsburg noted the challenges of disentangling the origins of racism, by drawing attention to the different levels of discrimination and the interrelationships between actors, organisations, processes and macro-level structures that determine social exclusion. Investigating the institutional drivers of discrimination and exclusion is also politically charged; as Henderson and Karn (1987, p.xx) noted in their study of discrimination in allocations in Birmingham, 'to emphasise the role of institutions in creating or sustaining racial disadvantage is obviously more threatening than to attribute disadvantage entirely to the behaviour of the minorities themselves'.

The institutional mechanisms of exclusion discussed in this section can be broadly categorised into two main domains – the legal and policy framework, enacted by the State, and organisational processes. Whilst organisational processes differ and may have multiple influences, one driver of change is the changing legal and policy framework to which organisations must respond, encoding requirements in 'local' processes, policies and procedures. For example, in examining the impact of changes to welfare benefit legislation and immigration reforms, Reeve et al (2016) argue that the combination of changes in the legal framework result in the transfer of a higher degree of risk from the State onto private landlords, with the outcome that they are less willing to rent to certain 'risky' groups.

Legal and policy framework

Whilst the legal and policy framework created at different levels of the State has always existed as a backdrop for – and driver of – forms exclusion, in the last ten years a number of significant legislative developments have fostered new mechanisms of exclusion. Importantly, some of these forms of exclusion are overt and deliberate, with the explicit intention of limiting access to particular types of housing for specific groups. Although the exclusion may be enacted at local organisational level – such as within a housing provider – the origins of these institutional processes can be traced back to broader changes in the legislative framework within which organisations operate.

Therefore, mechanisms of exclusion are multi-tiered and operate at different levels, from the State to the organisation and the individual. This section considers the legislative framework in relation to the **Localism Act 2011, Immigration Acts 2014 and 2016** (including the **Right to Rent** reforms), and the **Welfare Reform Act 2012**. This legislation has different impact in the devolved nations. For example, the Localism Act is applicable in England and parts of the Act to Wales. The Immigration Act is applicable to England and the 2016 Act includes provision to extend this to devolved nations. The Welfare Reform Act is applicable to England, Wales, and Scotland, with delayed implementation of some measures in Northern Ireland. However, Welsh and Scottish governments have mitigated some measures; the impact of the reforms is therefore largest in England.

Bevan and Cowan (2016) note that rules around '**local connections**' have roots as far back as the Poor Laws, and generally mean that – subject to some exemptions – a household must have lived in an area for longer than a specified period. In the post-war period, an almost universal condition of access to housing waiting lists was a local connection (Ravetz, 2001). In practice, this prevented access to housing for some of the poorest groups, with recent immigrants particularly affected (Pawson and Kintrea, 2002). At a time of post-war immigration – encouraged to fill shortages among the workforce – such residency requirements forced new arrivals into the worst private sector housing, with some landlords – infamously Peter Rachman – exploiting the exclusion of these groups (BME National, 2019).

The Black and Minority Ethnic (BME) housing association movement came about in response to the need for greater access to social housing by BME communities, at a time when race and housing issues were at the forefront of national policy debates (BME National, 2017). Studies in the 1980s demonstrated that even allocations systems apparently based on need resulted in discrimination against certain groups, including ethnic minorities and other applicants seen as 'rough' rather than 'respectable' (Pawson and Kintrea, 2002). Housing Corporation programmes sought to promote, register and support BME housing associations in areas of high BME population and housing need, adopting a more active stance on race equality in housing (Harrison, 1995).

The Housing Act 1996, which required local authorities to have a housing register and published allocations scheme, also enabled authorities to specify what classes of persons qualified to appear on the register (subject to statutory inclusions). Authorities were able to impose a residency requirement, and – alongside rent arrears – lack of local connection was thought to be one of the most common exclusions (Bevan and Cowan, 2016, p.81). The Homelessness Act 2002 reversed the qualifying persons provision, preventing local authorities from making households non-qualifying. However, the **Localism Act 2011** in England returned this power to exclude, with local authorities able to define 'qualifying persons' as those with a local connection (Wilson et al., 2018). Statutory guidance following the Act reinforced central government's view that priority should be given to those who could demonstrate a close connection to a local area (Bevan and Cowan, 2016), encouraging the adoption of a residency requirement of at least two years (Wilson et al., 2018). Whilst local authorities must seek to avoid provisions that may be directly or indirectly discriminatory (Wilson et al., 2018, Department for Communities and Local Government, 2012), there are concerns about the potential for the exclusion of marginalised groups, such as those evading domestic violence, and a 'postcode lottery' of housing access (Bevan, 2014).

The **Immigration Act 2014** introduced a number of measures designed to create a 'hostile environment' (now referred to as a 'compliant environment') for irregular migrants, with the stated aim of making it more difficult for illegal migrants to rent property, and therefore to either regularise their stay, or leave the UK (UK Parliament, 2013). The **Right to Rent scheme** requires landlords and their agents to carry out 'reasonable enquiries' to establish whether prospective tenants have a right to rent, in line with their immigration status. Failure to do so could result in landlords being subject to civil and criminal prosecution (Patel and Peel, 2017), although to-date no criminal prosecutions have been brought (Mykkanen and Simcock, 2018). Writing in the 1980s, Ginsburg (1988, p.14) argued that 'immigration control policies provide the most formidable and repressive examples of explicit institutional racism within the welfare state'. Whilst there are long-standing reports of passport checks and the denial of full rights for black people in access to housing (Harrison, 1995), recent reforms to the legal framework for immigration are significant in shifting greater responsibility for immigration control onto landlords.

The scheme is currently rolled out in England, but the **Immigration Act 2016** included provision for rolling out to Scotland, Wales and Northern Ireland (Bolt, 2018). Leahy et al (2018, p.614) noted that stakeholders in Scotland were concerned that landlords – especially in the private rented sector – would 'take the easy option...and refrain from taking minority ethnic group members as tenants, rather than have to deal with the option'. This has the potential to add to housing discrimination for minority groups, and created dilemmas of practice for professionals, which may result in growing resistance (Crawford et al., 2019). More broadly, the measure adds to the governing tensions between UK and devolved nations, particularly in relation to the legal rights and processes afforded Scottish tenants (Crawford et al., 2016).

The second EU Minorities and Discrimination Survey found that 27% of respondents identified their skin colour as the main reason for experiencing discrimination in housing in the previous five years, with 19% identifying their ethnic origin (FRA, 2018). Whilst the UK had among the lowest reported levels of discrimination (FRA, 2018), the requirements of the Right to Rent scheme compounds the marginalisation of ethnic minorities and migrant groups, including those who do have the right to rent (Mykkanen and Simcock, 2018). Whilst the policy therefore intentionally excludes some groups from housing, it also has broader unintended exclusionary outcomes, stemming from fear of prosecution. One interviewee quoted by Leahy et al (2018, p.616) argued that the requirements placed on landlords were such that 'it is almost... understandable discrimination because... a person cannot tick the box, what are they supposed to do as a private landlord?'

Research has suggested that exclusion is driven more by the identity documents an individual has access to (i.e. a British passport) and fear of prosecution, than by latent racial discrimination per se. A report for the Joint Council for the Welfare of Immigrants discussed a survey of 108 landlords, 208 letting agents and 17 stakeholder organisations, as well as a large mystery shopping exercise (Patel and Peel, 2017). The research found discrimination against foreign nationals, with half of landlords stating they were less likely to consider letting to foreign nationals from outside the EU, and 18% less likely to rent to EU nationals as well. Whilst mystery shopping exercises found no difference between BME and White British applicants where both had a British passport, there were large differences for scenarios in which BME applicants did not hold a passport; the authors suggested that this pointed to the impact of Right to Rent checks specifically, rather than latent racist discrimination (Patel and Peel, 2017). Indeed, 42% of surveyed landlords stated that they were less likely to rent to anyone who does not have a British passport.

