

Allocations Policy Review – changes consulted on and updated 13.11.17

Criteria	Proposed Change	Likely Impact of Change	Implications	Consultation Responses
<p>Local connection – a district connection is established by one or more of the following:</p> <p>(a) have normally resided in settled accommodation in the district for at least six months</p> <p>(b) have lived in the district for at least six months in the last twelve months, or for at least three out of the last five years</p> <p>(c) they or a member of their household is employed on a permanent basis or a temporary contract running for a minimum of twelve months within the district</p> <p>(d) they have parents, brothers,</p>	<p>Change (a) Residence to 2 years from 6 months</p> <p>Remove (b) lived six months in the last twelve months or at least three out of the last five years and replaced with:</p> <p><i>An exception will be made for homeless applicants who do not meet the proposed 2 year residence criteria in Local Connection, where the Council has a statutory duty to discharge to a homeless household.</i></p> <p>The wording of sub paragraph (d) in Local connection will be replaced with the following:</p> <p>(d) Having parents,</p>	<p>21 applicants currently registered have been accepted onto the housing register as they have lived six out of the last twelve months in our district.</p> <p>The change in criteria may drive an increase in homeless declarations where applicants do not satisfy one of the district connection criteria as set out in 21.2(a-f) as amended by the proposed 2 year residence. Our duty to provide temporary accommodation to those assessed in priority need may also increase.</p> <p>This would enable us to discharge our duty to homeless households but may lead to an increase in homeless presentations (where the household are not eligible to join the housing register). This may</p>	<p>As there is no affordable private sector accommodation in our district, a household who have lived in a private rented property in our district for six or 12 months and have been served with a Section 21 notice, would have no other housing option available to them other than joining the housing register or moving elsewhere. The household affected could be a family with children settled in school, registered with health services and have employment in the district. If they were forced to move to another County this could cause disruption to their education and emotional wellbeing as well as causing financial hardship if they were unable to travel to their employment.</p> <p>Impact on Housing Advisers and the level of resources</p>	<p>Survey results = 28 responses of which 75% agreed with changing the residency in settled accommodation to 2 years and the removal of (b).</p>

<p>sisters, or adult children (over 18 years) who have been living in the district for at least five years. Step equivalents will be allowed.</p> <p>(e) They have no local connection but are fleeing violence or threats of violence and have been accepted as priority homeless by the Council</p> <p>(f) Other special circumstances may exist, and all applications will be considered on their individual circumstances</p>	<p>brothers, sisters or adult children and step equivalents (aged 18+ years) who are living in the district now and have done so for at least the past five years in settled accommodation and where a meaningful relationship exists.</p>	<p>also lead to an increase in the duty to accommodate and requests for review of homeless decisions.</p>	<p>to deal with the impact must be planned for.</p> <p>Possible increase in the cost of providing temporary accommodation (which is part of HDC's statutory duty to homeless households). Need to budget for this as well as the impact on the Housing Team and the level of resources available to progress a higher number of appeals to join the housing register (as the Team may not be able to respond to appeals in a timely manner due to increasing pressures on the service).</p> <p>Applicants could end up 'sandwiched' between authorities if districts choose a different period of residence within the local connection criteria. Applicants may then decide to apply to join the register where they can demonstrate a local connection.</p> <p>Note: applicants can still have a local connection with the district if they are not resident) and this could be</p>	
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Advertising Properties	Remove para 10.2 and 10.5 of existing policy. This refers to general need bungalows and houses being split 50/50 between new and transfer home seekers and that HHS reserve the right to change the quota of properties advertised for new and transfer home seekers	None - the focus of the policy is housing need and therefore the practice of advertising village and town properties alternately on this basis to give equal opportunity has not been necessary as properties have been advertised with equal preference to new and transfer home seekers so that it is the housing need of the applicant which determines where their bid is shortlisted.	Need to consult with RP's in particular Seven Locks Housing (now Waterloo Group) as this has been their practice.	Consultation with Waterloo Housing Group (comprising Seven Locks Housing who historically have advertised properties on a 50/50 alternate split, of property type and village, labelled with preference for new or transfer applications), revealed that they are in agreement to advertising properties with equal preference given to new and transfer applicants. This ensures that properties are let to those in greatest need regardless of applicant type.
Qualifying criteria re applicants with housing related debts. Currently would not qualify to join register where applicants are: owing a housing related debt greater than £300 to a Council, Registered Provider, or Private Landlord and there	Remove reference to level of debt. For example, change the wording to: <i>An applicant who has current or former tenant arrears or any sundry related housing debt that is not being repaid will not qualify to join the housing register, unless they demonstrate an overriding housing need (e.g. they are homeless or do not have the financial means to address their debts).</i>	There has been a significant increase in households presenting with complex needs who have large debts and in some cases, despite advice, they are not willing to address them. Eleven applicants have been advised they do not qualify to join the housing register because they had a housing debt greater than £300 and no payment plan in place.	Suggest discussion around the amount of debt, number of consecutive payments to reduce indebtedness and/or evidence they have taken advice from CAB or similar Money Advice Services, and are acting upon it before acceptance onto the register. (RP's may not accept a nominated household anyway if the debt is not discharged at point of offer – RP policies vary. Some RP's would	Of the 29 consultation responses, 96.55% agreed with this proposal. Consulted with Waterloo Housing Group (majority stockholder) who understood the rationale but pointed out that if an applicant was a former tenant of theirs and they owed a former housing related debt, they would expect it to be cleared prior to signing a new tenancy.

