

Review of the Policy for the Allocation of Social Housing

Summary

To agree an Allocation Policy that sets out who is eligible to be considered for a social housing tenancy and how eligible households are prioritised for a tenancy

Portfolio – Support & Safeguarding

Date Portfolio Holder signed off report: 22 May 2019

Wards Affected

All

Recommendation

The Executive is advised to RESOLVE that the draft Allocations Policy, as set out at Annex B to the agenda, be agreed as the framework for the allocation of housing association homes in the Borough

1. Resource Implications

- 1.1 The implementation of the Allocation Policy will require procurement of a new system however these costs will be met with central government funding.
- 1.2 As well as supporting the implementation of the Allocation Policy the new software will be cloud based reducing ICT costs, and offer greater self-service facility to customers in applying for housing, maintaining their application and receiving information.
- 1.3 The Allocation Policy specifically addresses local issues around homelessness and its implementation has the potential to reduce homelessness and therefore the cost of emergency bed and breakfast accommodation.

2. Key Issues

- 2.1 The Council is required to have an Allocation Policy setting out who is eligible to be considered for social housing and how eligible households will be prioritised.
- 2.2 New legislation in respect of homelessness duties and a corporate need to look at ICT systems has prompted a full review of the operation and effectiveness of the current Allocation Policy.
- 2.3 There are always more people seeking a social housing tenancy than accommodation available.

- 2.4 The Council has new duties in relation to preventing homelessness (keeping people in their current homes when threatened with homelessness) and relieving homelessness (finding a housing solution for people who do become homeless) and is reviewing its Homelessness Strategy. These duties and the Council's strategic response to the legislation have been taken into consideration in drafting the new Allocation Policy.
- 2.5 The Housing Register, i.e. the prioritised list of eligible households, is an administrative burden and while it is important that proper checks are in place to ensure that eligible households are properly assessed and that those who try to defraud or manipulate the system are identified, the administration should be proportionate to the number of lettings available. At the moment the Housing Register contains 4 times as many households than properties will be available in any given year (see 5.1 and 5.2 for supporting information).
- 2.6 The current Allocation Policy prioritises each application by points awarded for various housing need and local factors, with the accumulative points score giving applicants their priority on the Housing Register. The draft Allocation Policy removes this in favour of a banding system where those groups of households with similar need characteristics are placed together in 'band' (see summary at Annex A) and then prioritised in date order.
- 2.7 The points system currently operated generates considerable of administration as applicants 'point chase' e.g. try to demonstrate that additional points should be awarded. This is most common with medical points where between 0 to 80 points can be awarded.
- 2.8 It is important to communicate to applicants what their real chances are to secure a social housing tenancy as if they have unrealistic options they will not work with the Council to find other housing options.
- 2.9 Banding offers a more transparent framework for applicants and reduces the administrative burden on the Housing Solutions Team, freeing up Case Officers to do more proactive homeless prevention work.
- 2.10 The Council operates a choice based lettings schemes called Home Choice. This means that the properties that become available are advertised and applicants tells us which homes they are interested in, called 'bidding'. While this works for the majority of applicants there are those who become homeless or do not move on in a timely way from temporary accommodation because they are too limited in their choice of area and property type e.g. they only want a house in a specific area. This has a cost to the Council when households become homeless and it is not considered reasonable that families with children are choosing to stay in shared facilities temporary accommodation when there are properties available that would meet their needs, if not necessarily their aspirations. It is proposed that the majority of

applicants will be able to exercise choice however for those who are owed a homeless duty direct offers will be made of suitable accommodation to meet their needs in a timely way.

- 2.11 This approach is also being used to incentivise applicants to work with the Council to prevent their homelessness or accept another housing option. For example a young family with a child evicted by parents and placed in temporary accommodation will have less choice than if they stay in the parental home until they are successful for housing. It is also proposed to offer a safety net to those who work with the Council to avoid homelessness and move to the private rented sector if their tenancy comes to an end through no fault of their own.
- 2.12 To best meet the need of individual households it is important to have an overview of the local housing stock and the draft Policy includes provision for current housing association tenants who are either under- or over-occupying their current home so the right households are prioritised for the right properties.
- 2.13 The changes will mean that some applicants will no-longer be eligible to join the Housing Register and others will remain eligible but may have their priority adjusted. After testing it is not envisaged that anyone removed from the Housing Register would have been a person who has a high priority under the previous Policy as the framework is still based on an assessment of housing need. Equally those assessed as a high priority under the current Policy will still have a high priority under the new Policy.

