

SLOUGH BOROUGH COUNCIL

REPORT TO: Neighbourhood & Communities Services Scrutiny Panel **Date:** 5 September 2013

CONTACT OFFICER: Hamid Khan, Head of Place Shaping
(For all Enquiries) (01753)474057

WARD(S): ALL

PART I

FOR COMMENT & CONSIDERATION

ADOPTION OF HOUSING ALLOCATION SCHEME 2013- 2018

1. Purpose of Report

This report requests comment and consideration from the Panel for the adoption of a Housing Allocation Scheme by which council houses will be allocated in the future. The policy development has been prompted by the new flexibilities and freedoms introduced in the Localism Act 2011.

2. Recommendation(s)/Proposed Action

The Panel is requested to:

- a) comment on the contents of the policy in general and also with specific regard to the options outlined in section 7 of this report; and
- b) recommend the adoption of the Policy to the Cabinet.

3. The Slough Joint Wellbeing Strategy, the JSNA and the Corporate Plan

3.1 Slough Joint Wellbeing Community Strategy Priorities

The quality of and access to housing is a key priority for the council. Slough's Wellbeing Strategy names housing as one of five priorities with the vision that:

“By 2028 Slough will possess a strong, attractive and balanced housing market which recognises the importance of housing in supporting economic growth.”

Those who have contributed in Slough for five years or more, are in employment, education or training, and who participate actively in established and recognised community projects will be rewarded with additional priority to access social housing, while those who have a history of anti social behaviour or poor financial management will be required to demonstrate a track record of behavioural change before they will be allocated housing. Those who commit fraud will not be given access to social housing.

Housing is central to the health and wellbeing of the population; it gives the ability to access work and assists in providing a safe environment for educational achievement. The scheme includes safeguards for the most vulnerable in society, and contributes to other council priorities by supporting initiatives around fostering and adoption, families first, those leaving care and young people moving on, as well as the elderly and disabled. Allocation of housing will also contribute to strong, sustainable, mixed and cohesive communities and to economic regeneration.

3.2 **Slough Joint Wellbeing Strategy: Cross-Cutting themes**

The proposed Allocation Scheme rewards civic responsibility by recognising applicants' community contribution in terms of employment, education, training and positive contribution to community priorities through sustained voluntary work. Anti social behaviour and failure to be financially responsible will not be tolerated in council housing. The scheme will prevent those who demonstrate this behaviour becoming eligible, thus contributing to community safety.

Residents who are adequately housed, and who have an aspiration to improve their circumstances will take pride in their community and work to improve the image of the town, including through volunteering and involvement in established and recognised charitable and community projects.

3.3 **Joint Strategic Needs Assessment (JSNA)**

Housing is a contributory factor to the wellbeing of Slough residents, and the Allocation Scheme supports the priorities in the JSNA. It contributes to reducing inequalities in health through access to high quality housing, increasing skills and employment opportunities by rewarding those who take steps to improve their own circumstances and contribute positively to the town, and early intervention to reduce child poverty and improve child safety through supporting initiatives around fostering and adoption, those leaving care and young people moving on.

By linking applicants behaviour to an allocation of housing the council is taking steps to protect the quality of housing, while allocating to those in greatest need will ensure greater availability of housing.

3.4 **Corporate Plan 2013/14**

The Allocation Policy has been designed to meet local needs and contribute to the specific priorities which Slough residents have identified. The scheme utilises new ways of working and delivers local and national change by making best use of available flexibilities to support local circumstances. The Policy further strengthens the concepts of Neighbourhoods and Environment.

4. **Other Implications**

(a) **Financial**

There are no direct financial implications arising from this report. The consultation will be carried out from within existing resources.

The housing register currently stands at over 7,000 households which generates a substantial administration burden for the housing service. Realistically matching

identified need to available resources means that only those likely to receive an allocation of housing within a reasonable time period will be eligible to join the housing register, maintaining the register at pragmatic levels. Reducing this burden is key to achieving efficiencies already identified within the housing service. The proposed new organisational structure includes positions to support the effective administration of the housing register, including independently checking eligibility.

