

**REPORT TO THE SCRUTINY PANEL COMMUNITY LEADERSHIP
MEETING OF 7TH March 2013**

Status: Recommendation
Title: Revised Allocations Policy
Originator: Ann Ball
Where from: CMT

Where to next: Executive

Objective: To advise the panel of the proposed changes to the Allocations Policy

1. Outcome sought from Panel
 - 1.1 Recommendation to Executive to endorse the proposed changes to the Allocations Policy.
2. Background
 - 2.1 The Leicestershire choice based lettings (cbl) scheme comprises the seven district authorities in Leicestershire. The scheme was implemented in 2010/11. The operation of the scheme is based upon the Leicestershire shared statement of policy. This policy ensures that the assessment of housing need and allocation of social housing is operated consistently throughout the scheme. Each district currently embeds this shared policy in it's own Allocations Policy.

In April 2010 the district authorities completed a six months operational review of the Leicestershire cbl scheme with partner Registered Providers and statutory and voluntary agencies, to identify positive aspects of the scheme as well as areas for improvement (and we have worked together to address the areas identified for improvement).

The Localism Act 2011 came into effect in June 2012 and included amendments made to Part 6 of the Housing Act 1996. This new legislation empowers local authorities and provides the freedom to make changes to their allocations policies to manage their waiting lists better, and promote mobility for existing social tenants.

The Department for Communities and Local Government published the Allocation of accommodation guidance for local housing authorities in England

in June 2012. The guidance makes clear that social homes are expected to be allocated to people who genuinely need them.

3 Points for discussion

3.1 *A detailed table of the proposed changes together with reason and impact is attached at Appendix 2 . In summary, the changes proposed to date include:*

- Only accepting home seekers on the housing register who have a local connection with one of the Council's in the scheme (unless there are exceptional circumstances e.g. Armed forces personnel)
- Time in High Band –reducing from 24 weeks to 16 weeks
- Time in Priority Band – reducing from 12 weeks to 8 weeks
- Number of bids per cycle - reduced from 3 to 2
- Suspending applications from home seekers who have refused three suitable offers of accommodation or failed to attend viewings (without good reason)
- Including transfer home seekers who are under-occupying a home and affected by Welfare Reform in the High Housing Need Band
- Including home seekers in financial hardship who have difficulty in meeting their housing costs in Medium Band
- Including private tenants, tied tenants, and social tenants who are adequately housed and have no medical or welfare need, in Low Band

The Partnership feels that the changes proposed will help home seekers be more focused about their choice to bid for properties to meet their housing need and in turn will lead to re-letting properties more quickly and cost effectively.

4 Equality Impact Assessment Implications/Outcomes

4.1 At the beginning of December (2012) the Steering Group held a consultation event for Registered Providers (Housing Associations), who operate within the cbl scheme, and district Landlord representatives, regarding the proposed changes. Those who attended appreciated the opportunity to feed into the policy review process. Others who were unable to attend offered their views by completing and returning a questionnaire by email (Appendix 2).

4.2 In the middle of December the Steering Group invited statutory and voluntary agencies to attend a consultation event to shape the Equality Impact Assessment and a feedback newsletter was circulated to those who attended which is attached (Appendix 3). A draft Equality Impact and Needs Assessment form has been prepared following the consultation event and the working draft is attached (Appendix 4) for information.

5 Impact on Communities

- 5.1 We are proposing to restrict entry onto the housing register to only those people who have a defined local connection with one or more of the authorities in the Leicestershire cbl scheme (except in exceptional circumstances). It is estimated that approximately 80 home seekers on the Council's housing register will be affected by this proposed change.
- 5.2 The proposed changes to policy will enable people affected by the Welfare Reform who are under-occupying properties (in accordance with the Government's minimum bedroom standards) to move into High band which it is hoped, will help them to move to smaller accommodation quickly. We will also give reasonable preference to those applicants who are suffering financial hardship in meeting their housing costs to enable them to move nearer to work or to alternative accommodation that will help alleviate their financial hardship

6 Legal Issues

- 6.1 The final policy must meet the requirements of legislation and statutory guidance.

