

Committee: HIWG

Agenda Item

Date: 7 January 2010

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Title: Review of Housing Allocations Policy/CBL

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Item for decision

Summary

The purpose of this report is to provide an update on progress with the review of the Council's Allocations Policy and Choice Based Lettings Scheme and to seek approval to consult on how the Council allocates its properties.

Recommendations

- That members note the preliminary work completed in taking forward this project
- That formal consultation on how the Council allocates its properties be approved
- That officers begin to prepare a draft revised Allocations Policy based on feedback from findings and the initial consultation
- That the outcome of the consultation be reported to the HIWG for Members to determine the final Policy decision

Background Papers

The following papers were referred to by the author in the preparation of this report and are available for inspection from the author of the report.

- Fair and Flexible: Statutory Guidance on Social Housing Allocations for Local Authorities in England - Available on line at www.communities.gov.uk website
- Allocation of Accommodation: Choice Based Lettings
- Audit Commission Report – published 8 May 2008
- Scope of Review
- Good Practice in Access to Housing and Good Housing Services – (Improvement and Development Agency – 2008)
- Report to the HITG 9 June 2009 - ALLOCATIONS POLICY/CHOICE BASED LETTINGS SCHEME
- Agreement for the provision of a CBL system – 1 June 2007

Impact

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Communication/Consultation	The process for review and revision of the allocations policy is predicated on extensive stakeholder engagement and
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	community consultation. This approach aims to secure genuine recognition of the key policy issues and a consensual acceptance of a new 'fit for purpose' allocations policy
Community Safety	n/a
Equalities	Review and revision of the Council's housing allocations policy raises fundamental equality and diversity issues. Therefore full Equality Impact Assessments will be carried on the draft and final version of the document.
Finance	Cost implications if implementing a new system – IT/staffing costs
Health and Safety	n/a
Human Rights	n/a
Legal implications	Legal department will need to advise whether revised policy complies with new statutory guidance/existing legislation
Sustainability	n/a
Ward-specific impacts	Consultation will involve the whole district
Workforce/Workplace	Additional temporary resource will be required if new scheme adopted

Situation

In June the Community and Housing Committee approved a review of the Council's allocation policy and Choice Based Letting scheme to be delegated to the Housing Initiative Working Group. It was agreed that the review would include the following areas

- an assessment of housing need/choice in relation to the housing waiting list
- the Council's allocation scheme
- the viability of expanding the Choice Based Letting scheme

It was also agreed that the review would have regard to housing needs of the District, the Council's current allocations scheme, the HomeOption scheme, government guidance, best practice and the views of stakeholders including service users and the public at large.

In October the Working Group approved the scope of the review (Appendix I) and the intention to have a new housing allocations policy for the district in place and fully

operational by April 2010. In order to progress things it was agreed that the following matters be considered at the next meeting:

- The implication of leaving the CBL scheme – please see Appendix II
- Arguments for and against a point system and a banding system – please see Appendix III
- Details of what was legally required to be provided and what matters were discretionary under the scheme – please see Appendix IV

Progress to Date

The following preliminary work has been carried out to date:

- Extensive research into different systems used – Appendix V
- Gap analysis between existing allocations policy and best practice (for example as set out in the government guidance “fair & flexible”)
- Detailed analysis of local lettings i.e. what is actually happening on the ground
- Site visit – delayed due to illness – due to be re-scheduled for January 2010

Officers have carried out a detailed analysis of the advantages and disadvantages of different schemes and have concluded that Banding systems, now used by the majority of authorities who operate CBL, are more transparent to the different levels of need that exist across the district and are easier to administer.

Once someone is allocated to a band, they will remain in a date-ordered list moving up the housing register as previous people from that band are housed. However, priority will always go to those in the band above if the property is suitable for their needs. This will make it very clear for people in lower bands how likely they are to be housed.

In comparison the current points scheme operated by the Council is complex, difficult for applicants to understand and is also open to misinterpretation. The current scheme can also, by the way it is structured, give a perverse incentive to applicants to become homeless as a way of being re-housed more quickly. There is currently little incentive for potentially homeless people to consider alternative housing options and consequently applicants who have genuine housing need and have been on the register for sometime can regularly lose out to people who have only just joined the register.

The Next Steps

Any change to the current allocation policy will require consultation and stakeholder involvement. The more successful schemes have been developed where a council and its partners have discussed policies, procedures and processes so that there is joined up thinking. It also establishes the backing and confidence of local stakeholders.

It is proposed that the consultation be carried out in two phases:

- In Phase 1 views will be sought on the fundamental issues and different options available – eg points/banding systems. This will run for 8 weeks from the beginning of January to the beginning of March 2010
- In Phase 2 officers will consult on the draft revised allocation policy, taking the views expressed in Phase One into account. This will run for a further 8 weeks from the beginning of March until the end of April 2010

Policy Issues

Whilst not exhaustive the following list provides examples of some of the policy issues that need to be considered when formulating revisions to the allocations scheme:-

- achieving sustainable communities:- including achieving sustainable tenancies, creating safer neighbourhoods, and ensuring good quality living environments
- supporting and sustaining independent living for vulnerable people
- preventing homelessness:- including achieving key targets, and having in place effective prevention measures for a range of vulnerable people
- ensuring allocations policies actively support housing renewal and regeneration initiatives, and encourage investment to help sustain local housing areas

The revised scheme should also have regard to a number of specific housing related issues:- overcrowding, rent arrears, domestic violence, harassment & ASB, disrepair, medical & welfare needs including adaptations, local connections, local letting plans etc.

Conclusion

At the last HIWG members asked officers to look at the implication of leaving the CBL scheme; arguments for and against a point system and a banding system and details of what was legally required to be provided and what matters were discretionary under the scheme. Research has concluded that:

- The implications of leaving the CBL scheme would be far reaching for the authority in both terms of reputation and cost
- Banding systems have more advantages than the existing points system are more transparent to the different levels of need that exist across the district and are easier to administer
- The new statutory guidance indicates that Councils have more flexibility in what should be included in their allocation policies and emphasises the importance of consulting stakeholders and the wider community so that the allocation of social housing is transparent . It is clear from the new guidance that the Council must consult with stakeholders and the wider public and update its allocation policy as:
 - the Council's current policy no longer meets the requirements of current Government guidelines and therefore leaves the Council open to legal challenge

- the Audit Commission’s inspection report highlighted areas of weakness in the allocations policy and recommendations were made for improvement
- there is a growing demand on the Council for social rented housing
- a new approach to allocation needs to be drawn-up which simplifies the policy and focuses more on housing need

With the publication of the new statutory guidance this is an opportune time for the Council to carry out a review of its allocations scheme to:

- bring it in line with current good practice and legislation, whilst taking full advantage of the scope for local decision making
- ensure it meets all statutory requirements
- ensure that homeseekers and tenants have choice in where they live
- ensure that it accords with government guidance on housing allocations policies within the context of choice based lettings
- ensure it supports a range of local (sub-regional, regional and national) policy objectives

Risk Analysis

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Risk	Likelihood	Impact	Mitigating actions
Allocations policy does not comply with new statutory guidance/legislation	3	4	Current policy to be re-examined, consulted on and updated

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.