(b) Risk Management

Risk	Mitigating action	Opportunities
<p><u>Legal</u> Requirement to consult residents and registered providers.</p> <p>Statutory Policy which affects all residents of Slough.</p>	<p>Three month statutory consultation utilising variety of methods.</p> <p>Policy scrutinised by legal Counsel to ensure statutory compliance and case law compliance.</p>	<p>Give residents the opportunity to comment on proposals.</p>
<p><u>Human Rights</u> To ensure compatibility with Article 8.</p>	<p>Policy scrutinised by legal Counsel to ensure statutory compliance.</p>	
<p><u>Equalities Issues</u> Groups may be disproportionately disadvantaged by the scheme.</p>	<p>Conduct EIA; administer the scheme in a fair and transparent way. Utilise independent reviewing officer to check eligibility.</p>	<p>Applicants have confidence in fair and transparent scheme.</p>
<p><u>Communications</u> Residents not aware of changes, do not respond to consultation.</p>	<p>Communications Plan produced and broad ranging consultation conducted.</p>	<p>Residents will be aware of the changes and can respond to the consultation to inform the final version.</p>
<p><u>Community Safety</u> Those committing ASB, crime and disorder will not be eligible to join the register.</p>	<p>The Policy promotes and encourages positive behaviours. Other housing pathways will be made available.</p>	

<p><u>Financial</u> Administration costs of housing register increase as demand increases.</p> <p>Increase in temporary accommodation costs.</p>	<p>Implement new Allocation Scheme to reduce register.</p> <p>New scheme will create more supply of social housing.</p>	<p>Housing allocation can be targeted to those in most need, more realistic waiting times, contributes to other council priorities.</p>
<p><u>Timetable for delivery</u> Failure to agree Policy will leave Council open to Judicial Review.</p>		

(c) Human Rights Act and Other Legal Implications

The proposed scheme is currently being considered by a highly reputable housing lawyer to ensure compliance with the law.

Equalities Impact Assessment

The policy is subject to a full Equality Impact Assessment. The policy will also undergo rigorous testing on actual 'live' cases and different scenarios, with outcome measured against key equality characteristics. A full report will be produced prior to any Policy being adopted and at the end of the consultation and testing period.

5. Supporting Information

- 5.1 Under the Housing Act 1996 all local housing authorities are required to have a Housing Allocation Scheme which governs how social housing is allocated to those who are eligible. The scope of Allocation Schemes has been amended by the Localism Act 2011, giving greater local freedom for housing authorities in allocating available accommodation
- 5.2 The Allocations Policy looks to build on the flexibilities and freedoms allowed in the Localism Act 2011. The Council's new approach to allocating affordable housing will be fairer, simpler and more realistic. In its strategic role as the local housing authority for the borough, the Council intends to ensure that meeting housing need and aspiration correlates more closely with current and future availability of affordable housing. The Council also intends to ensure that future occupants of affordable housing make a greater contribution to the community and the economy
- 5.3 Housing is a scarce resource nationally and in Slough, and demand far outstrips supply. The scheme sets out how Slough Borough Council will allocate housing to those who are eligible, in greatest housing needs, who have a track record of being good tenants, and who contribute positively to their neighbourhoods.
- 5.4 The Housing Allocation Scheme sets out the criteria for allocating council and registered provider properties by Slough Borough Council. The scheme operates

within guidance issued by government, including the new flexibilities offered by the Localism Act. The scheme contributes to the council's priorities by providing good quality housing to those in greatest need, while balancing the rights and responsibilities of applicants, and rewarding those who contribute positively within their community and the borough of Slough. The scheme provides support to the most vulnerable residents in Slough, working in conjunction with initiatives that help people live healthy, fulfilling and independent lives.