3. Options

- 3.1 The Council can make minor changes to the current policy to ensure it meets basic legislative requirements, or adopt the more fundamental change based on both legislation and local policy and practical drivers.

4. Proposals

- 4.1 The Council adopt the draft Allocation Policy and with a target to implement it with effect from 1st September 2019 (with any delay resultant from ICT procurement being agreed with the Portfolio Holder and communicated to applicants).

5. Supporting Information

- 5.1 There are currently 472 eligible households on the Housing Register. Table 1 shows these households broken down by the size of property they require.

Table 1

1 bedroom need	2 bedroom need	3 bedroom need	4 bedroom need	5 bedroom need
252	129	72	16	3

- 5.2 Table 2 shows the number of social lettings that have been made to households over the last five years.

Table 2

Properties	2013/14	2014/15	2015/16	2016/17	2017/18
1 bed	48	43	42	32	37
2 bed	65	56	45	51	55
3 bed	33	35	19	34	20
4 bed	3	0	0	0	1
Total	134	106	117	113	113

6. Corporate Objectives And Key Priorities

- 6.1 Under the People theme of the 5 year Strategy the Council has a priority to: 'Address housing needs within the community'.
- 6.2 As part of the overall approach to address housing needs the draft Allocation Policy seeks to use the legislative framework as a tool to identify and support those residents with a housing need into suitable accommodation so that they are able to live settled lives within the community.

7. Policy Framework

- 7.1 The Allocation Policy is a mixture of legislative requirement and what is considered necessary locally to meet housing need and make best use of the local social housing stock.
- 7.2 The Allocation Policy sits alongside the Council's duties to homeless households and Homelessness Strategy objectives of preventing homelessness where possible or reliving homelessness when it occurs.
- 7.3 The Allocation Policy also sits alongside our work with disabled residents prioritising those whose homes cannot be adapted but also supporting moves from adapted homes where those adaptations are no longer needed.

8. Legal Issues

- 8.1 The Housing Act 1996, Part VI (as amended) sets out the requirements for an allocation schemes, and new flexibilities were introduced in the Localism Act 2011 to allow local responses to local priorities.
- 8.2 This legislation, coupled with the statutory guidance and regulation issued since and relevant case law, has been taken into consideration in devising this Policy.

8.3 Challenge by a resident to decisions about their application is through a review process which is included in the Policy.

8.4 Challenges to the lawfulness of the Allocation Policy is by way of Judicial Review.

9. Equalities Impact

9.1 An Equalities Impact Assessment has been completed and considered by the Equalities Action Group.

9.2 Positive impacts were identified for older people and disabled residents, with no negative impacts for any of the protected characteristic groups.

10. Community Safety

10.1 The current Allocation Policy classes those guilty of anti-social behaviour as ineligible to join the Housing Register until such time as that behaviour is addressed. The draft Allocation Policy continues this exclusion for those whose behaviour has an adverse impact on the community.

11. Consultation

11.1 There is a statutory responsibility to consult with housing providers who the Council has nominations agreements with and therefore Accent Housing were consulted as part of the development of this Policy.

11.2 Customers were previously consulted and highlighted a number of priorities and these priorities are reflected in the draft Policy (including people who are overcrowded, homeless families, people with medical problems, people who lack facilities, and people who need to give or receive support).

12. PR And Marketing

12.1 A communication plan will be drawn up to ensure that applicants both understand the overall changes and specifically how this impacts on their own chances of securing a housing association home.

13. Officer Comments

13.1 The adoption of the new Allocation Policy and implementation of new an IT system will reduce the administrative burden of the current system and free Case Officers to do more proactive case work to support residents to address their housing need and avoid homelessness.

Annexes	Annex A Draft Allocation Policy Bands Annex B Allocation Policy
Background Papers	
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Annex A Prioritisation Summary

