



Report for:	Cabinet
Date of meeting:	28 November 2017
Part:	1
If Part II, reason:	

Title of report:	Housing Allocations Policy review
Contact:	Cllr Margaret Griffiths – Portfolio Holder for Housing Natasha Brathwaite – Strategic Housing Group Manager Tracy Vause – Strategic Housing Team Leader
Purpose of report:	To explain the proposed changes to the Council’s Housing Allocations Policy following the annual review
Recommendations	That Cabinet agree the annexed Housing Allocations Policy which incorporates the proposed changes set out in the report.
Corporate Objectives:	Allocating homes to those most in need contributes to the following corporate objectives; <ul style="list-style-type: none"> • A clean, safe and enjoyable environment • Building strong and vibrant communities • Providing good quality affordable homes, in particular for those most in need • Delivering an efficient and modern council
Implications:	<u>Financial implication</u> Updates to Civica (F.N.A Abritas) will be required to ensure it can be effectively used to administrate the housing register and allocations process.
‘Value For Money Implications’	<u>Value for money</u> It is important that we deliver good services and value for money for local people accessing the housing register as well as our existing tenants. The proposed changes to the allocations policy will offer increased value for money by encouraging more effective use of council stock, streamlining staff workload and allowing more efficient use of internal resources.

Risk Implications	The Housing Service Operational Risk Register is presented to the committee on a quarterly basis.
Community Impact Assessment	Community Impact Assessment reviewed and attached
Health And Safety Implications	There are no direct Health and Safety implications through the update of this policy.
Monitoring Officer/S.151 Officer Comments	<p>Monitoring Officer:</p> <p>The existing housing allocation policy contains various areas of alleged illegality which are the subject of a current judicial review application, although it should be noted the review of the policy had commenced prior to those proceedings being issued.</p> <p>The newly draft policy has, however, been considered by external Counsel who has provided both legal and, for convenience, editorial issues, strongly recommending that the Council:</p> <ul style="list-style-type: none"> - expressly identifies each of the policy's legitimate aims; and - undertakes an Equality Impact Assessment (1) assessing the likely impact of the qualification criteria on individuals who have - and groups who share - a protected characteristic, within the meaning of the Equality Act 2010, such as individuals with a disability, single parents, women who have suffered domestic violence etc, and (2) if the criteria would treat any such individuals or groups unfavourably by reason of their protected characteristic, identifying the reasons why the criteria are nonetheless a proportionate means of achieving the Council's legitimate aims, such that the unfavourable treatment is justified. <p>Critically, the policy must contain a number of safety valves to ensure, given the myriad of circumstances to which it is intended to apply, that it is sufficiently flexible and capable of operating lawfully, even if by the exceptional exercise of an overriding discretion.</p> <p>The current draft policy does contain safety valves, including as it does a general discretion on the part of the Assistant Director of Housing to award additional points and amend or dis-apply disqualification criteria if an individual case requires it.</p> <p>Inevitably, however, given the myriad of circumstances to which the policy must apply, it is impossible to anticipate every possible fault with the policy or, therefore, to rule out the prospect of challenge in due course. In that regard, the Council will of course need to keep the operation of the policy under review and, if necessary, adjust it periodically.</p>

	<p>S.151 Officer</p> <p>There are no direct financial impacts of this decision. Any costs associated with changes to the system required to administer the system will be met from existing budgets.</p>
Consultees:	<p>Cllr Margaret Griffiths – Portfolio Holder for Housing</p> <p>Elliott Brooks – Assistant Director Housing</p> <p>Natasha Brathwaite – Strategic Housing Group Manager</p> <p>Emily-Rae Maxwell – Strategy, Improvement and Engagement Team Leader</p> <p>Jodi Cooper – Policy, Improvement and Support Lead Officer (Interim)</p> <p>Tracy Vause – Allocations and Lettings Team Leader</p> <p>Staff from across the Housing Service</p> <p>Tenant and Leaseholder Committee Members</p> <p>Housing register applicants and new tenants</p>
Background papers:	<ul style="list-style-type: none"> • Housing Allocations Policy [Draft] <p>Consultation Results – Allocations Policy Review</p>
Glossary of acronyms and any other abbreviations used in this report:	<p>DBC – Dacorum Borough Council</p>

1. Introduction

- 1.1 In January 2017 the Housing Allocations Policy was due for review and initial discussions took place with Strategic Housing management to identify suggested areas for alteration in order to improve the allocations process. A number of proposed changes were noted.
- 1.2 Consultations were carried out with new tenants, applicants currently on the housing register, the Assistant Director for Housing and Portfolio Holder for Housing, the Tenant & Leaseholder Committee, as well as a number of staff from key teams across the Housing Service.
- 1.3 The results from consultations were collated (see Appendix 2) and were considered when making amendments to the drafted Housing Allocations Policy (see Appendix 1).
- 1.4 The purpose of this report is to summarise the key proposed changes to the Housing Allocations Policy and seek approval to implement.

2. Removal of a deferred register

- 2.1 The deferred register was introduced with the Allocations Policy in 2013 and any applicant who does not qualify for the active register is deferred and therefore unable to bid on properties.
- 2.2 Management of the deferred register is completed manually, with officers having to approve all renewals and updates. At present, the deferred register holds approximately 6750 applicants. None of these will be eligible for social housing unless there is a significant change to their housing need. This further creates complications as many applicants on the deferred register may have 'false hope' and therefore not take full ownership of their housing situation.
- 2.3 This policy proposes to remove the deferred register in its current form instead making it a safety net for those whose applications that are incorrect and need to submit extra evidence or those who have been sanctioned. Sanctions will be explained further in the report.