In November a legal representative from North West Leicestershire District Council considered the content of the initial draft revisions and indicated that there were no issues arising save for giving further consideration to exclusions from the register.

- 6.2 Harborough District Council's legal advisers have been asked to comment on the draft proposals and asked to confirm that these proposals comply with the law, code of guidance and statutory requirements regarding Armed Forces Personnel.
- Any comments received will be reported at the Scrutiny Panel Meeting.

7 Resource Issues

- 7.1 Following wider consultation, recommendations will be made to the respective Cabinets/Executives to approve the proposed policy changes. The Partnership will need to discuss system implications and costs with the software supplier (Abritas). We do not currently have an accurate assessment of the cost of these changes but have an indication of costs incurred by other sub-regional schemes.
- 7.2 As the choice based lettings system is used by all seven district authorities, when changes are agreed with Abritas and are implemented, each district will pay an equal portion of the total cost. On this basis provision has been made in 2013/14 budget to meet the likely cost of the changes needed to deliver the new policy.
- 7.2 The proposed changes, if approved, will require us to re-assess every housing register application in accordance with the new policy. This is a labour intensive task and this will be challenging to achieve in a timely manner without additional resources.

8 Community Safety Implications

- 8.1 The proposed changes to the policy include being explicit about who will be accepted onto the housing register and who will not. Whilst each application will be considered on an individual basis applicants will not normally be considered eligible to join the housing register if their behaviour makes them unsuitable to be a tenant examples of such behaviour include:
- Having been convicted of violence toward a partner or members of family
 - Committing certain criminal offences in or near the home, for example drug dealing and/or posing a threat to neighbours, the community staff from the Council, the Council's contractors or Registered Providers and their Contractors
- 8.2 In deciding whether to exclude an applicant or a member of their household it is proposed that all Leicestershire cbl Housing Advisors will follow an agreed assessment procedure to ensure there is consistency and fairness across all districts in assessing applications and housing need. These procedures are important, as once an applicant's housing need has been assessed by the district that is hosting their application, the banding that has been applied is effective in all districts when they bid on properties. Similarly if an applicant is excluded by one district, all districts in the scheme would be aware of this, and this would prevent the applicant applying to join another district's housing register.

9. Carbon Management Implications

- 9.1 There are none arising from this report

10 Risk Management Implications

- 10.1 We have minimised the risk for legal challenge by seeking Legal Services' view on the proposed changes (see paragraph 6 above).
- 10.2 We have also minimised the risk of impact of challenge by vulnerable groups, by consulting with statutory and voluntary agencies in completing our Equality Impact Needs Assessment.

11 Consultation

- 11.1 This began in February last year by briefing Portfolio Holders (with responsibility for Housing) on the Communities and Local Government Consultation on Allocation of accommodation: guidance for local housing authorities in England.

Further briefings have taken place over the summer months on the outcome of the six month operational review and intention to review the allocations policy (in light of new legislation and guidance). Further briefings on the draft proposed changes took place in September and January.

The Leicestershire cbl Steering Group have sought the views of the following groups of people and agencies in Leicestershire in developing the proposed policy changes:

- Strategic and Operational Housing Staff from the seven district authorities
- Leicestershire cbl Sub-Allocations group
- District Strategic Officers Group
- Registered Providers
- Statutory and Voluntary agencies
- Portfolio Holders

The development of this policy will continue as we consult with applicants who are currently registered with the scheme, key stakeholders and other interested parties.

11.2 A link to the consultation questionnaire is available on the corporate website

12 Background Papers

12.1

Previous report(s):

Information Issued Under Sensitive Issue Procedure: *N*

Appendices:

1. Registered Provider Questionnaire
2. Consultation Feedback Newsletter
3. Draft EINA