CRITERIA	DEFINITIONS AND EXAMPLES	ALLOCATION METHOD AND CHOICE
<u>BAND 1: CRITICAL HOUSING NEED</u>	<i>Applicants are ranked in the date order they entered this band although due to the critical level of their housing need a direct offer of the right property may mean that offers are not made to a strict date order</i>	<i>Choice based lettings (CBL), assisted bidding or direct offer. Also number of offers</i>
CRITICAL MEDICAL CONDITIONS	The applicant, or a household member, has a life-threatening condition and their accommodation is a major contributory factor; the applicants health is such that it is likely to be so severely affected by the accommodation as to become life threatening; the applicant's home is directly contributing to a severe deterioration in health resulting in regular/prolonged hospitalisation and where treatment cannot compensate for the living conditions.	CBL/Direct offer, one offer
MOVES TO FACILITATE THE DELIVERY OF AN ACCESSIBLE HOME FOR A DISABLED RESIDENT	The current home of the applicant, or a household member, offers no independence within the home and is unsuitable for adaptation either due to the physical environment or there being insufficient funds (public and private) to meet the cost, and the household is unable to fund a move.	CBL/ direct offer, one offer
READY TO MOVE ON FROM SUPPORTED HOUSING TO INDEPENDENCE	Residents placed in supported housing by the Council, whether that accommodation is in the Borough or not. The supported housing provider or other support agency will confirm that the placement has successfully been completed and the applicant is ready and able, with support if necessary, to live independently (NB where a supported housing placement breaks this will be managed through a housing options approach).	CBL
CARE LEAVER READY FOR INDEPENDENCE	Where young people in care are referred through the Young Persons Protocol and their Pathway Plan identifies Surrey	CBL

	Heath as their move on option The Leaving Care Team will confirm that the care leaver is ready and able, with support if necessary, to live independently	
FORMER SERVICE PERSONNEL WITH A CRITICAL MEDICAL NEED	Former service personnel with a critical medical need (see above) resulting from their service in the Armed Forces	CBL/ direct offer
PRIORITY MOVES THROUGH LOCAL AND NATIONAL PROTOCOLS	Cases referred through multi-agency arrangements where there is a duty to co-operate or an agreement is in place to support moves for vulnerable or at-risk households (e.g. MAPPA, National Witness Mobility Scheme Surrey Mobility Scheme, reciprocal arrangements). Such moves will be authorised by the Housing Services Manager.	Direct offer, one offer
MOVES REQUIRED TO MEET STRATEGIC AIMS	Cases where moving residents facilitates a strategic priority (e.g. decanting residents from development areas, CPOs, SVPRS)	CBL/ Direct offer, one offer
EXCEPTIONAL CASES PRIORITISED BY HOUSING SERVICES MANAGER	<p>In recognition that while the Allocation Policy provides the framework for the prioritisation of the majority of lettings there will be exceptional circumstances where the only way an exceptional housing need can be met is through the use of discretion in the banding assessment and residential connection. In the interest of fairness these cases will be kept to a minimum and subject to audit. Examples could include but are not limited to:</p> <ul style="list-style-type: none"> • Threat to life; • Senior Police request for support of an urgent move; • Cases nominated under National Witness Mobility, Surrey Violence Mobility or other scheme the Council participates in; • An applicant with an exceptional housing need not covered in the Allocations Scheme e.g. child protection, MARAC (serious domestic violence cases) moves 	Direct offer, one offer

	Such decisions will be expected to have multi-agency support and will be made in consultation with Partners. These cases will be subject to internal audit scrutiny as part of the Council's planned audit programme.	
TENANTS SECURED HOUSING THROUGH RENT CHOICE WHO ARE SERVED NOTICE THROUGH NO FAULT OF THEIR OWN WITHIN 2 YEARS	The Council wants to support those residents who accept help to secure a settled home in the private rented sector. Where this accommodation comes to an end through no fault of the tenant a safety net is required to avoid repeat homelessness.	CBL
SOCIAL HOUSING TENANTS TRANSFERRING FROM ADAPTED HOMES IN SURREY HEATH IDENTIFIED FOR A HOUSEHOLD WITH A DISABLED MEMBER	Where a tenant is willing to transfer to a suitable non-adapted property and is releasing an adapted home for an identified household.	CBL/ direct offer

Band 2: Substantial need

CRITERIA	DEFINITIONS AND EXAMPLES	ALLOCATION METHOD AND CHOICE
<u>BAND 2: SUBSTANTIAL HOUSING NEED</u>	<i>Applicants are ranked in date order they entered or re-entered this band.</i>	<i>Choice based lettings (CBL), assisted bidding or direct offer. Also number of offers</i>
SUBSTANTIAL MEDICAL CONDITIONS	Conditions which, as a result of current housing circumstances, exacerbates health conditions or does not allow an appropriate level of care, leading to regular unplanned medical interventions such as A&E attendance or unplanned hospital admissions.	CBL
OWED A FULL HOMELESS DUTY AND HAS A LOCAL CONNECTION	Households accepted as being homeless, in priority need and unintentionally homeless	Assisted bidding, one offer only, no choice of