3. Ensuring that the local connection requirement avoids discrimination

- 3.1 As a local authority, we are required to ensure all our policies are compliant with the Equality Act 2010.
- 3.2 A recent legal challenge to DBC highlighted our Allocations Policy currently discriminates specific community groups, such as travellers, due to our local connection criteria.
- 3.3 To mitigate this, the new policy proposes that these cases will be referred to Housing Panel for a full review of the applicants housing need and intention to stay within Dacorum.

4. Addressing applicants with rent arrears

- 4.1 As a Housing Service we want to encourage positive behaviours towards clearing rent arrears. It is proposed that applicants with rent arrears will be required to evidence at least 6 months of regular payments and a *reduction* in their arrears in order to qualify.
- 4.2 Exceptions may be made in circumstances where tenants want to move in order to make rent payments more manageable i.e. downsizing. The tenant will still be required to pay the outstanding arrears.

5. Clarifying our approach to changes in child residency arrangements

- 5.1 In the 2013 Allocations Policy, there is no clear stance around when DBC will consider a child to be part of a household following custody residency. A change in residency may have a direct impact on the number of bedrooms an applicant qualifies for.

'To clarify this, the drafted policy now includes the following stance:

If an applicant holds responsibility for residency of a child through a court decision, the child is immediately considered part of the household.

Residency arrangements agreed by parents require the applicant to provide supporting evidence of the arrangement, including evidence that the child has been living as part of their household for a minimum of 6 months and any documents required by Housing Benefit to support this claim'.

6. Reducing the number of offer refusals

- 6.1 Currently housing applicants that are active on the housing register have an unlimited number of bids. This often leads to a number of applicants bidding on properties they then go on to refuse.
- 6.2 The impact of having unlimited bids often means shortlists for properties include the same applicants. Additionally the service then has to re-advertise a property wasting resources and time. This also can affect void periods and ultimately income.
- 6.3 To encourage applicants to take a more informed approach to bidding, the new policy removes the right to refuse a property unless an applicant can provide a valid reason outlining why the property is no longer suitable to their housing need. It would then be the Housing Panel's responsibility to approve any refusal that was challenged and allow the applicant to be active on the housing register. Examples of what would not be considered as a valid reason are included in the Policy.
Any applicant that refuses a property where there is no valid reason will be sanctioned and not be allowed to bid for six months.

7. Providing direct offers to applicants in Mother & Baby Units

- 7.1 Under the current policy, applications for those leaving Mother & Baby Units are required to go to Housing Panel for approval.
- 7.2 Due to the vulnerability of these applicants and the support workers involvement in move on, all applications are generally approved.

- 7.3 Based on this, the new policy seeks to speed up this process by issuing a direct offer of a suitable property. One key observation made by a tenant throughout the consultation was the relief a direct offer gave as it took away the worry of bidding for a property.

8. Review of the downsizing incentives offered

- 8.1 Currently applicants wishing to downsize are offered 45 points for each additional bedroom they have. These applicants are also able to bid for properties with one bedroom more than required in line with their housing need. This means that a sole tenant in a 3-bedroom house receives 90 points but may only reduce their property size by one bedroom meaning they can bid for a 2-bedroom property.
- 8.2 It is important to note the impact of this on the services ability to meet housing need. Currently two bedroom properties are the highest in demand stock.
- 8.3 Moving forward, applicants wishing to downsize will receive points based on the number of bedrooms they would actually like to downsize by. As a result, a downsizing sole applicant wishing to move to a 2-bedroom property will be less likely to finish higher in the shortlist than a household requiring two bedrooms due to only having 45 points as opposed to 90. This approach will ensure that council stock is being used effectively and will help reduce bed-blocking in temporary accommodation.

9. Pre-tenancy training for transferring tenants

- 9.1 Currently any applicant on the housing register who attends the pre-tenancy training will receive five additional points. This training will be available to attend at the forum or to complete digitally.
- 9.2 Within the new policy, transferring tenants with a history of tenancy breaches must complete the pre-tenancy course as part of the approval process for the transfer to go ahead although would not receive additional points for attending the course.
- 9.3 Administering pre-tenancy support will be a new function for the team but supports the wider services objective to give tenants the best possible start.

10. Clarifying our approach to step-siblings sharing bedrooms

- 10.1 The 2013 policy does not state whether step-siblings should be required to share a bedroom. Additionally it did not define how we as a Housing Service define 'step-siblings'. This has left the service open to challenges on the bedroom criteria when two families become one household.
- 10.2 It is important that the policy recognises the changing demographics of households. The new policy considers 'step-siblings' as children living in the household regardless of the marital status of the parents. Based on this the policy requires all siblings and step-siblings to share a room in line with the bedroom standards.
- 10.3 It is however recognised that there may be circumstances where it is not appropriate for step-siblings to share. The Housing Panel will review these cases.

11. Our approach to letting village properties

- 11.1 The 2013 policy approach to village connection limits the flexible use of Council stock, as often those bidding on village properties do not have the required village connection.
- 11.2 Where a village property receives no bids from applicants with a village connection the property will be offered to a suitable household on the direct offer list in the first instance.
- 11.3 If there is no suitable households on the direct offer list, the offer will extend to applicants living or working in the neighbouring parishes before being opened up to the wider applicant population.

12. Allocating two bedroom Supported Housing properties

- 12.1 Although the majority of our Supported Housing properties are 1-bedroom, on occasion a 2-bedroom property may become available. The 2013 policy does not consider applicants for supported housing with an additional household member that is not their partner.
- 12.2 It is proposed, on the rare occasion that a 2-bedroom Supported Housing property becomes available to let, the allocation requires the approval of the Housing Panel and any impact to the wider scheme is considered.

13. Recommendations

- 13.1 For cabinet to agree all proposals outlined in this report and consider whether they meets the needs of housing applicants and the demands on the housing service.