- 5.5 Eligibility which mainly concerns immigration status is set nationally, and therefore there is no local freedom in the application of this. This section of the scheme remains unchanged.
- 5.6 Qualification sets out the reasonable preference criteria, which remains unchanged
- 5.7 The Localism Act introduces the ability to set ineligibility criteria. It is this section which links applicants' ability to access housing with the responsibilities that come with it. As this scheme is intended to support Slough residents, only those who can demonstrate that they have lived in the area for a minimum period of five years will be admitted to the register. Applicants who behave anti socially and are not financially responsible will be ineligible to join the housing register.
- 5.8 Additional preference will be given to individuals whose behaviour contributes positively to the community and Slough Borough Council's priorities. Additional preference will result in applicants being housed more quickly. Additional preference will be granted to applicants who make a community contribution through employment, training, education or involvement in established charitable and community projects through volunteering. Those with good tenancy records will gain additional preference as they have demonstrated their responsibilities by paying rent on time, treating their property, their neighbours and their area with respect. Those who receive support through council initiatives such as fostering and adoption, care leavers, young people moving on and those participating in the family first programme will also receive additional preference as they are demonstrating positive community contribution. Members and former members of the armed forces are also recognised through the Armed Forces Covenant and will be granted additional preference.
- 5.9 Applicants will be given a choice of three broad areas where they wish to be housed, giving them an opportunity to indicate a preference linked to employment, education and family networks. Those who do not express a specific preference and are willing to be housed anywhere within the modestly sized borough will be housed more quickly. Applicants will be housed in any type of property which is suitable for their needs, and will receive one reasonable offer of accommodation.
- 5.10 To ensure that the vulnerable and those in most need will get access to housing discretion is built into the scheme for exceptional cases.
- 5.11 Once the Policy is agreed there will be a re-registration process where all households on the present housing waiting list will be contacted and asked to update their applications. All the applications will then be reassessed using the new criteria set out in the Policy. Testing is already underway to ensure that the criteria are fairly applied and that there are no negative equality implications.

6. Consultation Headlines

- 6.1 Consultation on the Housing Allocation Scheme 2013-2018 consisted of a number of predominant strands including an online and paper based questionnaire; engagement with Slough Customer Senate and Area Panels, public drop in sessions; engagement with Registered Providers and internal management engagement.
- 6.2 Awareness of the methods of consultation listed in 6.1 was highlighted through the council's usual communication channels including press releases, Twitter messages, information on the website, articles in the Citizen magazine distributed to 46,500 households and Streets Ahead magazine which is distributed to all Slough Borough Council tenants and residents.
- 6.3 The questionnaire provided an opportunity for feedback on twenty specific aspects of the proposed Allocation Scheme including ineligibility; size, location and type of properties and additional preference. A comments section and equalities monitoring information was also provided. The questionnaire could be completed online via the council's website. In addition, paper copies with a summary of the policy and pre-paid envelopes were provided in each of the borough's seven libraries, and at the reception of each of the three main corporate buildings. Posters advertising the availability of the hard copy questionnaires were also displayed in these buildings.

6.4 **Interim Results of Consultation**

As of 23rd August, around 80% of the way through the consultation, the council had received 362 online responses.

Possible answers were agree, disagree, don't mind, unless otherwise stated.

Of those who answered each question on:

Ineligibility

88% were in favour of only allocating housing to those who have a local connection to Slough of five years or more.

79% agreed that Slough should begin to operate a managed list, rather than an open list

90% agree that those convicted of housing or welfare fraud should not be admitted to the list

92% agree that those who fail to pay rent, committee ASB, a criminal offence or fraud should not be admitted to the list

90% agree that those who damage their property should not be admitted to the list

87% agree that those who are violent or aggressive towards staff should not be admitted to the list

77% agree that those with an income of over £42,000 should be ineligible

66% agree that those with over £20,000 in equity or savings should be ineligible

46% agreed, and **43%** disagreed that only those overcrowded by more than 1 bedroom should be admitted to the list

35% agreed, and **61%** disagreed that applicants should received only 1 reasonable offer of accommodation

Size, location and type of properties

78% agreed that allocations would not distinguish between council and housing association properties

83% agreed that enough, or more than enough choice would be provided by splitting the borough into three areas, giving applicants a choice of one area, while giving applicants who do not specify an area greater preference

Additional Preference (AP)

72% agree that AP should be awarded to those who have been employed for 12 months

58% agree that AP should be awarded to those who take part in training/education

52% agree that AP should be awarded to those who have volunteered for 12 months

84% agree that AP should be awarded to those who have good tenancy records

56% agree that AP should be awarded to children leaving care

53% agree that AP should be awarded to those leaving young people's accommodation

65% agree that AP should be awarded to approved foster carers and adopters

65% agree that AP should be awarded to former armed forces personnel

Those who filled in the survey

95% lived in Slough

The lowest response rate was from Foxborough at **2%** of the total responses, the highest from Central at **13%**

53% lived in private rented sector housing (24% of Slough residents live in the private rented sector), **12%** lived in owner occupied, **10%** in council owned.