This is consistent with research from the RLA, based on a survey of over 1,500 landlords, which reported that 72% stated that they did not understand their obligations under Right to Rent, and 44% would only rent to those with documents that are familiar to them (Walmsley, 2016). This is concerning given that an estimated 17% of UK nationals do not hold a passport, disproportionately impacting young people, poorer, and working-class households (Reeve et al., 2016). A further RLA survey of almost 3,000 private rented sector landlords found that 44% were less likely to consider letting to individuals without a British passport as a result of the legislation (Mykkanen and Simcock, 2018).

Crucially, the Joint Council for the Welfare of Immigrants argued that the government is failing to adequately monitor the Right to Rent scheme to measure whether it is causing unintended discrimination (Patel and Peel, 2017). Other bodies such as Liberty have also criticised lack of impact monitoring (Merrick, 2018). For example, whilst a report by the Independent Chief Inspector of Borders and Immigration summarised concerns from stakeholders about discrimination by landlords, it 'does not set out to examine and test these concerns thoroughly' (Bolt, 2018, p.2). However, the report did recommend the development of public plans for the monitoring of Right to Rent measures, including impacts on discrimination and homelessness. As yet, there are no mechanisms through which those who believed they had suffered discrimination as a result of Right to Rent could report it to the Home Office – this makes it difficult to know whether discrimination is happening, at what scale, and what changes may mitigate it (Bolt, 2018). This is despite the government's own risk assessment of the measures including the potential for 'perverse effects on the availability of housing for foreign nationals', and that 'heavier penalties may provoke discrimination against those perceived to be a higher risk based on an unfounded belief that the person may be a foreign national' (Home Office, 2013, p.19).

The current system of welfare conditionality in the UK can be seen as ‘the latest chapter in the ebb and flow of more and less ‘activating’, ‘responsibilising’ and ‘disciplinary’ manifestations of welfare states’ (Watts and Fitzpatrick, 2018b, p.4). Nevertheless, the **Welfare Reform Act 2012** represented a significant evolution in the UK welfare system (Jacobs and Manzi, 2014). The extent of changes to the welfare system in the UK has been extensively documented elsewhere (Beatty and Fothergill, 2016, p.6-8), and it is important to note that impacts vary in the four nations because of mitigation measures in Scotland and Wales, and delayed implementation in Northern Ireland. Historically, the welfare state has functioned as a system of stratification, not just as a mechanism that intervenes in and ‘corrects’ structures of inequality (Harrison, 1995). Changes to social welfare also have a significant structuring effect on institutional processes at a local (organisational) level. Whilst there may be other interacting influences, a number of welfare reforms have been implicated in exclusion in the UK – but particularly English – housing system. These are: the Bedroom Tax or Size Criteria, Benefit Cap, Universal Credit, and changes to Local Housing Allowance (including the Shared Accommodation Rate).

The Bedroom Tax or Size Criteria results in a deduction from Housing Benefit for households living in social housing deemed to be under-occupying their home. The penalty was characterised as an incentive to move to smaller accommodation, thus freeing up larger homes for those who would utilise the bed-space (Gibb, 2015). Critics have argued that this measure legitimises some versions of ‘family’ whilst denying others, such as non-resident parents with shared custody arrangements, or grandparents with visiting family members (Greenstein et al., 2016). Although the deduction is relatively small, for those with a limited ability to make up the shortfall in Housing Benefit, it could operate as an exclusionary mechanism by further limiting people’s housing choices. This impact is geographically varied, however, as Scotland has mitigated this measure through Discretionary Housing Payments (Beatty and Fothergill, 2016).

The Benefit Cap sets an absolute limit on the total amount of benefits eligible to households receiving out of work benefits. Whilst the cap affects smaller numbers of households than the Size Criteria, the potential financial loss can be much greater, especially for larger households living in expensive areas. A survey of social landlords (312 responses) found that 9% of respondents would not let to households on benefits who would be unable to claim Housing Benefit for their full rent because of the Benefit Cap (Clarke and Williams, 2014). London-based landlords were the most likely to say that they would not let to capped households (18%) (Clarke and Williams, 2014). Paton and Cooper (2016) conceptualise the overall Benefit Cap and caps to Local Housing Allowance (discussed below) as a ‘rent cap’ because they reduce individuals’ rent income, leading to evictions and coercive displacement.

There is little quantitative evidence about the extent to which evictions or access to housing has been affected by welfare reforms, but there is increasing anecdotal evidence of changing organisational practices such as pre-tenancy checks, which are discussed in depth in a later section. The combination of welfare reforms, but particularly changes in Housing Benefit, can have an exclusionary effect that has a particular spatial form, potentially excluding low-income households from high-rent private market areas, as well as neighbourhoods in which new affordable housing is being built (which are more likely to be let at mid-market rents) (Hamnett, 2014).

Housing Benefit reforms and the introduction of Universal Credit, changing the way in which Housing Benefit is paid to landlords (Hickman et al., 2017), have shifted this from a relatively secure income stream to one which is seen as riskier, as it is dependent on a tenant being able to make payments (Hickman et al., 2018). Whilst impacts from Universal Credit are still uncertain, changes to Local Housing Allowance (Housing Benefit payable to those living in the private rented sector) were intended to exclude some groups from some forms of housing. This is not an absolute form of housing exclusion, but the reality in some localities is that housing is significantly more difficult to access. Changes to LHA included capping payments to the 30th

percentile of local rents, and extending the (lower) Shared Accommodation Rate to those under the age of 35 (Powell, 2015a). This may force LHA claimants to move out of self-contained accommodation and into different forms of shared housing; indeed, the Crisis Homelessness Monitor series in England has demonstrated the importance of LHA reforms, and significant increases in shared living (Fitzpatrick et al., 2018).

The majority of private landlords interviewed by Cole et al (2016) stated that those affected by reforms faced significant shortfalls between LHA entitlement and actual rents, but that they were unwilling to reduce rents to make them more affordable. This was especially the case in areas of high demand, in which landlords are often able to select their preferred household (Hoolachan et al., 2017). The evidence strongly indicated that the extension of the SAR rate to under-35s had caused this group to be excluded from lettings to which they previously had access (Cole et al., 2016, Reeve et al., 2016). The resulting increase in 'stranger shares' creates the potential for access to housing to become more dependent on individual decisions and perceptions, with some people – such as those with mental health needs – passed over for housing in favour of others with more 'socially desirable' characteristics (Tuffin and Clark, 2016, McKee and Soaita, 2018, Bimpson, 2018).

There is some evidence that – because of the distribution of people who are in receipt of particular types of benefits – some groups will be disproportionately affected by changes to welfare benefits. For example BME households are more likely to include young people and more likely to be overcrowded, and so may be more greatly impacted by Housing Benefit reforms and the Benefit Cap (Runnymede Trust, 2016). There are (anecdotal) reports of problems for younger transgender homeless people, with LHA forcing these individuals into shared housing which may not be appropriate (Jackson, 2016). Others have argued that women are disproportionately affected by a 'triple jeopardy' of welfare cuts, rising work insecurity (Murphy, 2017).