		areas
NON-PRIORITY HOUSEHOLD WITH A LOCAL CONNECTION WHO HAVE HAD A RELIEF DUTY END AT 56 DAYS WITHOUT SECURING ACCOMMODATION	Single people and couples who are homeless but not owed an accommodation duty	CBL
OWED A RELIEF DUTY AND HAS A LOCAL CONNECTION	Households accepted as having a relief duty due to being homeless, whether there is a duty to provide housing or not	Assisted bidding, one offer only, no choice of areas
OWED A PREVENTION DUTY AND HAS A LOCAL CONNECTION	Households owed a prevention duty due to being threatened with homelessness within 56 days	Assisted bidding, one offer only, choice of areas
SOCIAL HOUSING TENANTS OVERCROWDED BY BEING TWO BEDROOMS OR MORE SHORT	Tenants whose bedroom need assessed against this policy means that they lack 2 bedrooms	CBL
SOCIAL HOUSING TENANTS IN SURREY HEATH UNDER OCCUPYING BY TWO OR MORE BEDROOMS	Tenants occupying family sized homes that could be freed for larger households (NB households freeing up 3 and 4 bedroom homes will be eligible to be considered for a two bedroom home)	Assisted bidding, choice of areas (one offer only if on Discretionary Housing Payments and payment ceases if offer refused)
BARE LICENSEES	Those occupying housing where they have no security of tenure (e.g. lodgers, people living with relatives)	CBL

INSANITARY AND OVERCROWDED CONDITIONS IN THE PRIVATE SECTOR	Tenants occupying private sector premises that on inspection are deemed to have a Category 1 hazard under the Housing Health and Safety Rating System (HHSRS) that the Council are satisfied cannot be remedied within 6 months and the continued occupation of the premises poses a considerable risk to the tenant's health.	CBL
PLACED IN SUPPORTED HOUSING BY SHBC	Applicants who have been placed in a supported housing scheme, even if that scheme is outside of Surrey Heath	CBL
CARE LEAVERS WITH A SURREY CONNECTION	Surrey young people owed a duty under s20 Children Act 1989. Offers of accommodation are dependent on the young person being ready to move on and this being supported by Surrey County Council	CBL
16/17 YEARS OLDS SUPPORTED AS HOMELESS BY SCC WITH A LOCAL CONNECTION	Surrey Heath young people owed a duty under s17 Children Act 1989 due to homelessness. Offers of accommodation are dependent on the young person being ready to move on and this being supported by Surrey County Council.	CBL
ARMED FORCES PERSONNEL WITHIN 3 MONTHS OF DISCHARGE WITH A LOCAL CONNECTION	Serving personnel who have a date on which they are leaving the Armed Forces within the next three months	CBL
FORMER ARMED FORCES PERSONNEL WITH A LOCAL CONNECTION WITHIN 5 YEARS OF DISCHARGE	Former Armed Forces personnel within 5 years of their date of discharge	CBL
SOCIAL HOUSING	This is a local priority to recognise that the largest demand is for one-bedroom	CBL

TENANTS IN SURREY HEATH OCCUPYING A ONE BEDROOM PROPERTY WITH ONE OR MORE CHILDREN

social housing homes and therefore the best use needs to be made of this stock by moving households to more suitable accommodation.

SOCIAL HOUSING TENANTS TRANSFERRING FROM ADAPTED HOMES

Where a tenant is willing to transfer to a suitable non-adapted property and is releasing an adapted home but there is not currently an identified disabled household for that home

CBL

RENT CHOICE TENANTS AFTER 2 YEARS IN THE TENANCY

To provide a safety net for households who have worked with the Council to secure a tenancy in the private rented sector

CBL

RIGHT TO MOVE

An existing social housing tenant living in England is able to demonstrate that they are unable to take up an offer of work in Surrey Heath or continue to work in Surrey Heath due to the distance and/or time of travel to work from their existing home. The applicant will need to demonstrate hardship or significant negative impact if they were not able to take up the offer of work or continue to work due to the distance/time of travel involved.

