

EXECUTIVE - 22 MARCH 2018

HOUSING ALLOCATIONS POLICY 2018

Executive Summary

This report proposes the introduction of a fully revised Housing Allocations Policy.

The current Housing Allocations Policy was agreed by Council in July 2013 and followed the introduction of the Localism Act 2011 and the then Department of Communities and Local Government new guidance entitled "Allocation of Accommodation: Guidance for Local Housing Authorities in England" (updated 31 December 2013).

Over the past five years an increasing number of procedural and legislative factors, coupled with a shifting housing need landscape, has necessitated a substantial revision of the existing Policy.

The most recent and major piece of legislation to be passed, the Homelessness Reduction Act 2017, is recognised and referenced throughout the revised Housing Allocations Policy. The Act is due to come into force from the 3 April 2018, and will have a material effect on the way that the Council delivers and operates its prevention of homelessness service.

The overarching objectives of the revised Policy are:

- To meet current statutory obligations;
- To adopt a Housing Allocation Policy that realistically reflects housing options available to Woking applicants;
- In tandem with other Policies, to encourage applicants to widen their choice of tenure and consider a range of options, including private rented sector properties;
- To increase the use of the private rented sector;
- To ensure best use of social housing for those most in housing need;

The proposed revised Policy has been informed and influenced by a number of different factors, these include:

- The introduction of new legislation and guidance;
- The implementation of other Council adopted policies, e.g. Private Rented Sector Scheme Policy;
- Feedback received from legitimate and repeated challenge from our key partners;
- Consultation with a number of key partners and stakeholders on the proposed changes (see Appendix 2); and
- Our own internal critique and analysis of existing systems and procedures.

Primary consultation of the proposed changes to the Housing Allocations Policy has taken place with a group of key partners (see Appendix 2). The proposed key changes have also been discussed and endorsed by the Housing Task Group (22 February 2018).

The revised Policy ensures that the Council will meet all current legislative requirements and modernises the approach and working practices in a number of the areas through the recommended changes. Delegated authority is sought for the Strategic Director in consultation with the Portfolio Holder for Housing, to annually review and make minor changes as necessary to ensure that the Policy remains appropriate and compliant throughout its lifetime.

Reasons for Decision

The Council has a legal duty to have an Allocations Policy which states how priority will be awarded to applicants on the Housing Register and how the Choice Based Lettings Scheme (Hometrak) operates. It is good practice to review the Housing Allocations Policy from time to time to ensure it reflects local housing priorities and changes in legislation. The revised Policy reflects this and will become subject to annual review.

Recommendations

The Executive is requested to:

RECOMMEND to Council That

- i) the Housing Allocations Policy, as set out in the Appendix 3 to the report, be adopted; and
- ii) the Strategic Director, in consultation with the Portfolio Holder for Housing, be delegated authority to make minor amendments to the Policy as part of an annual review.

The recommendations above will need to be dealt with by way of a recommendation to the Council.

Background Papers:

Presentation to the Housing Task Group Meeting 22 February 2018

[Allocation of accommodation: guidance for local housing authorities in England](#)

[Homelessness Reduction Act 2017](#)

[Ministry of Housing, Communities and Local Government \(MHCLG\) - Homelessness Code of Guidance for Local Authorities](#)

Sustainability Impact Assessment

Equalities Impact Assessment

Reporting Person:

Sue Barham, Strategic Director

Ext: 3810, E Mail: Sue.Barham@woking.gov.uk

Contact Person(s):

Hazel Craig-Waller, Project Officer

Ext. 3802, E Mail: Hazel.Craig-Waller@woking.gov.uk

Catherine Butler, Housing Needs Manager

Ext. 3618, E Mail: Catherine.Butler@woking.gov.uk

Michele Dixon, Housing Allocations Team Leader

Ext. 3614, E Mail: Michele.Dixon@woking.gov.uk

Portfolio Holder:

Cllr Colin Kemp

E Mail: CllrColin.Kemp@woking.gov.uk

Shadow Portfolio Holder:

Cllr Ian Johnson

E Mail: CllrIan.Johnson@woking.gov.uk

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1.0 Introduction

- 1.1 Every local Housing Authority is required to have a Housing Allocation Policy, which is also known as the Authority's Allocations Policy. This document is Woking Borough Council's Allocations Policy in accordance with the requirements of Section 166A of the Housing Act 1996 (as amended).
- 1.2 Over the past five years and since the previous version of the Policy was adopted, there have been an increasing number of procedural and legislative factors that have impacted upon the Council's housing allocation procedure. This coupled with a shifting housing needs landscape, has necessitated the need for a revision of the existing Policy.
- 1.3 The revised Policy allows for a more flexible framework through which the Council's Housing Officers can allocate properties in an effective, increased and timely manner ensuring that the needs are met efficiently of those people with the most priority.
- 1.4 Increasingly the Council's Housing Officers need to assume an improved client centric approach with people being dealt with as individuals and on their own merits, delivering fairness at all times. This will require careful, closer and more intelligent management of the Register. The revised Policy takes into account this style of approach.
- 1.5 In developing the revised Housing Allocations Policy, the Council has had regard to both current existing policies as well as those existing policies that require change due to new legislation, and these have been linked, where appropriate, throughout the revised Housing Allocations Policy.

2.0 Proposed Key Changes

- 2.1 The proposed key changes to the existing Policy are fully detailed in Appendix 1. In summary below are the proposed changes together with the rationale for such proposals, together with an articulation of the impact that such change may have.
 - i. *Removal of Band E by condensing the existing five Bands (A-E) to four (A-D):*

There is no material effect to those people already in these Bands as the proposed changes effectively seek to amalgamate and disperse those priority groups into more appropriate and a smaller number of bands;

The impact of this change is considered low but positive. Ongoing review of the new categorisation will monitor the application, efficiency and effectiveness of this change.
 - ii. *Removal of the age limit for 'Sheltered Housing' – now 'Housing with Support':*

The recommendation is that the eligibility age limit of 60+ is removed, and Housing with Support be based on need rather than age.

The revised criteria for Housing with Support accommodation will ensure that there are appropriate properties for all of those people, regardless of their age, who are independent but need a low level of support. This also includes people who can live independently with the aid of an appropriate care package. Applicants who are disabled may also be considered for this type of accommodation.

The positive impact of this recommended change is the creation of an inter-generationally mixed housing community, where people of different ages and similar needs, can offer additional support to each other. Also the opportunity to socialise with different age groups will promote increased health and wellbeing.

The recommended change will allow the Council to utilise its housing with support accommodation more appropriately and to offer it to the most vulnerable people and those in most need irrespective of age requiring a low level of support.

The recommended change to 'housing with support' accommodation (previously sheltered accommodation) does not affect the right to buy as these properties remain compliant with the criteria set out in paragraphs 7, 9, 10 or 11 of Schedule 5 to the Housing Act 1985, and the Council will use the accommodation for those people who are exempt from right to buy due to a physical disability, mental disorder or who are over 60 with a low level of support need.

iii. *Greater emphasis on the use of the Private Rented Sector (PRS):*

Increasingly, with the introduction of the Homelessness Reduction Act 2017, enactment due 3 April 2018, the Housing Officers will have to seek options within the PRS for those we owe a Statutory Duty to. Overall, the new Policy includes a stronger thread and commentary around the use of PRS in a number of different situations.

The impact of this recommended change is to open up greater opportunity, choice and pool of properties for people based on affordability.

iv. *'Local Connection' changes:*

The recommendation is to change the current criteria for a 'local connection', from one year to two years, for both living and working in the Borough. Currently the requirement for 'Local Connection' lacks uniformity with local housing areas but by changing our criteria to reflect neighbouring authorities, this will reduce the number of applicants to our Register who are currently granted access via this route. For establishing a 'Local Connection' through a close relative, the period is set at five years in line with the new legislation, the Homelessness Reduction Act 2017.

The impact of this change is relatively low; however it does bring the Council's Policy in line with neighbouring Boroughs criteria, thus reducing the number of applicants attracted to the Council's Housing Register through this route.

v. *Applications from those with financial resources:*

The recommendation is for income, savings and asset limits to be reduced. Income limits to reduce in line with the average wage and Thamesway Housing Limited (THL) income criteria to £25,000 (prev. £30,000), and savings/assets levels to £16,000 (prev. £30,000) in line with Housing Benefit regulations.

In addition, the new Policy incorporates a timescale for applicants who have sold a property within the last 7 years. This clarifies the criteria regarding disposal of capital without making adequate housing arrangements.