However, reforms to legal aid in England under the **Legal Aid, Sentencing and Punishment of Offenders Act 2012** (LASPO) mean that support is no longer available for most housing, immigration, social security, employment, and education cases. This is having a significant impact on people's ability to access justice when their rights have been breached, particularly affecting ethnic minority groups (Equalities and Human Rights Commission, 2016, p.9). Shelter (2018a), for example, reported that their legal work is now focused on crisis attempts to stop possession proceedings, rather than early prevention work. Other advice agencies have reported higher levels of unmet need for advice, more generalist as opposed to specialist services, a greater reliance on self-help and self-representation in legal hearings (Sigafoos and Morris, 2013), and a shift to digital online advice, which also has exclusionary implications (Low Incomes Tax Reform Group, 2012).

Housing design and provision

States must ensure the development of housing that is suitable for all groups in the population, or else risk giving rise to indirect discrimination (Flage, 2018). However, there is evidence that a number of groups, with specific housing needs, are not well served by the current approaches to the design and delivery of homes. For example, Gypsies and travellers have faced poor accommodation and site conditions across the UK (Equal Opportunities Committee, 2013, Equalities and Human Rights Commission, 2016), and international bodies have recommended that measures be taken to improve access to services and the provision of adequate accommodation (UN Committee on the Elimination of Racial Discrimination, 2011). In Wales, accommodation needs assessments are ongoing (Welsh Government, 2018), and in Scotland councils are required to plan for the current and future needs of the Gypsy/Traveller community (The Scottish Government, 2014). However, the English Housing and Planning Act 2016 removed the legal requirement for local authorities to carry out accommodation needs assessments for **gypsies and travellers**. Some charities have argued that this will make it even less likely for

accommodation needs to be met, given that few local authorities have allocated sufficient land to meet existing needs (Runnymede Trust, 2016). Similarly, the draft revised English National Planning Policy Framework changes the definition of affordable housing to remove specific references to social rent, which the Town and Country Planning Association argued 'risks jeopardising the ability of councils to secure this vital tenure of housing' (Dewar, 2018).

This relates to a much broader issue around the **lack of monitoring and systematic evidencing of housing exclusion and discrimination**. Evidence gaps can be mobilised to give plausibly deniability of knowledge of housing exclusion, and to assert that cases which do come to light are isolated issues, rather than representative of a more systemic problem. As the Equalities and Human Rights Commission (2016, p.10) highlights, 'these gaps do not relate to the absence of an issue, but simply an absence of data about the issue', compounding disadvantage by making individuals invisible from the decision-makers who set priorities and shape services. Henderson and Karn (1987, p.283) made a similar point 30 years ago, writing that local authorities and their officers needed to 'abandon the idea that knowing nothing about the racial outcomes of policies (the so-called "colour-blind" approach) means that there is nothing uncomfortable to find out. Policy has to be based on more than wishful thinking'.

Research into **LGBT housing exclusion** has particularly focused on **housing options for ageing populations**. Older LGBT people are more likely to be single and live alone, as well as less likely to have access to informal care than non-LGBT individuals (Shelley, 2016). This may make it more likely that such groups will need access to home care, or specialist housing options, as they age. Whilst the available evidence suggests that older LGBT individuals have similar concerns about their future housing and support needs as the wider population, they may also have additional concerns about the extent to which their needs will be met by mainstream providers (Musingarimi, 2008, Shelley, 2016).

Analysis of a survey conducted as part of the English Longitudinal Study of Ageing found little evidence of a link between being lesbian, gay or bisexual and experiencing exclusion from decent housing or neighbourhood amenities, for those over the age of 50 (Kneale, 2016). However, the sample size was relatively small, with 260 respondents who identified as LGB. Research in other contexts has also highlighted the additional discrimination faced by transgender individuals, who are more likely than their LGBQ counterparts to face housing discrimination (Kattari et al., 2016). Focus group research with a small sample of older people from the LGBT community (n=7) has highlighted concerns around wider neighbourhoods and attitudes towards gay people. This was a key reason for most participants feeling that they would want to stay in their own homes as they got older, and there were concerns about possible homophobic attitudes among staff and residents of more specialist housing or care homes. The group discussed how 'coming out' was an ongoing process, and that it became increasingly onerous to have to explain the nature of their relationships as they came into contact with more services; for some it was easier to 'go back into the closet' (Croucher, 2008, p.38).

There are diverse views about whether LGBT individuals would prefer LGBT-specific housing, or mainstream housing with a clear understanding of LGBT needs (Shelley, 2016). For example, even research with a small number of individuals resulted in mixed opinions on the desirability of LGBT-specific housing options, with some concerned that it could be a target for abuse, or lead to the creation of segregated communities (Croucher, 2008). Individuals still emphasised that they wanted mainstream providers to recognise (and meet) their specific needs (Musingarimi, 2008).

Yet, equalities monitoring around the number of LGBT individuals living in existing housing is poor in England, and this hampers attempts to inform future service provision and to understand exclusion (Shelley, 2016). For example, research with older people's scheme managers found that some respondents stated they had never housed any LGBT individuals (Musingarimi, 2008), but it was not clear whether this was based on actual information or assumptions. In Scotland, whilst Matthews and Poyner (2017) noted that social landlords do not regularly record information about residents' sexual and gender identities; they recommend that this takes

place in order to be able to understand the population of service users, the experiences of LGBT+ individuals, and monitor housing outcomes for these groups. Finally, whilst there are examples of LGBT-specific schemes for older people in the US and Europe, there are no existing schemes in the UK (Shelley, 2016). The (lack of) availability of housing may therefore structure the type of housing that individuals are likely to aspire to.

There has also been a range of research into the provision of housing for individuals with disabilities. The social model of disability distinguishes between physical impairment and disability, **asserting that disability exists because of structural constraints such as inaccessible buildings** (Mackie, 2012). Indeed, even when designers and builders consider the different bodily capabilities of individuals, it is often in relatively limited ways, for example in terms of threshold access but not dexterity or other actions (Bhakta and Pickerill, 2016). Analysing the housing pathways of young disabled people, Mackie (2012) noted that once individuals had made the decision to leave the family home, finding suitable accommodation could be challenging because of **lack of accommodation that could meet their specific needs**. The delivery of appropriate housing was therefore a key barrier in people's housing pathways. This is reflected in other research, with lack of community housing being highlighted as one of the reasons for adults with intellectual disabilities remaining in the family home (Grey et al., 2015). Issues of prioritisation and allocation have been considered in a separate section, but it is also the case that these institutional processes operated in conjunction with severe deficiencies in available housing stock (Grey et al., 2015). Considering issues related to eco-homes and communities, Bhakta and Pickerill (2016) highlight the ways in which the design of homes and neighbourhoods failed to recognise the different abilities, functionalities and mobilities of bodies, a point that also applied more widely to conventional house-builders. Furthermore, disabled access was only considered in relation to the house and its thresholds, not the broader space of the home and neighbourhood (Bhakta and Pickerill, 2016).

Analysis of the English House Condition Survey shows that the majority of disabled households are living in rented accommodation, making the role of the landlord an important factor in the adaptation of the home (Ewart and Harty, 2015). Mackintosh and Heywood (2015), highlight the **lack of funding for adaptations** in the housing association sector, confusing guidance about access to Disabled Facilities Grants, and resulting regional variation in provision. Funding through the Disabled Facilities Grant includes a condition that there is an intention that the occupant remains in the dwelling for at least five years, but landlords may be unwilling to agree to this. However, analysis found only a weak link between the type of tenure and the provision of adaptations (Ewart and Harty, 2015). As analysis was carried out on data from 2003 and 2009, it is not able to identify whether there could be potential impacts as a result of reforms to disability benefits. Whilst there was some evidence that non-white households were less likely to have most of the adaptations they needed compared to white households, and younger people were less likely to be prioritised for adaptations, these associations were no longer present at the second wave of data. More research is therefore required to understand any potential bias in the provision of adaptations (Ewart and Harty, 2015).