84% were currently on the waiting list

Of those **47%** were placed in Band B. **52%** of those on the register are in Band B, showing a representative split.

46% of respondents identified as white British; 45.7% of Slough's population is white British according to the 2011 Census.

19% of respondents identified as Asian/British Asian; 39.7% of Slough's population is Asian/British Asian according to the 2011 Census.

- 6.5 The online and paper based questionnaires included a section for questions and comments giving respondents the opportunity to raise specific points. A wide range of comments were received, the majority positive. Several comments supported greater emphasis on Slough residents, while several expressed a perception that people were 'jumping the queue', but that the new scheme would reduce this. A number of people asked about the status of those currently on the register, and how this will be affected by the adoption of the new scheme. A number of comments referenced the level of communication currently received from the council to applicants, asking for this to be increased. A small number of comments indicated opposition to the reduction to three areas across the borough, and one suitable offer, matching the overall response to these elements of the questionnaire. A small number of comments suggested that more could be done to develop a housing stock to better match need.

- 6.6 Engagement with Slough Customer Senate included through Senate panel meetings and Area Panel Meetings as well as with Residents Groups. Slough Customer Senate felt that on the whole the Policy is welcomed. The Senate did raise concerns about choice for customers and changes that would be only one offer of suitable accommodation. The Senate also felt that transparency in the process was paramount and that there were sufficient safeguards for vulnerable households.
- 6.7 Engagement with established organisations in the borough including focus groups, including a broad range of statutory and voluntary stakeholders. Some statutory groups have responded with regard to concerns of those who live chaotic lifestyles due to substance misuse and who may fail the eligibility criteria.
- 6.8 The council held three public drop in sessions, one each in Britwell, central Slough and Langley. Across these sessions there were a number of attendees. Council officers were available to answer questions on the scheme and paper questionnaires were made available.
- 6.9 Dedicated Workshop for Elected Members has been organised for 3 September 2013.
- 6.10 Across the range of methods used to consult with people, feedback has been overwhelmingly supportive of the measures and criteria set out within the draft Scheme. The one element of the scheme which was actively opposed was only offering successful applicants one reasonable offer, which if refused would render the applicant ineligible to apply again. In the revised version of the Scheme the criteria has been changed to state that the applicant will be suspended for 12 months and then will be able to make a fresh new application which will not be retrospective in terms of date.

7 Changes recommended in response to the consultation

- 7.1 Based on the consultation responses, members may wish to recommend the following amendments:
- a) Only one of the proposals put forward in the draft scheme was opposed by a majority of respondents, that of making one reasonable offer, which if rejected would result in an applicant being removed from the housing list and prevented from applying again.
- b) If they wish, members may be minded to modify this criteria in response to public opinion, and may do this by either:
- i) increasing the number of suitable offers which may be rejected by an applicant before they are removed from the list;
 - ii) including a period of suspension from the list, following a rejection of a suitable property, which could be put in place, for example, for twelve months; or
 - iii) a combination of both.

c) The only other proposal which did not receive over 50% support was that only households overcrowded by more than one bedroom, where this is their only housing need, will be admitted to the register. A majority of respondents were either in favour or didn't mind, so clearly there is not as demonstrable a level of demand for this to change.

d) Feedback from Housing and Environment staff and other statutory agencies have requested the Banding be reduced from four bands to three to simplify the assessment process. This will not have any affect on the priority awarded to households under the Policy and therefore is a reasonable change if agreed.

e) Officers may be required to make minor administrative changes for operational reasons or arising from changes agreed above.

8 **Conclusion**

8.1 The Housing Allocation Scheme gives the council the opportunity to support a number of priorities in the allocation of housing. Demand in the borough far outstrips supply, and therefore for the efficient operation of the process the scheme must be realistic about which applicants are likely to be successful. This gives certainty and flexibility to applicants, and provides for a more efficient process.

8.2 The council has carried out a wide reaching consultation utilising a variety of methods. The responses received are broadly representative of Slough's population and clients of the housing service, e.g. the proportion of respondents in each housing band.

8.3 Responses received have overwhelmingly supported the vast majority of measures set out in the draft Housing Allocation Scheme 2013-2018.

9 **Appendices Attached**

A - Draft Allocations Policy

B - Free Text Comments on Proposed Scheme

10 **Background Papers**