<p>is no evidence of willingness to reduce/repay the debt and no evidence of an overriding housing need (such debts could include rent arrears, court costs, temporary accommodation charges, sundry debts such as clearance, damage or repayment of rent deposit or rent guarantee – this is not an exhaustive list) would mean the home seeker would not qualify to join the housing register</p>	<p>In addition to the above, we want to insert in the revised Policy, that evidence of repayment on a regular basis will be required and if an applicant is already on the housing register and is found to have a housing debt that is not being repaid a review of their application will be prompted and could lead to cancellation.</p>	<p>If we have a statutory duty to a homeless household this would normally be discharged through the housing register e.g. the applicant is accepted onto the housing register and they are placed in Priority Housing Need band and they are able to bid for properties and once offered a tenancy the Council is able to discharge it's duty in that way. However if the household are not eligible to join the housing register (due to their unwillingness to address or discharge their outstanding housing related debts) then the only alternative way of discharging the Council's duty to them would be to discharge this duty into the private sector. However, as there are currently no affordable private rented properties available in our district this would not be a viable option.</p>	<p>accept the nomination and offer a tenancy on the basis the applicant has sought the right advice and they are taking responsibility for their debt.</p> <p>Potential to reduce appeals as this provides clarity in the policy on how we will treat applicants with housing related debts. The Housing Team will adopt the practice of advising the applicant that although their bid may be successful, the Landlord may decide not to consider them for a tenancy whilst the debt remains unpaid, as this may not be consistent with their Lettings' policy/process.</p>	
<p>Combining of Medium housing needs to reach criteria for High Band</p>	<p>Not combining two or more needs from medium housing need band which would be a duplication of the same housing need for example, not combining :</p>	<p>This will reduce the number of applicants competing for properties in High band and will not acknowledge their insecure housing situation twice.</p>	<p>Currently 61 applications in High Band many of whom are competing for the same properties.</p>	<p>Of the 29 consultation responses, 89.66% agreed with the proposal.</p>