Communication and provision of information

One of the mechanisms through which exclusion operates involves restricting the information to which people have access – this can be intentional or unintentional. For example, Mackie (2012) reported that interviews with stakeholders and young disabled people highlighted that the lack of information provided to young people about their entitlement to housing, accommodation options, and the realities of independent living, which prevented individuals from being able to make informed decisions about leaving the family home. Similarly, Grey et al (2015) highlighted the reluctance of local authorities to provide full details of properties, including details such as location, before acceptance of offers of accommodation for adult children with intellectual disabilities. Parents felt that the withholding of such basic information demonstrated that staff knew the accommodation was unsuitable (Grey et al., 2015).

Whilst there has always been differential access to information, there are also fundamental changes in people's ability to access their rights through community or legal advice, which have faced spending cuts at the same time as demand for advice services has increased (Cressey et al., 2014, Sigafos and Morris, 2013). Research with new refugees in Glasgow found that many were not clear about their rights, had in some cases been given inaccurate information, and were blamed for not understanding the system (Strang et

al., 2018). Lack of fluent English made accessing help – for example through telephone helplines – difficult. Similarly, Dagilyte and Greenfield (2015) highlight the differential advice given to Roma migrants in the UK when seeking to meet tests for Habitual Residence and the Right to Reside; many cease their claim because of the administrative burdens imposed, believing they are unable to provide the necessary paperwork.

Access to information is not just an issue for individuals and households seeking to access housing, but also for some providers. For example, in relation to the Right to Rent reforms, Leahy et al (2018) argue that training in equitable practice in relation to reviewing immigration documentation is required, to ensure that landlords know which questions to ask and what documents could be provided in support of claims. If some discrimination and exclusion is the result of misunderstanding policies (Patel and Peel, 2017), it would seem there is high potential to change this through better education, information, and training.

Allocations processes

Tenancy agreements have historically been used by the State and social landlords to reinforce sanctioned behaviours and urban governance, notably in relation to Anti-Social Behaviour (Flint and Pawson, 2009), but increasingly in relation to financial responsibilities. However, there is a distinct lack of evidence regarding the nature of decisions made within social housing allocations, which may be associated with the dissolution of **regulatory bodies such as the Audit Commission and later, the Tenant Services Authority;** monitoring of allocations and tenancy management practices were no longer prioritised for England. There is also a **notable reduction in academic research relating to social housing allocation post-2010** (Tunstall and Pleace, 2018), which presents some challenges for the time-period of this evidence review.

The introduction of **time-limited or conditional tenancies** as part of the **2011 Localism Act** in England is a pertinent example of the exclusionary effects of welfare reform upon social housing governance. The Localism Act permitted social landlords to end ‘lifetime’ tenancies and introduce time-limited tenancies for new lettings. Through **Fixed Term Tenancies** for housing associations and **Flexible Tenancies** for Local Authorities, lettings officers were instructed to consider employment, debt, under occupancy and behaviour when assigning or reviewing those tenancies. However, following minimal take up of fixed-term tenancies for new general needs social lettings across England, the 2015 Conservative government made additional provisions under the **Housing and Planning Act 2016** to prevent local authorities (in England) from offering secure tenancies for life in most circumstances (Wilson, 2018). However, on publication of the social housing Green Paper, ‘A new deal for social housing’ in 2018, the government announced that it would not implement these provisions at this time (MHCLG, 2018).

Whilst the impact of tenancy and welfare reforms across the social rented sector is an emerging area of research, a small number of studies have provided indicative evidence of recent changes in social housing allocations, demonstrating how individual and institutional mechanisms have been negotiated by social landlords. Hickman et al. (2018) conducted interviews with individuals across ten housing associations of varying size in England. This research demonstrated that the term of tenancies granted to new tenants ranged between two and ten years, and their use was rationalised by some organisations as a means to manage the increasing financial risks that providers face as a result of restricted finance. In another study of 51 local authorities and 81 housing associations across the UK, 42% of local authorities and three quarters of housing associations had used FTTs for new lets (Watts and Fitzpatrick, 2018a, p.3). Whilst non-renewal of FTTs were described by respondents in this study as rare, the use of FTTs were justified on the basis of effective stock management, as well as to reinforce the contractual obligations of tenants in respect of behaviours.

Other research, exploring the application of welfare conditionality in social housing, notes that tenants on FTTs (and those on probationary tenancies due to move onto FTTs) can experience uncertainty and anxiety, as can landlords (Watts and Fitzpatrick, 2016, Fitzpatrick and Watts, 2017). However, as research into decision-making around these tenancies is still an emerging area, FTTs and other forms of flexible tenancy within the social rented

sector may be considered as presenting potential rather than actual exclusion. Further research is also required to understand the impacts and outcomes of other changes to housing allocations, such as pre-tenancy or affordability checks (Hickman et al., 2018). In a survey of 106 housing associations and local authorities, 82% of housing staff used pre-tenancy checks before allocating individual tenancies, and almost half of those stated that affordability was the most important criteria (Greaves, 2019). Other research has explored the ways that housing associations have interpreted their duties through **affordability assessments**, discussed in the following section, where anecdotal evidence suggests that tenancies may be denied or limited as responsible practice (Bimpson, 2018).

Therefore, whilst the restriction of tenancies on the basis on financial risk appears to have particular contemporary relevance, there is little evidence to determine the extent to which this actually takes place. In some instances social landlords described some new tenancy allocation processes as an opportunity to improve dialogue between landlords and tenants (Fitzpatrick and Watts, 2017), as well as an opportunity to offer tenancy and debt management support for individuals deemed to be at financial risk (Hickman et al., 2018). Nonetheless, the increasingly risky economic operating environment within which social landlords exist, and sustained political attempts to residualise the sector, have moved many housing associations towards commercial operations, placing their 'social' function under scrutiny (Morrison and Manzi, 2017).

Whilst social housing allocation and access has received growing attention from academic and industry bodies, socio-legal and housing scholarship has demonstrated that **exclusionary practices are a historic part of local authority allocations systems in the UK** (Damer, 2000). Even prior to the shift towards 'deserving' as the organising principle of welfare during the 1980s, earlier notions of 'need' were far from neutral and 'exclusions were part and parcel of the social housing allocations process' (Bevan and Cowan, 2016: 80). Local authority housing staff exercised discretion in visits to households on council housing waiting lists, where applicants were 'graded' according to accepted social norms, such as preferences towards married couples. The council housing nominations system represents a pertinent example of the interaction between individual and institutional exclusion, where overarching nominations agreements are negotiated through individual discretion. In 1993, 92% local authorities excluded households from their waiting lists for rent arrears, people aged 18-35, and people with records of anti-social behaviour (Bines et al. 1993 in Bevan and Cowan, 2016: 81). It is important to note here that not having a local connection was also a common reason for exclusion. This pre-dates the 2011 Localism Act that is widely associated with the introduction of local connections criteria within homelessness assessments, and shows how local citizenship is an established mechanism of exclusion.