The recommended change brings the Council's Policy into line with neighbouring Boroughs. The impact is relatively low.

vi. *Under Occupation:*

The recommendation is for under occupation to now include the following applicant group:

- Where the applicant is a tenant of a Housing Association (Registered Provider) and where they will release a home with one or more bedrooms over their current housing need under this Policy, and their landlord agreed that their vacated property will be offered to the Council for nomination by the Council, outside of established Nominations Agreements.

Currently in certain cases, those applicants who have downsized from a housing association property are accepted as Band B, without the housing association property being released for advertising via Hometrak. This recommended change

now stipulates that for those people wishing to downsize from a Housing Association property that we will only accept them onto the Housing Register as long as the Housing Association releases the property for re-advertising through Hometrak.

The recommended change ensures that the Council gains benefit for the downsizing process from Housing Association properties by receiving family homes onto Hometrak.

vii. *Reasonable Preference - no 'Local Connection':*

The recommendation is for the inclusion of two further qualification criteria relating to no 'Local Connection'. Both of these additions are as a result of new legislation for which the Council is required to follow.

viii. *Refusal of offers/failure to view:*

The existing policy lacks clarity in this area and is too loose on how refusals of offers/failure to view are dealt with. Currently applicants are granted two refusals (no timescale) before applications are reassessed. The recommendation is for a clearer definition of circumstances where an applicant refuses a property and clear reasoning for re-banding applicants including timescales (12 months).

This recommended change is a positive impact for Housing Officers as procedures are clearly stated and applicants who refuse/fail to view will get reassessed sooner, more consistently and re-banding where appropriate. In terms of the impact on those applicants who are actively bidding although miss out on offers, this recommended change will ensure that they have an increased chance of being successful.

3.0 Consultation

- 3.1 The proposed changes to the Housing Allocations Policy have been subject to a focus group and wider consultation of key internal teams, external partners and stakeholders (see Appendix 2).
- 3.2 On 22 February 2018, Housing Officers presented and consulted with the Housing Task Group and the Portfolio Holder for Housing on the proposed changes to the Council's Housing Allocations Policy. The Task Group Members and Portfolio Holder for Housing supported the recommended changes and the reasons for change.
- 3.3 Full details and outcomes of the focus group session, wider consultation and the Housing Task Group meeting are detailed in Appendix 2.
- 3.4 Overall, the majority of responses received from the consultees have been in support and positive for the proposed changes as detailed in 2.0 above and in the appendices.

4.0 Other Connected Changes - IT

- 4.1 As part of the revision of the Housing Allocations Policy, and due to the increasing necessity to automate processes and provide self-service options, a full review of the procedure for registering on the Housing Register (via the Choice Based lettings System – Hometrak) was carried out which established that there would be substantial benefits to having an online process.
- 4.2 Work is therefore currently underway to get the existing form online. In doing so the following objectives will be met:

- To provide an on-line form for people to apply to go on to the Housing Register, enabling self-service and reducing the time to apply. Currently paper based forms are the only method possible for registration.
 - To reduce the application process time and improve speed of service to Clients. The addition of an online form will remove the need for manual input of data. Assistance to clients will continue to be provided for those that cannot self-serve.
- 4.3 The introduction of such online functionality will not affect the bidding process through Hometrak, as this will remain unaltered for applicants.

5.0 Implications

Financial

- 5.1 The proposals in this report fall within existing budgets.

Human Resource/Training and Development

- 5.2 Staff will need training on the proposed changes before the implementation can take place and frontline staff will require training on the changes in order to advise applicants, stakeholders and the public regarding the changes to the Housing Allocations Policy. Internal IT, correspondence and leaflets to be updated as required.

Community Safety

- 5.3 In effectively assessing households' housing needs and providing suitable, affordable housing the Council will be aiming to improve the health, well-being and quality of life for the people of Woking.

Risk Management

- 5.4 Failure to correctly assess housing need in accordance with legislation would leave the Council open to legal challenge and could place some households at risk of harm.

Sustainability

- 5.5 A Sustainability Assessment has been completed.

Equalities

- 5.6 An Equalities Impact Assessment has been completed. One of the major changes recommended in the revised Policy, is the removal of the age eligibility criteria (60+) for housing with support (prev. sheltered accommodation). By removing this it will allow the Council to utilise its housing with support accommodation in the most appropriate way in order to meet the needs of the most vulnerable people regardless of age. This will have a positive effect on those people of all age groups with low level support needs.
- 5.7 The Council is committed to making all applications, whether electronic or paper, accessible to all users and have an ongoing programme of making useful updates and improvements.