	<ul style="list-style-type: none"> • 'Insecure accommodation' with 'Homelessness', • 'Poor housing conditions' with 'overcrowding' (i.e. lacking a bedroom) • 'Poor housing conditions' with 'Living with family, relatives or friends, accommodated as a licensee/lodger' <p>where both aspects of housing need effectively amount to the same thing.</p>	<p>Currently 'insecure' combined with homelessness' = 0</p> <p>Currently 'Poor housing conditions combined with Insecure accommodation = 12</p>		
<p>Discharge of duty to those in Priority Band who are homeless.</p> <p>Applicants have 8 weeks in which to bid for a suitable property.</p>	<p>a) Where an offer of accommodation has been made during the eight week period the Council will in future consider it's statutory duty discharged.</p> <p>b) If the applicant has failed to bid on suitable size properties during their period in priority band then from week 9, the Housing Team will place bids for them on suitable size properties in order to discharge the Council's statutory duty to that</p>	<p>This will ensure homeless households are regularly bidding for properties to address their 'emergency' housing need.</p> <p>This may also assist in minimising time spent in temporary accommodation (which may be a cost to the authority).</p>	<p>This enables homeless households to exercise choice but also enables the Council to discharge it's statutory duty within a reasonable timescale.</p>	<p>Of the 28 consultation responses, 85.71% agreed with the proposal (a)</p> <p>Of the 29 responses, 82.76% agreed with proposal (b)</p>

	household.			
High Band time limit 16 weeks	Do not propose to change the time in band but do propose that the application, on expiry of the 16 week period will automatically be placed in the Low housing need band until they have updated their application with any change of circumstances and supplied fresh supporting proofs as required. Their housing need band would then be re-assessed in accordance with any new circumstances.	<p>This will encourage applicants to bid on all property types regularly, to address their acknowledged 'urgent' need to move.</p> <p>This will ensure all applicants in High band have the same time period in High band and will reduce administration by placing responsibility on the applicant for updating their registration with any change of circumstances.</p>	Currently we do not have the resources to complete banding reviews promptly at the expiry of the 16 week period and therefore some applicants are benefitting from being able to bid in that band longer than others. This proposed change in policy will prevent this and provide clarity and fairness for all applicants.	<p>Of the 28 consultation responses, 85.71% agreed with this proposal.</p> <p>It should be noted that this is a procedural change rather than a policy change as the 16 week period remains unchanged.</p>
Medium Band	The wording of the last bullet point in paragraph 9.6.1 will read: <i>An applicant who has been assessed as being threatened with homelessness within 56 days is considered to be in priority need and has been through homeless prevention options with the Council and all other options have been exhausted</i>	This will provide clarity and will be consistent with the new Homeless Reduction Act.		This change has not been consulted on as it is not a material change from what is in the current policy.
Low Band	<ul style="list-style-type: none"> Removing eligibility for transfer applicants who are only eligible for a move to the same 	Currently this would affect 160 transfer applicants currently registered	This will reduce the number of applicants in Low Band but would not dramatically affect the number of applicants in Low Band.	The purpose of the changes proposed is to achieve a housing register based on housing need. Currently 569 applicants on the register are

	<p>size property and who do not have a welfare medical or other exceptional need to move evidenced. (normally termed a like for like transfer)</p> <ul style="list-style-type: none"> Removing private tenants and tied tenants who are adequately housed with no significant medical/welfare or exceptional need to move 	<p>This would affect 408 applicants currently registered.</p>	<p>The intention is to accept only applications onto the register where an applicant can demonstrate they are in housing need. Transfer tenants without a demonstrated housing need have the opportunity to use mutual exchange/home swapper as a tool to move. This will then provide HDC with a clearer view of housing need in the district.</p>	<p>in the Low band (which equates to approximately 48% of the register).</p> <p>82.76% of consultees (total of 29 responses) agreed with the proposal to no longer accept applicants if they are unable to demonstrate a housing need.</p>
Bidding	<p>Continue with allowing applicants two bids per weekly cycle. However, we propose to sanction any applicant who has not bid on a property that would meet their housing need (based on number of bedrooms) within a six month period from joining the housing register. The only exception would be where no property of the size and type needed to meet the household's needs had been advertised. The sanction would be that their application would be cancelled and they would</p>	<p>213 applicants would currently be affected by this change which equates to 33% of the housing register</p>	<p>We have a high percentage of non bidders. A sample of these non bidders were telephoned to establish why this was the situation. From this sample it was determined that applicants apply to join the housing register for a variety of reasons including '<i>just in case</i>' whilst others don't realise they are still on the housing register or they have moved and forgotten to notify us etc.</p> <p>Clearly this group of home seekers have no immediate housing need and we need to change the culture of this</p>	<p>29 consultees responded to the survey with 55.17% disagreeing with the proposal.</p> <p>2 letters and an email were also received stating reasons why they had registered but were not bidding e.g. in case they needed housing in the future. One applicant disagreed with the proposal to sanction applicants who did not bid.</p> <p>On responding to these, they were reassured that the policy does take housing need into account and is the overriding factor when</p>