The 1993 Page Report has been attributed to an acceptance or formalisation of exclusion within **local authority nominations systems in England**, whereby housing associations were encouraged to reject households on the basis of neighbourhood sustainability and to actively seek households in work (Cowan et al., 2009). Where housing association managers have viewed their role and responsibilities to neighbourhoods as creating cohesive and mixed communities, households who might be considered as problematic by virtue of social support needs or poverty are disadvantaged (Manzi, 2009). These priorities present a conflict of interest with the local authority, which is duty-bound to provide accommodation or housing support to people in housing need. Housing associations have a duty to cooperate with local authorities, as far as they deem nominations to be 'reasonable'. Yet the suggestion that local authorities have 'dumped' the most challenging households onto housing associations through the nominations system demonstrates the lack of cohesion within local nominations, the conflict of interest that exists between

institutions (Cowan et al., 2009), and the ambiguity of public or social housing (Cowan and McDermot, 2008).

The exclusion exercised within the nominations system has also been attributed to housing associations attempts to foster trust between landlords and tenants through a particular process, which ran counter to local authority duties but was nonetheless accepted (Cowan et al., 2009). However, through discretionary practices exercised by individuals at multiple sites, the agency of the applicant is denied within the allocations process (Cowan et al., 2009). The exclusion of households that is embedded within those individual and institutional processes is evident in policy and legal frameworks at national and local level. Mechanisms of exclusion can be attributed to the **1996 Housing Act** in particular and through the flexibility that local authorities had to define 'non-qualified' persons under local allocations schemes (See Wilson et al., 2018).

Homelessness legislation and assessment, which sits alongside local authority nominations systems, represents an enduring form of individual and institutional exclusion. It should be noted that a number of policy and economic developments have impacted local authority responses to homelessness in England, Wales, Scotland and Northern Ireland, and the Crisis Homelessness Monitor Series has captured evidence of those changes since 2011 (Fitzpatrick et al., 2018). Other research has explored the role of practitioner behaviours in relation to shifting policy contexts. In England, people found to be homeless, in priority need and not intentionally homeless are entitled to 'suitable' accommodation and may be nominated for social housing. Yet, decisions made about the intentionality of homelessness have not only allowed local authorities to manage limited housing resources through their duties, but demonstrate how decisions can attach blame to individuals (Fitzpatrick and Stephens, 1999, Alden, 2015). Dwyer et al. (2015: 6) explore practitioner decisions as part of interpretations of The Homelessness Code of Guidance for Local Authorities (DCLG, 2006), as a 'rationale and bureaucratic apparatus' of discretion and discrimination which emphasises individual behaviours.

Therefore, both subjective and direct forms of exclusion against particular individuals and household types are enforced not only by individuals but by legal frameworks. Women abandoning properties as the result of domestic violence are cited as one of the victims of arbitrary **intentionality criteria**, which may exclude households from local authority duty on the basis that individuals chose to leave their home (Dwyer et al., 2015). The emergency and temporary accommodation provided as part of local homelessness duties are beyond the scope of this discussion of housing exclusion. However, it should be noted here that women fleeing domestic violence are, again, excluded from housing support as a result of widespread funding cuts and closures of refuges, and by hostel accommodation which ignores the gender-specific needs of women (Reeve et al., 2009). People leaving prison and ex-offenders are also subject to exclusion through homelessness legislation, by virtue of having committed a crime and becoming homeless on prison discharge (Cooper, 2016).

In surveys undertaken with two-thirds of local authorities in England, Alden (2015) highlights the influence of resource pressures as much as subjective decisions made by housing options officers about homelessness. Participants in this study acknowledged an unavoidable role of stereotypes and bias within their decision-making, and the use of legislation to prevent homeless applications to people not considered to be a priority. Other 'mystery shopping' research has also found that individuals presenting to **local authority housing options services** were not adequately assessed or supported according to legislation (Dobie et al., 2014). In Scotland, a rights-based approach has underpinned developments within homelessness legislation where priority need groups have been abolished and the removal of intentionality is under consultation. Extended legal rights to housing have been found to empower households in Scotland (Watts, 2014), which challenges welfare reforms that have emerged out of concerns for self-reliance and individual responsibility. However, following developments in Wales in 2014, the **Homelessness Reduction Act**, which came to force in England in 2018, has extended the duty of local authorities to provide housing advice and assistance to people outside priority need groups.

Whilst this approach stops short of rights, a ‘culture change’ among local authorities may reduce the potential for exclusion. Yet, in the absence of greater resources or accurate monitoring, it is argued that these extended duties will likely serve to mask systemic problems within the housing allocations system (Cowan, 2019).

The indirect exclusion and allocation of households and housing that is evident within statutory and administrative systems not only presents exclusion on an individual level but on a wider social scale. The private rented housing available to people with the most limited consumer agency within rental housing markets, such as people experiencing homelessness, poverty or other social support needs is widely associated with a range of social and environmental issues (Rugg and Rhodes, 2018). Urban regeneration programmes and increasingly unaffordable social rent structures have also contributed to polarisation within the social rented sector, where tenants are priced out of higher value areas which have attracted affordable rent developments (Hodkinson and Essen, 2015, Watt, 2009, Morrison and Manzi, 2017). The ability that people waiting to transfer to new social housing have to wait for a preferred or appropriate allocation, over people who are homeless or in immediate housing need, also demonstrates the indirect exclusion from a wider range of housing options that some people face (Robinson, 2010).

In **Northern Ireland**, the unfair allocation of social housing was one of the issues in the 1960s that led to the Troubles, with a history of discrimination against members of the Catholic community. The Cameron Report (1969) into the causes of disturbances cited manipulation of housing allocation for political and sectarian ends as an issue. After this, the Northern Ireland Housing Executive became the sole provider – and allocator – of social housing. However, there are still reports of disparity in allocation, with Catholics waiting significantly longer for housing than Protestants, although the Northern Ireland Housing Executive highlights that this is a function of the areas in which people are seeking to find housing, with low turnover and limited development opportunities (Foster, 2017).

Pre-tenancy assessments

There is evidence of a growing range of **pre-tenancy checks and conditions in the private and social rented sector** (Fitzpatrick et al., 2018). Whilst some landlords have viewed Housing Benefit as a relatively secure form of rental income in particular markets (Rhodes and Bevan, 2010), restrictions to LHA have impacted on access to private housing, especially for those under the age of 35 (Reeve et al., 2016, Powell, 2015a). However, there is also evidence of growing conditionality in access to housing in the social rented sector, stemming from welfare reforms and perceptions of increased risks associated with particular groups (Hickman et al, 2018). There is emerging evidence of the growing use of ‘tenancy ready’ schemes in the social rented sector, which some – or all – prospective tenants are required to engage in before being able to access housing; these are part of a growing suite of pre-tenancy assessments in the social rented sector (Greaves, 2019). The specific role of technology in these checks, and the ways in which algorithms and data can be used as a mechanism of exclusion, is considered in a later section.

As discussed under legal and policy frameworks, Right to Rent immigration checks form one aspect of pre-tenancy eligibility checks in the private and social rented sector. There is increasing evidence of **exclusion from the private rented sector due to receiving Housing Benefit**, where caps to Local Housing Allowance (LHA) have been attributed to significant increases in homelessness (Fitzpatrick et al., 2018). Exclusion of LHA recipients is commonly referred to as ‘**no DSS**’, a reference to the (abolished) Department for Social Security. The persistence of this out-dated acronym gives some indication of the long history of stigmatisation, discrimination and exclusion on the basis of welfare benefits. Indeed, writing in the 1980s, Henderson and Karn (1987) noted the ways in which information held on computer systems and the codes attached to prospective social housing

tenants were not neutral classifications, but originated from stereotypes and perceptions of social differences, reflecting unequal class and racial structures. Through these codes, individuals were designated 'respectable' or 'disreputable', encoding race, class and gender discrimination into the very design of allocations systems.