REPORT ENDS

EXE18-013

APPENDICES

Equality Impact Assessment

The purpose of this assessment is to improve the work of the Council by making sure that it does not discriminate against any individual or group and that, where possible, it promotes equality. The Council has a legal duty to comply with equalities legislation and this template enables you to consider the impact (positive or negative) a strategy, policy, project or service may have upon the protected groups.

		Positive impact?			Negative impact?	No specific impact	What will the impact be? If the impact is negative how can it be mitigated? (action) THIS SECTION NEEDS TO BE COMPLETED AS EVIDENCE OF WHAT THE POSITIVE IMPACT IS OR WHAT ACTIONS ARE BEING TAKEN TO MITIGATE ANY NEGATIVE IMPACTS
		Eliminate discrimination	Advance equality	Good relations			
Gender	Men					X	<p>One of the major changes recommended in the revised Policy, is the removal of the age eligibility criteria (60+) for sheltered accommodation. By removing this it will allow the Council to utilise its sheltered accommodation in the most appropriate way in order to meet the needs of the most vulnerable regardless of age. This will have a positive effect on those people with particular needs and across all age groups.</p> <p>There will be both positive and negative aspects to this policy. It will be positive for local people who have strong local connections but it will be negative for people who want to move to Woking but have no specific need to do so.</p> <p>It will have a negative impact on applicants with higher incomes/assets/savings but a positive impact for people on lower incomes who need housing.</p> <p>It will have a positive impact on applicants who should stand a better chance of housing which will</p>
	Women					X	
Gender Reassignment						X	
Race	White					X	
	Mixed/Multiple ethnic groups					X	
	Asian/Asian British					X	
	Black/African/Caribbean/Black British					X	
	Gypsies / travellers					X	
	Other ethnic group					X	
Disability	Physical					X	
	Sensory					X	
	Learning Difficulties					X	
	Mental Health					X	
Sexual Orientation	Lesbian, gay men, bisexual					X	
Age	Older people (50+)	X					

	Younger people (16 - 25)					X	<p>also impact positively on their health and well-being.</p> <p>There will be a positive impact on applicants or their families who need to move into the Borough to support or be supported and there will be a positive impact where ASB has been removed from an area/household.</p>
Religion or Belief	Faith Groups					X	
Pregnancy & maternity						X	
Marriage & Civil Partnership						X	
Socio-economic Background						X	
Carers						X	

The purpose of the Equality Impact Assessment is to improve the work of the Council by making sure it does not discriminate against any individual or group and that, where possible, it promotes equality. The assessment is quick and straightforward to undertake but it is an important step to make sure that individuals and teams think carefully about the likely impact of their work on people in Woking and take action to improve strategies, policies, services and projects, where appropriate. Further details and guidance on completing the form are [available](#).

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Sustainability Impact Assessment

Officers preparing a committee report are required to complete a Sustainability Impact Assessment. Sustainability is one of the Council's 'cross-cutting themes' and the Council has made a corporate commitment to address the social, economic and environmental effects of activities across Business Units. The purpose of this Impact Assessment is to record any positive or negative impacts this decision, project or programme is likely to have on each of the Council's Sustainability Themes. For assistance with completing the Impact Assessment, please refer to the instructions below. Further details and guidance on completing the form are [available](#).

Theme (Potential impacts of the project)	Positive Impact	Negative Impact	No specific impact	What will the impact be? If the impact is negative, how can it be mitigated? (action)
Use of energy, water, minerals and materials			X	
Waste generation / sustainable waste management			X	
Pollution to air, land and water			X	
Factors that contribute to Climate Change			X	
Protection of and access to the natural environment			X	
Travel choices that do not rely on the car			X	
A strong, diverse and sustainable local economy			X	
Meet local needs locally	X			
Opportunities for education and information			X	
Provision of appropriate and sustainable housing			X	
Personal safety and reduced fear of crime			X	
Equality in health and good health			X	
Access to cultural and leisure facilities			X	
Social inclusion / engage and consult communities			X	
Equal opportunities for the whole community			X	
Contribute to Woking's pride of place			X	