	be prevented from joining the housing register for a further six months, unless exceptional housing need circumstances were demonstrated.		approach so that we can truly determine the need for affordable housing in the district. There is also a cost to every application HDC have to administer and therefore this approach may deter some from applying.	prioritising applications and shortlisting bids. Telephone conversations with a small number of non-bidders confirmed that they had also registered in case they need housing in the future.
Appeals Panel	It is proposed to remove this layer of the appeals process.	Saving on resources	Checked Code of Guidance and no requirement for Appeals Panel	Legal advice confirmed that there is no legislative requirement or guidance inclusion of an Appeal's Panel.
Income, Capital and Savings entry level	It is proposed to relax the income, capital and savings threshold for those applicants aged 55+ who have the financial means to address their own housing need and accepting them onto the housing register as eligible to bid only for Independent Living Schemes or Extra Care Schemes.		The rationale for this proposed change is that this would potentially reduce the time and resources spent on appeals. In addition here has been low demand for Independent Living Schemes and Extra Care and therefore this change would provide such applicants with a housing option in the social sector – applicants would be subject to the Landlord's needs assessment.	The Landlord with the largest stock in the district was consulted and welcomed the proposed change for those aged 55+
Include Right to Move requirement (Statutory Instrument No. 967 2015 + Right to Move Guidance on social housing allocations for Local	A relevant person has a need to move because they (a) work in the district of the local housing authority or (b) (i) have been offered work in the district of the local authority and (ii) the	Impact is likely to be limited as the regulation does not apply if the need to move is associated with work that is short-term, ancillary to work in another district, or voluntary work.	This Statutory Instrument and guidance was not issued until 2015 (after the last policy revision in 2013) therefore, reference needs to be included in particular in the local connection criteria as set out above in	This did not form part of the statutory consultation questions as this is a legal requirement. These provide that local authorities must not disqualify certain persons on

<p>Authorities in England 2015)</p>	<p>authority is satisfied that the relevant person has a genuine intention of taking up the offer of work.</p>	<p>The existing policy makes provision for applicants who need to move because they have found permanent employment in the district and need to move closer to work to prevent financial hardship under the heading Welfare need to move and would be assessed in Medium band on the housing register.</p>	<p>the comments column. The Right to Move Guidance strongly suggests local authorities publish a quota of lettings for the proportion of properties that it expects to allocate each year to transferring tenants who need to move into their district for work related reasons. The Secretary of State strongly encourages all local authorities to adopt such an approach and considers that an appropriate quota would be at least 1%. Authorities that decide to set a quota that is lower than 1%, should be ready to explain publicly why they have chosen to do so.</p>	<p>the grounds that they do not have a local connection with the authority's district. Specifically, a local connection may not be applied to existing social tenants seeking to transfer from another local authority district in England who:</p> <ul style="list-style-type: none"> • have reasonable preference under s.166(3)(e) because of a need to move to the local authority's district to avoid hardship, and • need to move because the tenant works in the district, or • need to move to take up an offer of work <p>Our IT system is not currently capable of recording and monitoring such a quota in relation to applicants, without system development (at a cost).</p>
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