What is different in the contemporary context is the way in which such exclusion on the basis of the receipt of benefits ('no DSS') has become more widespread not just as a result of this stigmatisation – which likely drives some exclusion – but also because of legislative changes (such as Local Housing Allowance restrictions, and the 'bedroom tax'), designed to restrict people's access to certain types of housing. It is difficult to disentangle the reasons for exclusion on the basis of benefit receipt, partly because of the significant changes that have taken place as a result of the Welfare Reform Act 2012. As Cole et al (2016) note, some private landlords who were previously letting to those in receipt of LHA were no longer willing to do so once those benefits were restricted. A survey of more than 1,000 private landlords also found that 43% operated an outright ban on households claiming housing benefit, whilst 18% reported that they preferred not to let to this group (Shelter, 2018b). These results were relatively similar across two years (2016 and 2017). This is also reflected in analysis of almost 86,000 private rented sector lettings in England, advertised through Zoopla, which found that 10.1% explicitly excluded anyone who was claiming benefits (National Housing Federation, 2018). In some areas, the proportion of listings with such exclusions rose to nearly 60%.

This is consistent with reports of tenants themselves. A survey of almost 4,000 private renters in England found that 30% of those receiving Housing Benefit said that they had not been able to rent a home due to a 'no DSS' policy in the preceding five years (Shelter, 2018b). An online mystery shopping exercise also found that applicants who mentioned that they were claiming benefits were more than twice as likely to get negative responses as those who did not (National Housing Federation, 2018), whilst telephone mystery shopping noted widespread bans on tenants in receipt of Housing Benefit (Shelter, 2018b). Six letting agent brands in England, comprising 149 branches, were contacted with enquiries by someone working but receiving a top-up of Housing Benefit. Overall, one in ten branches had a policy barring renters on Housing Benefit, and almost half had no properties available for individuals on Housing Benefit (Shelter, 2018b).

Whilst there is substantial evidence of exclusion due to pre-tenancy assessments of an individual's financial circumstances, there is limited evidence about the reasons behind this exclusion. It is likely that there are a range of contributory factors, from risk-aversion, economic considerations, and negative perceptions of those in receipt of benefits. Previous research has highlighted that some groups face barriers to accessing housing – especially in areas of higher demand – as they are passed over by others with seemingly more desirable characteristics (Hoolachan et al., 2017, McKee and Soaita, 2018). This is likely to be a growing issue in light of changes to welfare support to meet private sector housing costs, which are forcing more individuals to share housing for longer (Smith, 2012, Green et al., 2015, Green and McCarthy, 2015). Whereas the number of people living in shared housing had previously declined, notable increases have been reported since 2014 and likely reflect restrictions to welfare and the Shared Accommodation Rate in particular (Fitzpatrick et al., 2018). This increases the likelihood of encountering exclusion for some groups with less socially desirable characteristics, such as those with mental health issues, with histories of being in prison, or in receipt of benefits (Reeve et al., 2016, Tuffin and Clark, 2016, Keene et al., 2018, Power, 2017). During telephone mystery shopping with letting agents, in 20% of cases the caller was told that landlords did not want to rent to someone in receipt of Housing Benefit (Shelter, 2018b). However, in a survey of 1,000 private landlords, the most common factor landlords gave for not renting to those in receipt of Housing Benefit was that 'my letting agents advised against it' (Shelter, 2018b). It may be that individuals feel more able to justify exclusion by attributing it to a third

party, but there is little information about the rationales and assumptions that underpin such restrictive practices.

One additional complicating factor is the role of other organisations in setting **restrictive mortgage and insurance conditions for buy-to-let landlords**, to which they must adhere. A survey of 1,000 landlords found that 13% stated that their mortgage or insurance policy prohibited them from letting to those on Housing Benefit (Shelter, 2018b). There is little research evidence of the scale of this issue. A survey carried out by the Residential Landlords Association's mortgage consultants – in which they contacted 58 mortgage lenders with a hypothetical enquiry about renting a property to tenants in receipt of Housing Benefit – found that 66% of lenders, representing approximately 90% of the buy-to-let market, do not allow properties to be rented to those in receipt of Housing Benefit (Walmsley, 2017). A further 17% allow Housing Benefit recipients but would exclude 'vulnerable' tenants (Walmsley, 2017).

It is not clear what logics underpin the exclusion of those in receipt of benefits, for example, there may be financial rationales, but social prejudice could also be a factor. Yet, socio-economic position is not viewed in the same way as other personal characteristics. The Equality Act 2010 protects individuals from discrimination on basis of protected characteristics, such as race, gender identity, and disability. Socio-economic situation is not a protected characteristic, although some have made the case for its recognition as a prohibited grounds of discrimination (United Nations, 2018). Nevertheless, Shelter (2018b) have argued that because some groups – such as women and those with disabilities – are more likely to claim housing benefit, blanket bans on those in receipt of benefit could be indirectly discriminatory and therefore unlawful.

The blanket exclusion of those in receipt of benefits is more common in the private rented sector, but there is also evidence that in England **access to social rented tenancies is becoming more conditional for those in receipt of particular benefits** (Hickman et al., 2018). Research with housing associations has highlighted the increasing role of affordability assessments, the use of which has in part been driven by changes to welfare benefits and increasing supply of mid-rent (rather than lower social rent) properties (Hickman et al., 2018). A survey of 106 organisations (48% housing associations, 52% local authorities or ALMOs), highlighted the competing priorities facing social landlords, with evidence that those who need homes the most are often seen as the most likely to fail to sustain a tenancy, whether as a result of affordability issues, support needs, or a combination of both (Greaves, 2019). The use of pre-tenancy assessments was found to be widespread, with 82% of respondents that owned or managed homes using them, and almost half of these stating that the most important element of assessment was an individual's ability to afford a given tenancy (Greaves, 2019).

More broadly, pre-tenancy checks can be seen as a way of trying to understand the risk posed by particular tenants, whether in terms of income and finance, or neighbourhoods and anti-social behaviour. However, there are long-standing questions about the rights that those who are excluded have if they wish to challenge a decision (Cole and Goodchild, 2000). Blessing (2016) argues that prospective tenants who are seen as a lower risk of arrears are likely to be favoured, not just in the private sector but increasingly in the social rented sector as well. In this, there are echoes of access to the gains of the post-war housing programme, the main beneficiaries of which were the 'respectable' working class (Malpass, 2004, Boughton, 2018). For access to new estates, the Central Housing Advisory Committee in 1969 argued that 'moral rectitude, social conformity, clean living and a "clean" rent book' were essential qualifications for eligibility (Ravetz, 2001, p.134).

Part of pre-tenancy assessments in the social rented sector also increasingly involves a requirement to complete **tenancy-ready training**. Initial results from a survey of 106 social housing providers by the Chartered Institute of Housing gives some indication of the scale of this practice. More than a quarter of respondents reported that there were circumstances in which a prospective tenant would have to complete a pre-tenancy course before they could sign for a tenancy, and in most of these cases were required for all potential tenants or 'higher risk' groups (Greaves, 2019). This may be a particular issue for young people, and there is evidence that individuals are being held back from accessing settled accommodation until they are seen as 'ready' (Stewart, 2018). This also applies to those who may be seen as at risk of failing to sustain a tenancy on other grounds, such as longer-term affordability (Hickman et al., 2018). As Stewart (2018) argues, young people need to be recognised as ready to be able to move on

to settled accommodation. However, there is no single conclusive way to define when someone is housing ready, and support services and landlords set their boundaries, with little consistency between them (Stewart, 2018, p.11).