CBL

Band 3: High Need

CRITERIA

DEFINITIONS AND EXAMPLES

ALLOCATION METHOD AND CHOICE

BAND 3: HIGH HOUSING NEED

Applicants are ranked in the date order that they entered or re-entered this band

Choice based lettings (CBL), assisted bidding or direct offer. Also number of offers

OWED A FULL HOMELESS DUTY AND HAS NO ALLOCATION POLICY LOCAL CONNECTION	Households accepted as being homeless, in priority need and unintentionally homeless with no Allocation Policy local connection	CBL
OWED A RELIEF DUTY AND HAS NO ALLOCATION POLICY LOCAL CONNECTION	Households accepted as having a relief duty due to being homeless, whether there is a duty to provide housing or not, with no Allocation Policy local connection	CBL
OWED A PREVENTION DUTY AND HAS NO ALLOCATION POLICY LOCAL CONNECTION	Households accepted as having a prevention duty due to being homeless, whether there is a duty to provide housing or not with no Allocation Policy local connection	CBL
ALL SERVING MEMBERS OF THE ARMED FORCES WITH NO DISCHARGE DATE AND SERVING MEMBERS OF THE ARMED FORCES WITH NO LOCAL CONNECTION WITH A DISCHARGE DATE	All serving members of the Armed Forces with no discharge date and serving members of the armed forces with no local connection with a discharge date	CBL
RENT CHOICE TENANTS WITH AN ALLOCATION POLICY LOCAL CONNECTION	To provide a safety net for households who were homeless or threatened with homelessness who have worked with the Council to secure a tenancy in the private rented sector	CBL
SOCIAL HOUSING TENANTS OVERCROWDED BY BEING ONE BEDROOM SHORT	Tenants whose bedroom need assessed against this policy means that they lack 1 bedrooms	CBL
INDEPENDENT LIVING SCHEME APPLICANTS WITH	People over 55 and their partners, if over 55, who do not meet the main local	CBL for independent

NO RESOURCES	connection criteria however have adult children resident in the Borough who do not own a property or have sufficient financial resources to purchase or privately rent a suitable property	living schemes only
SOCIAL HOUSING TENANTS OVER 55 APPLYING FOR INDEPENDENT LIVING	Social housing tenants in Surrey Heath over 55 and their partners, if over 55, who do not meet the overcrowding or under-occupation criteria can apply for independent living	CBL for independent living schemes only

Band 4: Reduced Housing Need

CRITERIA	DEFINITIONS AND EXAMPLES	ALLOCATION METHOD AND CHOICE
<u>BAND 4: REDUCED HOUSING NEED</u>	<p>Applicants who meet the eligibility criteria however their circumstances or behaviour is such that their priority is reduced.</p> <p>Applicants are ranked in the date order that they entered or re-entered this band</p>	CBL
HAVE OUTSTANDING HOUSING OR COUNCIL TAX DEBT	<p>Applicants who are addressing their debt in a planned way. This debt must be cleared to an agreed level before an offer of housing can be made (usually 75%). Applicants who fully clear a relevant debt will move to the relevant band from the date this is evidenced.</p>	CBL
SOCIAL HOUSING TENANTS WITH NO HOUSING NEED	Tenants who are suitably housed but wish to move	CBL
RENT CHOICE TENANTS WITHOUT AN ALLOCATION POLICY LOCAL CONNECTION	To provide a safety net for households who were homeless or threatened with homelessness who have worked with the Council to secure a tenancy in the private rented sector	CBL

DO NOT CO-OPERATE WITH A PERSONAL HOUSING PLAN OR OTHER HOUSING OPTIONS	Applicants have a responsibility to work with the Council to resolve their homelessness and this work is set out in the Personal Housing Plan. Where an applicant unreasonably fails to co-operate with the Plan or with other housing options their application will be placed in Band 4 for three months and remain there until actions are completed.	CBL
HAVE ADEQUATE RESOURCES TO RESOLVE THEIR OWN HOUSING SITUATION (AS PUBLISHED)	Adequate resources are set out and reviewed annually	CBL
WORSENING CIRCUMSTANCES INCLUDING DISPOSING OF AVAILABLE CAPITAL	Where an applicant worsens their housing circumstances and seeks to rely on social housing to resolve the situation, including those who dispose of available resources to secure housing when it would have been reasonable to do so	CBL
ARE FOUND INTENTIONALLY HOMELESS	Applicants found intentionally homeless will remain in Band 4 until they have had a period of 6 months in settled housing and at time will be re-assessed according to this Policy.	CBL
INDEPENDENT LIVING SCHEME APPLICANTS WITH RESOURCES	People over 55 and their partners, if over 55, who own a property or have sufficient financial resources to purchase or privately rent a suitable property who do not meet the main local connection criteria however have adult children resident in the Borough	CBL for independent living schemes only
REFUSAL OF SUITABLE ACCOMMODATION	Applicants who have refused the number of offers that they are entitled to receive and those offers are deemed reasonable will be placed in this Band for 6 months and then will be reassessed.	CBL