Technologies

The role that technology plays within housing services has become increasingly important, as Big Data, algorithms and social media have been utilised by landlords and financial services to mitigate against risk. This takes place through direct exclusion, where individuals are denied access to housing on the basis of individual characteristics and risk factors or, through indirect exclusion, where advertising for housing services excludes particular groups. The attention of housing scholars has recently turned to financialisation as a means to articulate the way that finance capital has altered the relationship between landlords and tenants (Aalbers, 2016, Fields and Uffer, 2015). As housing associations become more dependent on loan finance and other commercial financial products, risk calculation becomes increasingly important. Rona-Tas (2017: 5) described credit scoring as an example of financialisation instruments which have been taken out of context and into 'off-label use', where people who were once trapped into 'bad cycles' by virtue of their credit-unworthiness experience similar outcomes in other services where credit scoring is used. In other words, individuals are excluded from affordable finance, such as mobile phone contracts and other low cost loans, as well as being excluded from housing, which perpetuates cycles of debt and poverty.

Credit scoring is a well-established part of the process of accessing mortgages, and to a lesser extent in accessing the commercial rented sector. There is a small amount of evidence to suggest that this financial technology is being used within the social rented sector in the UK, although it is not clear how and to what extent this technology has impacted social allocations (Hickman et al., 2018). A larger body of evidence exists to demonstrate the use of credit scoring in the US. The US Department of Housing and Urban Development (HUD) has recommended that those providing subsidized housing use credit scoring when screening potential tenants (Rona-Tas, 2017). Whilst credit scoring is presented as a neutral, technical intervention, Kear (2017: 347) argues that its ability to stigmatise and exclude individuals is indicative of a 'fictitious impartiality', as the data and algorithms which operate behind the credit score are embedded in human and wider societal judgement and discrimination. This includes discrimination along lines of race and class, as populations are represented according to the agencies who produce credit reports for companies (Kear, 2017).

The ways that risk assessment may determine a range of social outcomes for individuals considered to be problematic by wider societal norms and standards is also demonstrated in literature about **Offender Assessment Systems (OAS)** (Robinson, 2003). A study of risk assessment used within sentencing in the Canadian criminal justice system shows how 'psychology of criminal conduct' theory has been used to determine the likelihood of reoffending, based on a range of social indicators in which implicit bias results in social inequalities (van Eijk, 2016). Van Eijk draws on Silver (2000), who argues that processes of rationalisation in the social sciences contribute to deserving and undeserving offender categories, as bias is ignored and statistical rigor is the dominant means for assessing the validity of risk assessment measures. The European Union Agency for Fundamental Rights (2018) has also highlighted the discriminatory potential of risk assessment scores that are used in decision-making in sentencing.

In a discussion of **Artificial Intelligence and Big Data**, Unwin (2018, p.11) argues that the risk scores and algorithms which have become embedded within daily life have become 'transactional', rather than 'relational', by failing to recognise the complexity of individuals and communities. As AI developments are increasingly focused around predicting behaviours (European Union Agency for Fundamental Rights, 2018), such 'un-emotional' systems risk entrenching inequalities (Unwin, 2018). AI and algorithms also underpin the way that **Facebook and other social media platforms** function, and provide another means by which bias and discrimination can take effect within access to housing. In the US, it has been reported that Facebook has allowed its developers to create algorithms that would tailor adverts for commercial rented housing services to white people only (Wong, 2018). In the UK, tenant checking services aimed at landlords use algorithms to search the social media footprint of prospective tenants for particular characteristics and to predict risk, which further demonstrates the nefarious potential of AI within the housing system (Kayyali, 2016).

Research gaps

Data

- Whilst there is substantial anecdotal evidence of exclusion in contemporary housing systems, robust monitoring data is lacking, which makes it challenging to evidence the scale of problems for different social groups, across different geographies. The Equalities and Human Rights Commission (2016) has called on the UK, Scottish and Welsh Governments to improve the range and scope of ethnicity and intersectional data available, and ensure that these statistics inform strategies for action on race equality. They argue that 'the lack of robust data is yet another challenge to achieving race equality, as it limits the effectiveness of policy interventions and renders some people in the most vulnerable situations invisible' (Equalities and Human Rights Commission, 2016, p.10).
- The preceding review demonstrates that research has been more focused on institutional (including State-level) mechanisms of exclusion than the role of the individual. Whilst there are historic examples of in-depth case study research exploring the ways in which individuals govern access to housing (Henderson and Karn, 1987), the human dimension of some of the contemporary processes associated with the neoliberalisation of housing systems is less prominent. There are opportunities to expand on research into 'street level bureaucrats', largely associated with local authority nominations (Dwyer et al., 2015, Alden, 2015), to consider the role of individuals across housing systems more broadly.
- Whilst the supply of new housing is not an adequate solution to the exclusion faced by many individuals, for those with specific housing needs the supply and design of houses has a significant impact in structuring housing pathways (Grey et al., 2015, Mackie, 2012). Understanding the precise needs of different groups, and geographies of provision of housing types, is therefore crucial.

Communication and challenge

- Existing research has highlighted the exclusionary impacts of lack of information about housing rights (McKee and Soaita, 2018, Strang et al., 2018), and a number of studies have noted the way in which lack of information, or communication in particular forms, can be an exclusionary mechanism (whether intentional or unintentional). This is likely to be compounded by the lack of availability of advice services (Cressey et al., 2014, Sigafoos and Morris, 2013). Whilst not a part of this review, it is also notable that individuals may be less able to challenge decisions, access the rights to which they are entitled, and counter discrimination as a result of reforms to Legal Aid in the England (Equalities and Human Rights Commission, 2016). Advice agencies have reported that they are less able to offer specialist advice, and there is an increased reliance on self-help and education rather than assistance with legal appeals and tribunals (Sigafoos and Morris, 2013). The potential impact of this on outcomes, however, has not yet been subject to robust research.

Allocations and nominations

- There is a gap in evidence regarding local authority nominations systems, part of informal allocations schemes which are subject to interpretation and negotiation. Research is required to understand the ways that local authorities are managing local housing duties, alongside housing associations and other local partners.
- As the Homelessness Reduction Act in England takes effect, there is a need for evidence to monitor the interpretation of homelessness duties by local authority housing options services, who must manage the extended duty against substantial budget cuts (Cowan, 2019).

Exclusion and stigma

- Whilst there has been one significant attempt to understand the scale of exclusion experienced by individuals in receipt of welfare benefits and seeking to rent privately (Shelter, 2018b), there is still a lack of information about the underpinning rationales that guide this discrimination, for example stigma. Much of the evidence of emerging mechanisms of exclusion are anecdotal, and the precise way in which they operate has not necessarily been fully explored. The fragmented nature of some of the evidence makes it easier for individual organisations to excuse exclusion as accidental, unintentional, or down to miscommunication when contacted by the press (Bulman, 2018, Agerholm, 2017), rather than such practices and processes being situated within a wider framework of exclusion.
- The role of institutions such as mortgage lenders and insurance companies in forcing or facilitating private sector landlords to act in an exclusionary way, by attaching conditions about the characteristics of tenants to their lending, is an area that would benefit from more research. Whilst there have been some high-profile successes in highlighting and changing these practices by the media and campaigning organisations (Thorne, 2018), there is little robust evidence in this area.
- There has been little research into house sharing among low-income, vulnerable groups (Green and McCarthy, 2015, Green et al., 2015, Barratt and Green, 2017). Given the likely growth of ‘stranger shares’ among individuals renting in the private sector, we know little about the exclusion some groups may face as a result of stigma, for example those with mental health issues (Tuffin and Clark, 2016, Reeve et al., 2016). It may also be that experiencing rejection and being passed over for housing in favour of others is also itself damaging to self-esteem and self-confidence (McKee and Soaita, 2018).

Pre-tenancy assessments and technologies

- There is a lack of data to understand the impact of welfare reforms and changes in housing finance on allocations within public and social housing. Informal practices of assessment and screening are taking place, but there is no adequate data to ensure that discrimination is not taking place. The Chartered Institute of Housing (CIH) has recently commissioned a study entitled ‘Rethinking Allocations’ (Greaves, 2019), which seeks to begin to address this gap.
- This evidence gap includes the use of credit scoring services such as Experian in the assessment process, and the ways that reports from those services might be used in more strategic decision-making.
- The influence of algorithms and AI within public services to predict behaviours and risk has been highlighted as a particular barrier to social equality (Unwin, 2018), as blunt instruments and inherent bias resulting in discrimination and stigmatisation. Research is required to understand how risk indicators have influenced services, which determine access to housing.
- Whilst concerns have been expressed for the exclusionary potential of some technologies, it is also important to consider the potential for technologies as a tool for social good. For example, in modelling households at-risk of arrears by using payment data, landlords may be able to stop arrears early-on, and promote the financial inclusion of such households, rather than exclude them from housing. This highlights the need for more in-depth research with organisations and practitioners who are using such technologies, to understand different rationales, motivations, and outcomes.

Conclusion

This report has provided an outline of contemporary forms of housing exclusion within social and private rented housing sectors, whilst highlighting points of continuation and divergence with historic housing allocation practices. A typology of exclusion based on structural, individual and institutional exclusion has provided a framework for understanding the ways that mechanisms operate individually and in relation to other systems and processes, which in many cases have become functional and normalised over time. A body of research has demonstrated the ways that structural inequalities are embedded within UK housing, and which have in turn been reproduced through housing policy (Robinson, 2002). Given the continuity of structural inequalities, a wider perspective perhaps questions the extent to which housing policy can significantly impact on these structural forces, or whether its role is limited to acting as a potential buttress against them. Whilst a progressive housing policy can counter exclusion and inequalities, without a systemic reimagining of housing systems, it may be limited in the transformation that can be achieved. There also remains a gap in research to demonstrate how individual agency is involved in contributing to, or mitigating against, housing exclusion as part of these broader structural and institutional processes.

Devolution has resulted in differences in legislation and practices across devolved nations in the UK. Coalition and Conservative-led welfare reforms in England present the most significant catalyst for advanced or new forms of housing exclusion, resulting in barriers to housing for individuals in receipt of welfare and both social and private rented housing sectors (Powell, 2015b, Hickman et al., 2018). The paring back of government regulation and inspection regimes over the delivery of public and social housing may also have contributed to exclusionary mechanisms through poor housing design and poor understanding of needs and experiences (Runnymede Trust 2016, Equalities and Human Rights Commission, 2016). Even where legislation around welfare applies across UK, devolved nations have sought to mitigate the impacts, although it is not clear how long such measures will persist.

Scholarship around local housing allocations show that social housing tenancy agreements have historically served to enforce expectations around behaviours. However, there is an important evidence gap to investigate how contemporary housing allocations systems actually function, especially in light of welfare reforms and the expansion of commercial lettings and financial technologies into social and private rented housing. This review of evidence has provided the foundations for an empirical piece of research, which will engage with key informants from housing, support and advice services and explore the everyday manifestations of risk-based rationalities and housing exclusion. This will contribute to expanding the evidence base around a number of the research gaps identified here. In addition, future CaCHE projects will further explore the availability and use of data in the governance of social housing, and the potential for AI and algorithms to be used as a tool for social good in the social housing sector.

Supplementary material

Table 1: working typology of mechanisms of exclusion and associated Boolean strings

Mechanism	Boolean string
<p>Structural mechanisms</p> <p>Poverty / income – socio-economic Protected characteristics</p>	<p>TI=((discriminat* OR exclusion* OR exclude) AND (house* OR housing OR home*) AND (race OR ethnicity OR gender OR sex OR age OR young* OR old* OR religio* OR disabilit* OR disabled OR maternity OR poverty OR income OR socio-economic))</p>
<p>Individual mechanisms</p> <p>Conscious/unconscious bias Discretion</p>	<p>TS=((bias) AND (access OR tenancy) AND (housing OR house* OR home))</p>
<p>Institutional mechanisms</p> <p>Legal and policy framework</p> <p>Localism Act Immigration Act 2014 and the Right to Rent Welfare reforms</p> <p>Allocations and nominations processes</p> <p>Local authority nominations and allocations agreements Housing Association allocations processes Waiting lists Affordability checks in social rented sector</p> <p>Pre-tenancy checks</p> <p>'No DSS' clauses Buy-to-let mortgage clauses Conditionality and behavioural expectations</p>	<p>TS=((("right to rent" OR "immigration act 2014") AND (housing OR house* OR home*))</p> <p>TS=((("welfare benefit" OR "universal credit" OR "no DSS" OR "housing benefit" OR "local housing allowance" OR LHA OR "bedroom tax" OR "size criteria" OR "welfare reform" OR austerity) AND (discriminat* OR ban OR exclude OR prevent OR access) AND (housing OR house* OR home))</p> <p>TS=((LHA or "local housing allowance") AND (housing OR house* OR home))</p> <p>TS=((allocation* OR "waiting list*") AND ("social housing" OR "housing association*" OR "local authorit*" OR tenancy) AND (housing OR house* OR home))</p> <p>TI=((homeless*) AND (discriminat* OR ban OR exclude OR exclusion*))</p> <p>TI=((discharge) AND (prison* OR hospital*) AND (exclusion* OR exclude OR discriminat* OR barrier* OR prevent* OR access*))</p>

<p>Technologies</p> <p>Credit checks Credit scores Risk ranking prospective tenants</p> <p>Design and provision of housing 'types'</p> <p>Housing and neighbourhood design Disabilities</p>	<p>TS=((("criminal behaviour order" OR ASB OR "anti-social behaviour" OR "banning order") AND (house* OR home OR housing OR neighbourhood))</p> <p>TS=((mortgage*) AND (restrict* OR clause* OR condition*) AND (rent* or let* OR "buy-to-let") AND (housing OR house* OR home))</p> <p>TS=((tenancy) AND (conditional* OR behavioural) AND (housing OR house* OR home))</p> <p>TS=((("credit check" OR "credit score") OR ("pre-tenancy checks") AND (house* OR home OR housing) AND (exclusion* OR exclude OR discriminat* OR barrier* OR prevent* OR access*))</p> <p>TS=((risk) AND (tenancy OR tenancies) AND (house* OR housing OR home))</p> <p>TI=((design) AND (housing OR house* OR home) AND (exclusion* OR exclude OR discriminat* OR barrier* OR prevent* OR access*))</p> <p>TS=(exclusion* OR exclude OR discriminat* OR barrier OR prevent* OR access*) AND TI=((disability OR disabled OR disabilities) AND (house* OR housing OR home))</p>
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Table 2: Search results

First stage				Second stage
Initial search	Combined and duplicates removed	Following title screening	Following abstract screening	Hand-searching journals and grey literature
Web of Science 1092	1389	168	51	32
Scopus 876				
Total from first stage				
Total from second stage				
Meets exclusion criteria				4
Final sample for prioritisation				79



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